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# The Scottish Enlightenment and the Remaking of Modern History

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## Abstract

This article offers a new interpretation of the history-writing produced in Enlightenment Scotland. It argues that after the Jacobite rebellion of 1745 was blamed on Scotland's 'feudal' institutions, Scottish jurists and historians began to interrogate what it meant to become 'modern'. Instead of accepting the Whig claim that England provided the ideal model for social and political development, they subsumed English history into a broader debate about whether and how modern Europe had emerged from its feudal past. By reconstructing this debate, the article shows how Scots rewrote European history in ways that subverted the English whig tradition while rejecting universal or 'cosmopolitan' explanations of social progress. In doing so, the article reopens the question of how the Scottish Enlightenment shaped British imperial culture across the eighteenth and early nineteenth centuries.

On 30 October 1745, the advocate Henry Home, Lord Kames, sent a gloomy letter from his Lowland estate in Berwickshire. The Highlands, he wrote, had been infected by a 'disease'.<sup>1</sup> In July that year, Charles Edward Stuart, the Jacobite pretender to the British throne, had landed on the island of Eriskay and began to raise an army from supportive Highland clans; by the middle of September, he had taken the cities of Aberdeen and Edinburgh. After the rebellion was crushed at Culloden the following April, Kames expanded his diagnosis: the Highland disease was the 'Feudal Law'.<sup>2</sup> This law, he claimed, comprised a body of tenurial customs ('Land Rights') that had been imposed on England

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<sup>1</sup> Henry Home to Andrew Fletcher, Lord Milton, 30 Oct. 1745. National Library of Scotland (NLS), Saltoun papers, MS 16609, fos. 62–63. Home was a practising advocate (an admitted member of Scotland's bar, the Faculty of Advocates) and took the title Lord Kames only after judicial elevation in 1752. For clarity, I refer to him as Lord Kames throughout the article. Lord Milton was at the time lord justice clerk, the head of Scotland's criminal judiciary.

<sup>2</sup> Henry Home, Lord Kames, *Essays upon several subjects concerning British antiquities* (Edinburgh, 1747), p. 1.

during the Norman conquest of 1066, and imitated in Scotland soon afterwards.<sup>3</sup> In both England and Scotland, feudal tenures had placed land and jurisdictional authority into the hands of the king and his chief noblemen. Since then, however, commerce had ‘flourished’ only in England, inducing its nobility to sell off their estates to fund their participation in burgeoning markets for manufactured goods.<sup>4</sup> This English redistribution of land had created the social conditions that fomented its Revolution in 1688–9.<sup>5</sup> But Scotland remained stuck in the feudal mud. The estates of Scottish noblemen, Kames wrote later, had survived the upheaval of the seventeenth century.<sup>6</sup> In his eyes, these estates were sources of sloth and sedition. To finally realize the stability and prosperity promised by the Anglo-Scottish Union of 1707, they had to be broken up by the legislative power of the new British parliament at Westminster.<sup>7</sup>

Kames was not unique in framing the Jacobite rebellion of 1745 as a feudal problem.<sup>8</sup> In the aftermath of Culloden, the Pelham administration abolished most of Scotland’s ‘feudal’ hereditary jurisdictions as part of a flurry of laws aimed at pacifying the clans.<sup>9</sup> In the now voluminous literature on the historians, jurists, philosophers, and ministers of the Scottish Enlightenment, Kames’s alignment with the ideology of the Whig ministry led by Henry Pelham and his brother, the duke of Newcastle, has gained a wider significance.<sup>10</sup> It is now well established that Kames was representative of a broader Scottish assimilation to England’s dominant historiographical tradition – referred to by historians today as English ‘whig history’.<sup>11</sup> Assimilation to

<sup>3</sup> *Ibid.*, p. 17.

<sup>4</sup> *Ibid.*, pp. 13, 155–6.

<sup>5</sup> *Ibid.*, p. 159.

<sup>6</sup> Lord Kames, *Historical law-tracts* (2 vols., Edinburgh, 1758), I, pp. 198–218.

<sup>7</sup> Lord Kames to Sir Gilbert Elliot, third baronet and Lord Minto, 6 Feb. 1758, NLS, Minto papers, MS 11014, fo. 111; Lord Kames, ‘Considerations upon the state of Scotland with respect to entails: addressed to Lord Chancellor Hardwicke, with accompanying letter’, 29 Aug. 1759, in W. C. Lehmann, *Henry Home, Lord Kames, and the Scottish Enlightenment* (The Hague, 1971), pp. 327–31, at p. 330; Lord Kames, *Historical law-tracts*, I, pp. v–xvi.

<sup>8</sup> On the separate question of whether modern historians should apply the term ‘feudal’ to the social and political relations of medieval Europe, see Susan Reynolds, *Fiefs and vassals: the medieval evidence reinterpreted* (Oxford, 1994).

<sup>9</sup> On the package of post-rebellion legislation, see Matthew Dziennik, ‘“Under ye lash of ye law”: the state and the law in the post-Culloden Scottish Highlands’, *Journal of British Studies*, 60 (2021), pp. 609–31; Julian Hoppit, ‘Compulsion, compensation, and property rights in Britain, 1688–1833’, *Past & Present*, 210 (2011), pp. 93–128, at pp. 108–15; for the common rendering of heritable jurisdictions as ‘feudal’, see the debates on the Heritable Jurisdictions Bill in both Houses of Parliament in William Cobbett, ed., *The parliamentary history of England, from the earliest period to the year 1803* (36 vols., London, 1812–20), XIV, cols. 1–57, at cols. 49, 54; see also the anonymous pamphlets *Superiorities display’d: or, Scotland’s grievance, by reason of the slavish dependence of the people upon their great men* (Edinburgh, 1746), pp. 3, 9; *An ample disquisition into the nature of regalities and other heretable jurisdictions* (London, 1747), pp. 7–10.

<sup>10</sup> For an overview of the literature on the Scottish Enlightenment, see Silvia Sebastiani, *The Scottish Enlightenment: race, gender, and the limits of progress* (Basingstoke, 2013), pp. 1–23.

<sup>11</sup> Colin Kidd, *Subverting Scotland’s past: Scottish Whig historians and the creation of an Anglo-British identity, 1689–c. 1830* (Cambridge, 1993), pp. 97–215; Murray Pittock, *Inventing and resisting Britain:*

whig history did not necessarily overlap with support for the Whig administrations of George I and George II (although it often did).<sup>12</sup> Rather than a function of political allegiance, the whig tradition can be defined instead as a set of inherited and adaptable beliefs about the *sui generis*, and often superior, character of English history when compared to the histories of other Western European nations.<sup>13</sup> The basis of England's distinction was mutable. English whig history originated in London's late sixteenth-century inns of court, when their lawyers began to claim that England had always been equipped with a unique 'ancient constitution' that had limited its monarchs through parliament and the common law.<sup>14</sup> By the middle of the eighteenth century, however, educated English society had coalesced around the unprecedented liberation produced by the so-called 'Glorious Revolution' of 1688–9: the moment at which England had become 'modern' by escaping its feudal past – even if squabbles abounded over whether the post-Revolutionary constitution had in fact resurrected the 'ancient' and pre-feudal politics of the Anglo-Saxons.<sup>15</sup>

It is a 'cosmopolitan' update of this mid-century iteration of English whig history that has been detected in post-rebellion Scotland. As Colin Kidd describes it, Scotland's most successful literary figures, chief among them the philosopher and historian David Hume, came to accept that England 'represented modernity'.<sup>16</sup> They promoted the idea that England was the only

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*cultural identities in Britain and Ireland, 1685–1789* (London, 1997), pp. 140–5; see also Duncan Forbes, "'Scientific" Whiggism: Adam Smith and John Millar', *Cambridge Journal*, 7 (1954), pp. 643–71; idem, 'Sceptical Whiggism, commerce, and liberty', in Andrew Skinner and Thomas Wilson, eds., *Essays on Adam Smith* (Oxford, 1975), pp. 179–202; idem, *Hume's philosophical politics* (Cambridge, 1975); Nicholas Phillipson, *David Hume: the philosopher as historian* (London, 1989; repr. London, 2011); John Pocock, *The ancient constitution and the feudal law* (Cambridge, 1957; repr. 1987); idem, *Barbarism and religion* (6 vols., Cambridge, 1999–2015); James Harris, *Hume: an intellectual biography* (Cambridge, 2015).

<sup>12</sup> For contrasting perspectives on the breadth and depth of Whig and Jacobite affiliation in eighteenth-century Scotland, see Christopher Whatley, 'Reformed religion, regime change, Scottish Whigs and the struggle for the "soul" of Scotland, c. 1688 – c. 1788', *Scottish Historical Review*, 92 (2013), pp. 66–99; Allan Macinnes, 'Jacobitism in Scotland: episodic cause or national movement?', *Scottish Historical Review*, 86 (2007), pp. 225–52.

<sup>13</sup> One of Herbert Butterfield's many definitions of the English whig tradition equated it with the national view of England's history since the late sixteenth century, for which see Butterfield, *The Englishman and his history* (Cambridge, 1944), p. 72. On this view of the whig tradition, see also Peter Ghosh, 'Gladstone and Peel', in idem and Lawrence Goldman, eds., *Politics and culture in Victorian Britain: essays in memory of Colin Matthew* (Oxford, 2006), pp. 45–73, at p. 48.

<sup>14</sup> On the 'ancient constitution', see Mark Goldie, 'The ancient constitution and the languages of political thought', *Historical Journal*, 62 (2019), pp. 3–34; Pocock, *Ancient constitution*; on whig history from the eighteenth to the twentieth century, see Peter Ghosh, 'Macaulay and the heritage of the Enlightenment', *English Historical Review*, 112 (1997), pp. 358–95; Piet Blaas, *Continuity and anachronism: parliamentary and constitutional development in Whig historiography and in the anti-Whig reaction between 1890 and 1930* (The Hague, 1978); Christopher Parker, *The English historical tradition since 1850* (Edinburgh, 1990).

<sup>15</sup> For the claim that the Revolution had made England 'modern', see Lord John Hervey, *Ancient and modern liberty stated and compar'd* (London, 1734); for the Revolution as the restoration of Saxon politics, see Henry St John, Viscount Bolingbroke, *Remarks on the history of England* (London, 1743).

<sup>16</sup> Kidd, *Subverting Scotland's past*, p. 210. In Kidd's usage, this Scottish idea of England's 'modernity' was historically specific, rather than an anticipation or approximation of the new conceptions

European monarchy to have become 'modern' by redistributing its feudal estates into the hands of common people, empowering their parliamentary representatives to seize sovereignty in the Revolution of 1688–9.<sup>17</sup> Yet they did so from an elevated cosmopolitan perspective. Dismissive of overtly chauvinistic strains of whig history, they chose instead to explain English history in terms of the universal process of commercial 'civilization'.<sup>18</sup> As Kames suggested above, it was commercial activity rather than the contingent features of England's history that explained its precocious redistribution of feudal land. In theory, England's modernization could be imitated by any other nation – such as Scotland – in which commerce took hold.

This article offers a new interpretation of the historical writing of the Scottish Enlightenment. Instead of rendering Kames, Hume, and their contemporaries as cosmopolitan proponents of English whig history, the article argues that they remade 'modern' history in the light provided by Europe's feudal past. After the rebellion of 1745 was widely attributed to feudal causes, many Scots followed Kames by reconstructing the feudal world to articulate what was modern (and what remained pre-modern) about their own. But they arrived at different conclusions, with different proposals for how to reform the politics of modern Britain. To advocate land reform in Scotland, Kames did deploy the resources of the English whig tradition: for him, English history lit up the route that Scotland should take to escape its feudal past. But others reworked Kames's account of feudal politics in light of the debate stimulated by the 1748 publication of Charles-Louis de Secondat, Baron de Montesquieu's *De l'esprit des loix* in Geneva.<sup>19</sup>

A jurist and former chief magistrate of Bordeaux's civil court (*parlement*), Montesquieu had used the final books of *The spirit of laws* to defend feudal

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of 'modernity' that historians began increasingly to attach to the European Enlightenment from the mid-1990s onwards, on which see John Robertson, 'Enlightenment and modernity, historians and philosophers', *International Journal for History, Culture, and Modernity*, 8 (2020), pp. 278–321.

<sup>17</sup> Kidd, *Subverting Scotland's past*, pp. 205–15; see also Karen O'Brien, *Narratives of Enlightenment: cosmopolitan history from Voltaire to Gibbon* (Cambridge, 1997), pp. 11–12; Forbes, *Hume's philosophical politics*, pp. 296–7; Donald Winch, *Adam Smith's politics: an essay in historiographic revision* (Cambridge, 1978), pp. 70–102, at pp. 72–5, 99–102; idem, 'The system of the north: Dugald Stewart and his pupils', in Stefan Collini, Donald Winch, and John Burrow, eds., *That noble science of politics: a study in nineteenth-century intellectual history* (Cambridge, 1983), pp. 23–63, at p. 28; idem, *Riches and poverty: an intellectual history of political economy in Britain, 1750–1834* (Cambridge, 1996), p. 75; Biancamaria Fontana, *Rethinking the politics of commercial society: The Edinburgh Review, 1802–1832* (Cambridge, 1985), pp. 17–18, 108.

<sup>18</sup> Duncan Forbes, 'The European, or cosmopolitan, dimension in Hume's science of politics', *British Journal for Eighteenth-Century Studies*, 1 (1978), pp. 57–61; idem, *Hume's philosophical politics*, pp. 125–92; John Burrow, *A liberal descent: Victorian historians and their English past* (Cambridge, 1981), pp. 27–33, at p. 27; Colin Kidd, 'North Britishness and the nature of eighteenth-century British patriotisms', *Historical Journal*, 39 (1996), pp. 361–82; idem, *Subverting Scotland's past*, pp. 205–15; O'Brien, *Narratives of Enlightenment*; Anna Plassart, *The Scottish Enlightenment and the French Revolution* (Cambridge, 2015), p. 31.

<sup>19</sup> Charles-Louis de Secondat, Baron de Montesquieu, *De l'esprit des loix* (2 vols., Geneva, 1748); the best accounts of its reception in France and the Swiss cantons are Michael Sonenscher, *Before the deluge: public debt, inequality, and the intellectual origins of the French Revolution* (Princeton, NJ, 2007); idem, *Sans-culottes: an eighteenth-century emblem in the French Revolution* (Princeton, NJ, 2008).

institutions as the critical infrastructure of modern France.<sup>20</sup> In contrast to the work's two short chapters on the English constitution, which were excerpted and translated in the London periodical, the *Monthly Review*, these books claimed that feudal property, feudal courts, and feudal custom protected the citizens of modern France from the arbitrary prerogative of the crown.<sup>21</sup> When considering Montesquieu's influence on Scottish intellectual culture, scholars have mainly found him lurking behind the 'four-stages' or 'stadial' theory of civilization often associated with the Scottish Enlightenment.<sup>22</sup> But in a Scotland preoccupied with whether its feudal institutions had fomented the latest Jacobite rebellion, it was his history of France that stood out. In 1757, the jurist Sir John Dalrymple refashioned Montesquieu's ideas into a new history of landownership in Britain to make the case to the Faculty of Advocates that Scotland need not break up its feudal estates.<sup>23</sup> In 1759, the minister and historian William Robertson built Montesquieu's account of feudal government into his own history of Scotland between 1542 and 1603: a period in which the 'feudal aristocracy' still survived in Scotland, but which had nevertheless been marked by the arrival of a Presbyterian Christianity which Robertson perceived to be 'modern'.<sup>24</sup> The sixteenth century, he wrote a year later, 'contains the opening of modern History'.<sup>25</sup>

<sup>20</sup> Montesquieu, *The spirit of the laws*, ed. A. M. Cohler, B. C. Miller, and H. S. Stone (Cambridge, 1989), books 28, 30, 31; for a general introduction to these books, see Bertrand Binoche, *Introduction à De l'esprit des lois de Montesquieu* (Paris, 2015), pp. 342–63; on Montesquieu and the modernity of feudal government, see Sonenscher, *Before the deluge*, pp. 108–9, 132–3; for a broader discussion of Montesquieu and the periodization of history, see Manjeet Ramgotra, 'Time, modernity, and space: Montesquieu and Constant's ancient/modern binaries', *History of European Ideas*, 48 (2022), pp. 263–79.

<sup>21</sup> *Monthly Review*, 1 (1749), pp. 229–37, 241–50, 401–7; the two chapters were also translated and published together as a pamphlet, *Chapters of a celebrated French work, entitled, De l'esprit des loix, translated into English* (Edinburgh, 1750).

<sup>22</sup> Ronald Meek, *Social science and the ignoble savage* (Cambridge, 1976); Winch, *Adam Smith's politics*; Collini, Winch, and Burrow, 'Prologue: The governing science: things political and the intellectual historian', in *That noble science of politics*, pp. 1–21; Karen O'Brien, 'Between Enlightenment and stadial history: William Robertson on the history of Europe', *Journal for Eighteenth-Century Studies*, 16 (1993), pp. 53–64; Richard Sher, 'From Troglodytes to Americans: Montesquieu and the Scottish Enlightenment on liberty, virtue and commerce', in David Wootton, ed., *Republicanism, liberty and commercial society* (Stanford, CA, 1994), pp. 368–402; James Moore, 'Montesquieu and the Scottish Enlightenment', in Rebecca Kingston, ed., *Montesquieu and his legacy* (New York, NY, 2008), pp. 179–95.

<sup>23</sup> Sir John Dalrymple, *An essay towards a general history of feudal property in Great Britain* (London, 1757); idem, *Considerations upon the policy of entails in Great Britain* (Edinburgh, 1764).

<sup>24</sup> William Robertson, *The history of Scotland* (2 vols., London, 1759), II, p. 249; idem, *The situation of the world at the time of Christ's appearance, and its connexion with the success of his religion, considered* (Edinburgh, 1755). For scholarship that dresses Robertson instead in cosmopolitan and whiggish clothes, see O'Brien, *Narratives of Enlightenment*, pp. 93–129, at pp. 111–13; Kidd, *Subverting Scotland's past*, pp. 180–4, 207–8; idem, 'The ideological significance of Robertson's *History of Scotland*', in Stewart Brown, ed., *William Robertson and the expansion of empire* (Cambridge, 1997), pp. 122–45, at pp. 132–3; Pocock, *Barbarism and religion*, II, pp. 264–5.

<sup>25</sup> William Robertson to Philip Yorke, second earl of Hardwicke, 19 Jan. 1760. British Library, Hardwicke papers, Add. MSS 35350, fos. 58–9.

Ten years before Robertson published his *History of Scotland*, David Hume had already read Montesquieu as a historian of feudal government in Europe.<sup>26</sup> Hume was also the author of what became the standard work of English history until Thomas Babington Macaulay published his own history of England in 1848.<sup>27</sup> The following four sections therefore focus on Hume's *History of England* (1754–62) and the responses it elicited from his Scottish interlocutors. The first two sections show how, in the neglected later volumes of the work, Hume transformed Montesquieu's history of France into a new account of how modern Europe had emerged from its feudal past. The history of modern France, for Montesquieu, began with the fifth-century arrival of the Franks into Roman Gaul; he considered Frankish social and political arrangements to be feudal, and feudal institutions as the source of modern French liberty. But modern history, as Hume saw it, only began over a millennium later, after a transformation of feudal manners across sixteenth-century Europe had liberated ordinary people from aristocratic violence. Hume's story was radical in decoupling the emergence of English liberty from land redistribution and the rise of parliament, and issued in a jaundiced view of the health of the modern British constitution. The third section shows how some of Hume's contemporaries, including Adam Ferguson and John Millar, took alarm. They were both troubled by the diminished role Hume seemed to assign to parliamentary government in the formation of modern Britain; their response was to redraw his line between feudal and modern, and restore property-holding and representative government to the centre of the picture. The fourth section looks at Adam Smith, who intervened in the debate by incorporating Hume's central argument into his *Inquiry into the nature and causes of the wealth of nations* (1776).<sup>28</sup> It was only Hume, he suggested in the work's historical third book, who had grasped that modern European politics consisted in a new relationship between the propertied and the waged, rather than a new distribution of property and political authority. The fifth section offers some concluding reflections.

By reconstructing this Scottish debate about the feudal origins of modern Europe, this article builds on recent scholarship that reveals the extent to which seventeenth- and eighteenth-century visions of political order across the British Atlantic world relied on the periodization and conceptualization of feudal history.<sup>29</sup> The article also hopes to begin rethinking the place of

<sup>26</sup> David Hume to Montesquieu, 10 Apr. 1749, in J. Y. T. Grieg, ed., *The letters of David Hume* (2 vols., Oxford, 1932), I, pp. 133–9.

<sup>27</sup> Mark Towsey, *Reading history in Britain and America, c. 1750–1840* (Cambridge, 2019), pp. 103–38; Mark Salber Phillips and Dale R. Smith, 'Canonization and critique: Hume's reputation as a historian', in Peter Jones, ed., *The reception of David Hume in Europe* (London, 2005), pp. 299–313; James Baverstock, "'A chief standard work": the rise and fall of David Hume's "History of England", 1754 – c. 1900' (Ph.D. thesis, University College London, 1997).

<sup>28</sup> Adam Smith, *An inquiry into the nature and causes of the wealth of nations*, ed. R. H. Campbell, A. S. Skinner, and W. B. Todd (2 vols., Oxford, 1976; repr. Indianapolis, IN, 1981).

<sup>29</sup> Holly Brewer, 'Creating a common law of slavery for England and its new world empire', *Law and History Review*, 39 (2021), pp. 765–834; Asheesh Kapur Siddique, 'Beyond Somerset?: slavery and the temporality of law', *Law and History Review*, 40 (2022), pp. 591–5; Daniel Hulsebosch,



the Scottish Enlightenment in the intellectual history of the British empire. Within this historiography, eighteenth-century Scotland is cast as a seedbed of cosmopolitan politics that nourished the intellectual culture of nineteenth-century Britain. Stadial theory is widely seen as its most powerful nutrient. The 'four-stages' theory of civilization stipulated that all human societies began as associations of hunter-gatherers before moving through the subsequent stages of pasturage, agriculture, and manufacturing and trade; it also pulled European and non-European societies into the same universal system of time, rendering the differences between them as malleable and bridgeable. For some scholars, this theory provided the conceptual tools with which educated Britons rejected conceptions of human difference as racial and intractable until the 1880s; for others, its cosmopolitan promise was soon broken by liberal imperialists such as John Stuart Mill, for whom it became a racist tool for denying self-government to the indigenous communities of Britain's colonies.<sup>30</sup> But the Scots considered here deployed stadial theory alongside modernist histories that erected barriers between European and non-European peoples.<sup>31</sup> Explicating this tension in the history-writing of the Scottish Enlightenment helps to move beyond broad-brush invocations of its cosmopolitan character, raising new questions about its intellectual legacy. As the fourth section suggests, it also sheds new light on why British thinkers so often saw little contradiction in supporting the expansion of Britain's settler colonies while denouncing company and imperial rule in the East Indies.<sup>32</sup>

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'Confiscation nation: settler postcolonialism and the property paradox', *Yale Journal of Law & the Humanities*, 33 (2022), available at SSRN: <https://ssrn.com/abstract=4101307>; see also Kathleen Davis, *Periodization and sovereignty: how ideas of feudalism and secularization govern the politics of time* (Philadelphia, PA, 2008); Reynolds, *Fiefs and vassals*; Elizabeth Brown, 'The tyranny of a construct: feudalism and historians of medieval Europe' *American Historical Review*, 79 (1974), pp. 1063–88.

<sup>30</sup> For the former, see Peter Mandler, 'Looking around the world', in Adelene Buckland and Sadiyah Qureshi, eds., *Time travelers: Victorian encounters with time and history* (Chicago, IL, 2021), pp. 24–41; idem, "'Race" and "nation" in mid-Victorian thought', in Stefan Collini, Richard Whatmore, and Brian Young, eds., *History, religion, and culture: British intellectual history, 1750–1950* (Cambridge, 2000), pp. 224–44; for the latter, see Uday Singh Mehta, *Liberalism and empire: a study in nineteenth-century British liberal thought* (Chicago, IL, 1999); Jennifer Pitts, *A turn to empire: the rise of imperial liberalism in Britain and France* (Princeton, NJ, 2005); Karuna Mantena, *Alibis of empire: Henry Maine and the ends of liberal imperialism* (Princeton, NJ, 2010); Karen O'Brien, 'Empire, history, and emigration: from Enlightenment to liberalism', in Catherine Hall and Keith McClelland, eds., *Race, nation and empire: making histories, 1750 to the present* (Manchester, 2010), pp. 15–36; see also John Burrow, *Evolution and society: a study in Victorian social theory* (Cambridge, 1966; repr. 1970).

<sup>31</sup> For a sceptical view of the idea that Scottish stadial theory, or 'conjectural history', conceptualized a universal system of time, see Aaron Garrett, 'Law, chronology, and Scottish conjectural history', in John Robertson, ed., *Time, history, and political thought* (Cambridge, forthcoming 2023).

<sup>32</sup> By offering some reflections on this interpretative puzzle, the article builds on Onur Ulas Ince, 'Adam Smith, settler colonialism, and limits of liberal anti-imperialism', *Journal of Politics*, 83 (2021), pp. 1080–96; Duncan Bell, *Reordering the world: essays on liberalism and empire* (Princeton, NJ, 2016).

In February 1757, David Hume was vacillating about how to extend his *History of Great Britain*. He had published its first volume in 1754, beginning with the accession of James I in 1603 and closing with the Regicide in 1649; he had completed the second in 1756, carrying the story up to 1688.<sup>33</sup> Now he was torn. The options, as he saw them, were to go forwards to Hanoverian Britain in the early eighteenth century, or backwards to the sixteenth century.<sup>34</sup> By May that year, he had decided to go backwards, beginning with the reign of Henry VII. 'It is properly at that Period', he explained to his bookseller Andrew Millar, that 'modern History commences.'<sup>35</sup> I 'wish', he wrote a few days later, 'I had from the first begun at that Period. It really is the commencement of modern History.'<sup>36</sup> He published the next instalment in 1759, under the new title of the *History of England*.<sup>37</sup> After this he went backwards again, publishing a final instalment in 1761 that ran from Julius Caesar's invasion of Britannia to the accession of Henry VII.<sup>38</sup> In 1762, he republished the whole enterprise as *The history of England, from the invasion of Julius Caesar to the Revolution in 1688*.<sup>39</sup>

In the Stuart volumes of his history, Hume had already shown that England's fabled 'ancient constitution' consisted simply in the strong crown that James I had inherited from Elizabeth.<sup>40</sup> He had shown how a rise in commercial activity and new markets in luxury goods had bankrupted small property-holders, allowing the 'gentry' ('that rank which composed the house of commons') to swallow their estates and seek legal protections for their new-found property.<sup>41</sup> He had delighted in the irony that parliamentary demands for protection from the crown – what Hume often referred to as calls for 'civil liberty' – had been fuelled by the violence of Protestant 'enthusiasm'.<sup>42</sup> And he had heralded the

<sup>33</sup> David Hume, *The history of Great Britain, Vol. I: containing the reigns of James I. and Charles I.* (Edinburgh, 1754). The second volume was published in March 1757. See David Hume, *The history of Great Britain, Vol. II: containing the Commonwealth, and the reigns of Charles II. and James II.* (London, 1757).

<sup>34</sup> Hume to William Mure of Caldwell, Feb. 1757, in Hume, *Letters*, I, pp. 241–4; Hume to Adam Smith, Feb./Mar. 1757, in *ibid.*, pp. 245–6.

<sup>35</sup> Hume to Andrew Millar, 20 May 1757, in *ibid.*, p. 249.

<sup>36</sup> Hume to William Strahan, 25 May 1757, in *ibid.*, pp. 250–1.

<sup>37</sup> David Hume, *The history of England under the house of Tudor* (2 vols., London, 1759).

<sup>38</sup> David Hume, *The history of England, from the invasion of Julius Caesar to the accession of Henry VII* (2 vols., London, 1762). Although the date on the title page reads 1762, it was published on 17 Nov. 1761.

<sup>39</sup> David Hume, *The history of England, from the invasion of Julius Caesar to the Revolution in 1688* (8 vols., London, 1762). Hereafter all references are to the London bookseller Thomas Cadell's posthumous edition of 1778, reprinted as *The history of England: from the invasion of Julius Caesar to the Revolution in 1688*, ed. William Todd (6 vols., Indianapolis, IN, 1983).

<sup>40</sup> Hume, *History*, V, pp. 14–18, 19n, 125–7; the best account of Hume on England's 'ancient constitution' remains Forbes, *Hume's philosophical politics*, pp. 260–308. On Hume's historical thought before his *History*, see Pedro Faria, 'The structure of Hume's historical thought before the *History of England*', *Intellectual History Review* (2022), DOI: [10.1080/17496977.2022.2154998](https://doi.org/10.1080/17496977.2022.2154998).

<sup>41</sup> Hume, *History*, V, pp. 40, 134–5.

<sup>42</sup> *Ibid.*, pp. 10–11, 85n, 93–5, 211–13, 250–300, 380n, 441–3, 459–60; VI, pp. 60–4, 73–4; the best account of the confessional politics of the *History* can be found in Pocock, *Barbarism and religion*, II, pp. 209–15.



'Glorious Revolution' of 1688–9 as the beginning of a 'new epoch' in the history of the English constitution: the source of the 'most entire system of liberty, that ever was known amongst mankind'.<sup>43</sup> The Stuart volumes have accordingly been established as the nucleus of the work. It was here that Hume argued that the English Revolution had given birth to a modern parliamentary monarchy capable of terminating religious and aristocratic war.<sup>44</sup> The task of the later volumes of the *History* was simply to narrate how this modern parliamentary constitution had come into being.<sup>45</sup>

But Hume never claimed that the Revolution had given birth to 'modern' history. The word 'modern' appeared a handful of times in the *History of Great Britain*, but always as a synonym for 'contemporary', or 'present'; Hume never gave the modern world a moment of beginning.<sup>46</sup> He did, however, in his history of the Tudors.<sup>47</sup> These volumes, alongside the final instalment on the Anglo-Saxons and Anglo-Normans, were where Hume constructed a new account of the European feudal system and the 'modern History' that had superseded it. In English whig histories of the kind adopted by Kames, feudal tenures were instruments of royal power that restricted the free and independent property-holding to which England's modern post-Revolutionary constitution owed its existence. Henry St John, Viscount Bolingbroke, had referred to the redistribution of England's feudal estates into the hands of a new class of free-holders as the '*great Change*' of English history.<sup>48</sup> This '*Change*' had been invoked by the English MP George Lyttelton in 1747 to justify the abolition of Scotland's heritable jurisdictions.<sup>49</sup> It could regularly be spotted in the court Whig press.<sup>50</sup> It had been taken as axiomatic by the French historian Voltaire in his observations on English politics in 1733, and it structured the last general history of England to be published before Hume's own.<sup>51</sup> These iterations of the story differed from Kames by attributing responsibility for the shift in landownership to the first Tudor monarch Henry VII, who had legislated to create a new route for breaking 'entailed' estates at the court

<sup>43</sup> Hume, *History*, VI, p. 531.

<sup>44</sup> Pocock, *Barbarism and religion*, II, pp. 179, 199–222; Kidd, *Subverting Scotland's past*, p. 210; Harris, *Hume*, pp. 321, 328–9, 374, 406; Phillipson, *Hume*, pp. 99–102, 117; Forbes, *Hume's philosophical politics*, pp. 309–10.

<sup>45</sup> Pocock, *Barbarism and religion*, II, pp. 241–61, at p. 247; alternatively, the Tudor and Gothic volumes gave Hume 'something to do'. Phillipson, *Hume*, pp. 117–18.

<sup>46</sup> Hume, *History*, V, pp. 7, 131, 153, 220, 240, 304, 459n; VI, pp. 75, 142, 143, 321, 533.

<sup>47</sup> *Ibid.*, III, pp. 81–2.

<sup>48</sup> Bolingbroke, *Remarks*, p. 134. Bolingbroke was an opposition Tory and a Jacobite, but had started to deploy Whig ideas to contest the authority of Robert Walpole's administration in the early 1730s. For detail on his politics, see Max Skjönsberg, 'Lord Bolingbroke's theory of party and opposition', *Historical Journal*, 59 (2016), pp. 947–73.

<sup>49</sup> Lyttelton was MP for Okehampton and, at that time, lord of the treasury. *Parliamentary history*, XIV, col. 48. See also *Superiorities display'd*, pp. 3, 9; *Disquisition into regalities*, pp. 7–10.

<sup>50</sup> 'The reason of the progress of liberty in England', *Daily Gazetteer*, 30 (2 Aug. 1735); *London Journal*, 24 (26 July 1735); *London Journal*, 768 (16 Mar. 1734).

<sup>51</sup> Voltaire, *Letters concerning the English nation* (London, 1733), pp. 59–66; William Guthrie, *A general history of England: from the invasion of the Romans under Julius Caesar, to the late Revolution in 1688* (3 vols., London, 1744–51), I, pp. 80–103; III, pp. 1384–95.

of Common Pleas.<sup>52</sup> But the trajectory from ‘feudal’ to ‘modern’ remained the same. Feudal tenures had been introduced into England by William the Conqueror in 1066, restricting property-holding to the king and, once certain fiefs had become hereditary, to his chief men.<sup>53</sup> The modern parliamentary constitution created in 1688–9 was the outcome of a breakdown in feudal landownership that had given a ‘greater Weight’, as Bolingbroke had claimed, to the English House of Commons.<sup>54</sup> In this kind of account, the history of modern Britain was the history of the English free-holder and his parliamentary representatives – even if it was often argued that the Revolution heralded a return, as Bolingbroke put it, to the government of ‘our Saxon ancestors’.<sup>55</sup> Hume’s *History* has always been read as another narrative in this vein.<sup>56</sup> But as Hume related it, the problem with feudal tenures did not lie with the pattern of landownership they created. What mattered about the feudal system was the deeper-lying problem of its ‘manners’, or culture.

Hume acknowledged Montesquieu and William Robertson as his primary interlocutors on the question of feudal government.<sup>57</sup> In *The spirit of laws*, Montesquieu had shown how the arrival of the Franks into Roman Gaul had created a patchwork of fiefs and feudal jurisdictions over which Frankish monarchs had no authority, and bodies of feudal custom that had been preserved within the regional *parlements* of contemporary France.<sup>58</sup> The magistrates who recalled and executed the customs deposited in these courts protected property from seizure and taxation by the crown; nobles depended on the *parlements* for the maintenance of their status, so could be relied on to defend

<sup>52</sup> The entail, or fee tail, was a restrictive type of land grant used by landowners to prevent their heirs from breaking up, selling off, or mortgaging their estates. For Henry VII’s legislation (4 Hen. VII, c. 24), see *The statutes at large*, ed. Owen Ruffhead (18 vols., London, 1769–1800), II, pp. 79–80. The origins of the claim about the laws of Henry VII can be found in the historical writing of the English Commonwealthman, James Harrington, and more distantly in that of the English philosopher Francis Bacon. See Harrington, *The Commonwealth of Oceana* [1656], in John Pocock, ed., *The political works of James Harrington* (Cambridge, 1977), pp. 192–7; Francis Bacon, *The history of the reign of King Henry VII* [1622], ed. Brian Vickers (Cambridge, 1998), pp. 64–8, 182. On Harrington’s historical ideas, see John Pocock, *The Machiavellian moment: Florentine political thought and the Atlantic republican tradition* (Princeton, NJ, 1975; repr. 2003), pp. 406–30; on the English fee tail, see Joseph Biancalana, *The fee tail and the common recovery in medieval England, 1176–1502* (Cambridge, 2001).

<sup>53</sup> Lord Kames, *British Antiquities*, pp. 1–25. For identical claims from both (country Whig) opposition and (court Whig) government in England, see Bolingbroke, *Remarks*, p. 134; *London Journal*, 769 (23 Mar. 1734). On the origins of this claim in seventeenth-century English and Scottish antiquarian scholarship, see Pocock, *Ancient constitution*, pp. 91–124, 182–228.

<sup>54</sup> Bolingbroke, *Remarks*, pp. 136–7.

<sup>55</sup> *Ibid.*, pp. 134–8, at p. 138.

<sup>56</sup> On the redistribution of property as the ‘central theme’ of the *History*, see Forbes, *Hume’s philosophical politics*, pp. 280–1, 296–7, 312–14; Kidd, *Subverting Scotland’s past*, pp. 204–15, at p. 212; Phillipson, *Hume*, pp. 76–7, 103; Harris, *Hume*, pp. 175–9, 319, 329, 345, 384; Pocock, *Barbarism and religion*, II, pp. 171, 202–6, 222–3; David Wootton, ‘David Hume, “the historian”’, in D. F. Norton, ed., *The Cambridge companion to Hume* (Cambridge, 1993), pp. 447–79.

<sup>57</sup> Hume, *History*, I, pp. 455–6.

<sup>58</sup> Montesquieu, *Spirit of the laws*, book 5, chapters 10–11; book 30, chapters 3–5, 8–10, 16–18, 20; book 28, chapters 38, 39, 45.

them from either popular unrest or royal incursions on their authority.<sup>59</sup> Montesquieu had insisted that feudal property must be supported and perpetuated through restrictive land grants like the entail.<sup>60</sup> He had also warned that noblemen should not participate in commercial activity, as doing so would remove their interest in protecting the authority of the regional courts.<sup>61</sup>

Hume agreed with Montesquieu that Europe's fiefs dated from the fifth-century arrival of Germanic tribes into the western provinces of the Roman empire, although they had only been introduced into Britain by the Normans in 1066; the Saxon invasion of Roman Britannia had been so brutal, Hume explained, that the conquerors had found little need for fiefs, designed as they were to secure territory from danger.<sup>62</sup> But Hume diverged from Montesquieu on the politics that the Saxons and the Normans had created, regardless of whether they had recourse to fiefs. Montesquieu had seen the proprietorial arrangements of the Franks as modern because feudal property and feudal courts shielded the persons and possessions of ordinary people from the arbitrary operation of sovereign authority – a form of security that no ancient government had managed to achieve. For Hume, the millennium between the invasion of the Saxons and the accession of Henry VII was characterized instead by a network of protection rackets operated by chief men, or nobles, of various shades.<sup>63</sup> Under the Saxons, this system of 'private confederacy' worked via the exchange of protection in return for payment and obedience: Hume pointed out that even the inhabitants of boroughs (towns) had to seek out the 'clientship of some particular nobleman...whom they were obliged to consider as their sovereign'.<sup>64</sup> The problem was the same under Norman noblemen, whose fiefs had quickly become hereditary after the Conquest.<sup>65</sup> Nobles trained many of their vassals as private 'retainers' (or soldiers) who they used to wage war on one another, and deliberately discouraged the development of arts and manufactures so that their distribution of patronage would be the only avenue through which tenants could elevate their status.<sup>66</sup> They also used baronial courts to protect 'adventurers and

<sup>59</sup> *Ibid.*, book 5, chapter 11.

<sup>60</sup> *Ibid.*, book 5, chapter 9.

<sup>61</sup> *Ibid.*, book 20, chapter 21; this claim sparked a wide-ranging debate in Prussia and France about the politics of feudal property, for which see Ulrich Adam, 'Nobility and modern monarchy – J. H. G. Justi and the French debate on commercial nobility at the beginning of the Seven Years War', *History of European Ideas*, 29 (2003), pp. 141–57; Eva Piirimäe, 'Thomas Abbt's *Vom Tode für das Vaterland* (1761) and the French debates on monarchical patriotism', *Trames: Journal of Humanities and Social Sciences*, 9 (2005), pp. 326–47; Nicholas Vazsonyi, 'Montesquieu, Friedrich Carl von Moser, and the "national spirit debate" in Germany, 1765–1767', *German Studies Review*, 22 (1999), pp. 225–46.

<sup>62</sup> On the Saxons' avoidance of fiefs, see Hume, *History*, I, pp. 181–2; on the introduction of feudal tenures into England, see *ibid.*, pp. 195–204, 461.

<sup>63</sup> For Hume's equation between Anglo-Saxon and Anglo-Norman government, see *ibid.*, pp. 165–72, 458–62.

<sup>64</sup> *Ibid.*, pp. 162–9, at p. 167.

<sup>65</sup> *Ibid.*, pp. 458–62.

<sup>66</sup> *Ibid.*, pp. 462–4.

criminals' who could be used to raid neighbouring estates.<sup>67</sup> The result was a world in which security depended on the 'private connexion' of each individual. Liberty had a price, and it was the nobility who pocketed the profits.<sup>68</sup>

The central claim of Hume's medieval history was that this system was impervious to the political and legal evolution of England's institutions. The origins of both the rule of law and the House of Commons could be traced to what Hume described as the 'Anglo-Norman' period between 1066 and the death of Richard III in 1485. Yet neither mattered much. In 1215, for example, King John (1199–1216) had agreed a charter with his nobility ('*Magna Charta*') that shielded possessions, as well as property, from arbitrary seizure by the crown: even cottagers could no longer be extra-judicially deprived of carts or ploughs.<sup>69</sup> But what Hume referred to as an 'original contract' between monarch and people made little impact on feudal disorder, and therefore on those it theoretically protected.<sup>70</sup> John's successor, Henry III (1216–72), was the first English monarch who could be said to lie 'under the restraint of law'.<sup>71</sup> Yet his reign was haunted by aristocratic violence.<sup>72</sup> Hume told a similar story about Edward I (1272–1307), the monarch who first asked royal boroughs to send representatives to parliament.<sup>73</sup> Their arrival may have heralded the 'faint dawn of popular government in England'.<sup>74</sup> But their new status as members of parliament meant little: their personal security continued to depend on whether they had succeeded in soliciting baronial protection.<sup>75</sup> Parliament was unable to make inroads into a feudal culture that saw Edward II (1307–27) meet a violent end at the hands of Roger Mortimer, a baron of the Welsh marches.<sup>76</sup> Edward's III's reign (1327–77) was likewise plagued by aristocratic war; decades later, England had become engulfed by the Wars of the Roses.<sup>77</sup> Both Anglo-Saxon and Anglo-Norman politics were reducible to a system of clientship and perpetual war, rather than a particular distribution of landownership and political authority. This political culture enveloped each of the monarchies the Germanic tribes had erected in Western Europe, and ensured that ordinary people were 'every where bereaved of their *personal liberty*'.<sup>78</sup>

Hume claimed that this culture began to transform itself into something new at the turn of the sixteenth century: what he described in his Tudor volumes as the beginning of 'modern annals'.<sup>79</sup> It was around this time,

<sup>67</sup> *Ibid.*, p. 484.

<sup>68</sup> *Ibid.*, p. 484.

<sup>69</sup> *Ibid.*, pp. 432–87, at p. 487.

<sup>70</sup> *Ibid.*, II, pp. 6–7.

<sup>71</sup> *Ibid.*, p. 21.

<sup>72</sup> *Ibid.*, pp. 43, 64–5, 73.

<sup>73</sup> *Ibid.*, pp. 99–106.

<sup>74</sup> *Ibid.*, p. 107.

<sup>75</sup> *Ibid.*, pp. 179–80, 471.

<sup>76</sup> *Ibid.*, p. 172.

<sup>77</sup> *Ibid.*, pp. 271–9, 284; on the Wars of the Roses, see *ibid.*, pp. 436–69.

<sup>78</sup> *Ibid.*, p. 522.

<sup>79</sup> *Ibid.*, III, pp. 81–2.

Hume suggested, that gunpowder, the compass, and the printing press had all been invented.<sup>80</sup> This was also the moment at which European nobilities gave up their armies in favour of purchasing luxury goods: a ‘change in manners’ that undermined their power.<sup>81</sup> New markets for goods like silks, calicoes, and porcelain had been created by the late fifteenth-century European ‘discovery’ of the ‘Western world’ and, via a new naval passage round the Cape of Good Hope, of the East Indies.<sup>82</sup> Hume argued that these markets were significant because they offered new channels through which nobles could aggrandize themselves.<sup>83</sup> The nobilities of Europe’s feudal monarchies had previously competed with one another over the size and strength of their armies of retainers, constantly using them to attack each other or the crown.<sup>84</sup> But as luxury goods percolated into places such as England and France, the noble classes began to jostle over sartorial and domestic splendour instead (what Hume referred to as a ‘more civilized species of emulation’).<sup>85</sup> Rather than funding their new appetites by selling off their estates to common people (the central claim of mid-century English whig history), Hume’s argument was that Europe’s bellicose noble classes had turned themselves into profiteering landlords instead. They ‘endeavoured’, Hume wrote, ‘to turn their lands to the best account with regard to profit, and either inclosing their fields, or joining many small farms into a few large ones, dismissed those useless hands, which formerly were always at their call in every attempt to subvert the government’.<sup>86</sup> Barons also began to substitute cash rents for services and rents-in-kind, and the practice of lease-holding spread.<sup>87</sup> Former retainers flocked to the towns and began to manufacture imitations of the eastern luxuries that the nobles were buying. The transformation sedated the nobility. Hume likened the new relationship between noble and artisan to ‘that moderate influence, which customers have over tradesmen, and which can never be dangerous to civil government’.<sup>88</sup> Just as a tradesman was a less dangerous citizen than

<sup>80</sup> *Ibid.*, p. 81; these three inventions had already been associated with the ‘moderns’ by Francis Bacon, for which see John Robertson, ‘The Scottish Enlightenment at the limits of the civic tradition’, in István Hont and Michael Ignatieff, eds., *Wealth and virtue: the shaping of political economy in the Scottish Enlightenment* (Cambridge, 1983), pp. 137–78, at p. 148; Perez Zagorin, *Francis Bacon* (Princeton, NJ, 1998), pp. 224–7.

<sup>81</sup> Hume, *History*, IV, p. 385; see also III, p. 80.

<sup>82</sup> *Ibid.*, pp. 80–1. The roles of East Asian luxury imports and colonial export markets in Britain’s industrialization lie at the centre of a live debate in global economic history, for which see Joel Mokyr, ‘“The Holy Land of industrialism”: rethinking the Industrial Revolution’, *Journal of the British Academy*, 9 (2021), pp. 223–47; Maxine Berg and Pat Hudson, ‘Slavery, Atlantic trade, and skills: a response to Mokyr’s “Holy Land of industrialism”’, *Journal of the British Academy*, 9 (2021), pp. 259–81; Maxine Berg, ‘In pursuit of luxury: global history and British consumer goods in the eighteenth century’, *Past & Present*, 182 (2004), pp. 85–142.

<sup>83</sup> Hume, *History*, IV, p. 385.

<sup>84</sup> *Ibid.*, III, pp. 76–7.

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid.*, IV, p. 384.

<sup>87</sup> *Ibid.*, II, pp. 522–4.

<sup>88</sup> *Ibid.*, IV, pp. 383–4; see also III, p. 80.

a feudal retainer, the 'life of a modern nobleman [was] more laudable than that of an ancient baron'.<sup>89</sup> In England, the vaunted laws of Henry VII had 'contributed very little' to this shift. The 'change of manners', or culture, 'was the chief cause of the secret revolution of government, and subverted the power of the barons'.<sup>90</sup>

Wherever new markets in luxuries had emerged in Europe, monarchs secured the authority that they had been denied by the aristocratic bent of feudal politics.<sup>91</sup> But Hume's counter-intuitive claim was that as monarchs became despotic, their subjects became free. What he referred to as '*personal* liberty' had been impossible under feudal government not because landowning was restricted to noblemen, but because feudal manners militated against personal security. Everyone lived under the shadow of constant violence: even the lives of landowning noblemen were themselves precarious, 'exposed to every tempest of the state'.<sup>92</sup> Once the noble thirst for military power had been sublimated into a desire for cash and glamour, however, violence ceased to infect the everyday lives of people of all orders. Although monarchs benefited from this transformation by accruing a new authority that they exercised in arbitrary ways, they could not disrupt everyday life with anything like the regularity of feudal violence. This was the story lying behind Hume's claim that after feudal 'bonds of servitude' had been eroded by luxury consumption, '*personal* freedom became almost general in Europe'.<sup>93</sup> It was only then that the 'condition of the people, from the depression of the petty tyrants, by whom they had formerly been oppressed, rather than governed, received great improvement'.<sup>94</sup> What Hume referred to as '*personal*' liberty could germinate, and even flourish, under the glare of absolute monarchy. It did not depend on a redistribution of property into the hands of smaller proprietors, nor on the representation of these proprietors in a popular assembly: personal liberty was a derivative of security, rather than property-holding and enfranchisement.

As this new condition of security had no need for any section of the people to have their hands on the levers of law-making, either directly or indirectly, it could co-exist with the despotism of Tudor rule. Once England's previously violent nobility had begun to reinvent themselves as commercial landlords, Hume claimed that the crown made hay. No English monarch had been as 'absolute' as Henry VII.<sup>95</sup> After declaring himself supreme head of the English church, no European prince could boast of such 'absolute authority' as Henry VIII.<sup>96</sup> The legislative authority of Elizabethan parliaments was also a 'mere fallacy': the

<sup>89</sup> *Ibid.*, pp. 76–7.

<sup>90</sup> *Ibid.*, IV, p. 385. The claim that English landowners, rather than a new middling rank, became the 'conquering class' of the English Civil Wars underpins Tom Nairn's thesis in 'The twilight of the British state', in *The break-up of Britain: crisis and neo-nationalism* (2nd edn, London, 1977), pp. 11–92, at p. 25.

<sup>91</sup> These kingdoms did not include Scotland, for which see Hume, *History*, III, pp. 24, 117–19.

<sup>92</sup> *Ibid.*, II, p. 523.

<sup>93</sup> *Ibid.*, pp. 523–4; see also III, p. 80.

<sup>94</sup> *Ibid.*, p. 80.

<sup>95</sup> *Ibid.*, pp. 49, 73–4.

<sup>96</sup> *Ibid.*, pp. 212, 287; on the Henrician reformation, see *ibid.*, pp. 186–8, 196–209.



crown possessed the ‘full legislative power’ as royal proclamations were treated as law.<sup>97</sup>

Hume explained that the arrival of ‘personal freedom’ in Europe ‘paved the way’ for the advance of civil liberty in England.<sup>98</sup> His Stuart volumes showed how the seventeenth-century English gentry, fired by puritanical conviction, had acted to erect ‘firmer barriers’ around the personal liberty that had already emerged.<sup>99</sup> But the seventeenth-century establishment of civil liberty in England did not mark the birth of what Hume referred to as ‘modern History’. That moment lay around two centuries earlier. Feudal politics, in Hume’s account, had been replaced by ‘modern annals’ at the outset of the sixteenth century because European noblemen had begun to act like profiteering landlords rather than the ringleaders of violent gangs. The result was a new relationship between the propertied and the waged, and a new kind of ‘personal’, as opposed to ‘civil’, liberty. This liberty was distinctively modern because it had been produced by consumption; Hume pointed out that the rise of luxury consumption among the Greeks and the Romans, by contrast, had only ‘increased the number of slaves’.<sup>100</sup> It was exclusionary because its arrival was restricted to the feudal monarchies of Western Europe. The transition from feudal to modern politics was a European history in which non-European peoples appeared unable to participate, complementing Hume’s existing racism: only ‘the whites’ of Europe, he had claimed in 1753, were capable of refining their manners, or culture.<sup>101</sup> And in the terms of English history, this liberty had blossomed without the aid of its legal and political institutions: the *History* had slipped the whig knot tying the arrival of liberty in Britain to establishment of England’s ‘modern’ parliamentary constitution in 1688–9. In Hume’s account, neither the sixteenth-century retainers who had flocked to the towns nor the tenants on longer leases breached the proprietorial threshold to elect representatives to parliament. Hume’s claim was that they were nevertheless free.

## II

Hume’s new account of the origin of ‘modern History’ had direct implications for his interventions in two British political debates in the 1760s and 1770s: first on the politics of public credit; second on the election of the radical MP John Wilkes. In the summer of 1764, two years after publishing the

<sup>97</sup> *Ibid.*, IV, p. 363.

<sup>98</sup> *Ibid.*, II, p. 524.

<sup>99</sup> *Ibid.*, V, pp. 39–40, 134–5.

<sup>100</sup> *Ibid.*, II, p. 523.

<sup>101</sup> David Hume, ‘Of national characters’, in *Essays moral, political, and literary*, ed. E. F. Miller (Indianapolis, IN, 1987), pp. 198–216, 629, at pp. 208n, 629. The essay was first published in *Three essays, moral and political* (London and Edinburgh, 1748), to which Hume added a footnote on the natural inferiority of non-white races when he republished the essay in the first volume of *Essays and treatises on several subjects* (4 vols., London, 1753–4). For textual and contextual discussion of the footnote, see Aaron Garrett and Silvia Sebastiani, ‘David Hume on race’, in Naomi Zack, ed., *The Oxford handbook of philosophy and race* (Oxford, 2017), pp. 31–43.

completed *History*, Hume was awaiting news of a recently published edition of his own essays to reach Paris (his home since the previous summer).<sup>102</sup> It is well known that this edition contained revisions to an essay on public credit that he had already published in 1752.<sup>103</sup> Since the chartering of the Bank of England in 1694, English and British governments had sold debt to the public in order to fund military expenditure.<sup>104</sup> Hume had worried in the original essay, however, that the insatiable commercial and military competition in which European states were engaged ('cudgel-playing fought in a *China* shop') would lead to Britain's appetite for borrowing outrunning the public's appetite for lending.<sup>105</sup> If Britain failed to sell a round of debt whilst facing a military threat from a European power, the government could either default on its existing debts to fund its military commitments abroad, or continue blithely to service its debts while risking invasion. The first option (the '*natural death*') would sacrifice the property of thousands of people for the security of millions; the second option (the '*violent death*') could sacrifice the security of millions for the property of thousands.<sup>106</sup> In 1752, Hume was reticent about what was more likely. But by 1764, he had changed his mind: Britain was hurtling towards the violent option with 'amazing rapidity'.<sup>107</sup>

The darkening of Hume's vision of Britain's future has been attributed to a 'basic Scottish ca'canny', a mistrust of success and prosperity borne by centuries of poverty and disaster.<sup>108</sup> It has also been read as a reflection on the fiscal requirements of national security, and the volatile politics these requirements could produce.<sup>109</sup> The terms in which he revised his view of Britain's debt burden, however, become clearer when seen through the prism of the *History*. Hume had suggested in his original essay that if the holders of Britain's debt resisted a government default, the nobility and the gentry could persuade them to prevent the violent option.<sup>110</sup> But in 1764, after Hume had spent ten years writing a history that pivoted on feudal noblemen transforming their

<sup>102</sup> David Hume, *Essays and treatises on several subjects* (2 vols., London and Edinburgh, 1764); see Hume to Andrew Millar, 3 Sept. 1764, in Hume, *Letters*, I, pp. 465–6.

<sup>103</sup> István Hont, 'The rhapsody of public debt: David Hume and voluntary state bankruptcy', in *Jealousy of trade: international competition and the nation-state in historical perspective* (Cambridge, MA, 2005), pp. 325–54; for the essay, which was originally published in *Political discourses* (Edinburgh, 1752), see Hume, 'Of public credit', in *Essays moral, political, and literary*, pp. 349–66.

<sup>104</sup> David Stasavage, *Public debt and the birth of the democratic state: France and Great Britain, 1688–1789* (Cambridge, 2003).

<sup>105</sup> On the perception of inter-state politics lurking behind Hume's fears, see John Robertson, 'Universal monarchy and the liberties of Europe: David Hume's critique of an English Whig doctrine', in Nicholas Phillipson and Quentin Skinner, eds., *Political discourse in early modern Britain* (Cambridge, 1993), pp. 349–77.

<sup>106</sup> Hume, 'Of public credit', p. 365.

<sup>107</sup> *Ibid.*, p. 357.

<sup>108</sup> Duncan Forbes, 'Politics and history in David Hume', *Historical Journal*, 6 (1963), pp. 280–95, at p. 281.

<sup>109</sup> Hont, 'The rhapsody of public debt'; for an alternative reading of Hume's revisions as a Whig jeremiad, see John Pocock, 'Hume and the American Revolution: the dying thoughts of a North Briton', in *Virtue, commerce, and history* (Cambridge, 1985), pp. 125–42.

<sup>110</sup> Hume, 'Of public credit', p. 364.

estates into commercial enterprises, he worried that the nobility and gentry could no longer play that role.<sup>111</sup> The nobility had been integrated with the creditors, and many of them sat in a parliament that could not be relied upon to accept losses on debts its members owned. ‘Adieu’, Hume lamented, ‘to all ideas of nobility, gentry, and family.’ As the ‘middle power between king and people’ had been ‘totally removed, a grievous despotism must infallibly prevail’.<sup>112</sup> Britain was lurching toward the violent scenario.<sup>113</sup> Hume’s lament flowed from his claim that aristocratic consumption, rather than parliament, had built modern Britain. In the *History*, Hume had refused to equate the rise of England’s representative government with the beginning of modern history in Europe. He had explained instead that the modern world revolved around improving and profiteering aristocrats and the new waged of the towns, rather than a new relationship between the English crown and parliament. What mattered about the lesser nobility and gentry who sat in the House of Commons, then, was that they were propertied and financialized; their status as representatives of those who elected them meant little.

Over the following years, Hume continued to insist that Britain’s problems ran deeper than parliamentary reform could fix. Between early 1767 and August 1769, he was in London, as the city was gripped by the return of the outlawed radical journalist and MP, John Wilkes.<sup>114</sup> Having fled arrest for seditious libel in 1763, Wilkes had returned to London in February 1768 and was elected as member of parliament for Middlesex a month later. His prompt incarceration (he had yet to be pardoned) led to protests, the massacre of protesters at St George’s Fields, and rioting across the city.<sup>115</sup> After a year in which Wilkes was expelled and re-elected to parliament a number of times, the Commons finally passed a motion declaring Henry Luttrell, Wilkes’s opponent, as member for Middlesex – despite his receipt of 296 votes to Wilkes’s 1,143 in an election on 13 April 1769.<sup>116</sup>

Parliament was the focus of much of the commentary on the affair. The Wilkites, along with independent county MPs and city radicals, had claimed that the rioting stemmed from disaffection with parliamentary corruption: a problem to which they presented a solution in the form of annual elections, a pension bill to remove court patronage from parliament, and the enfranchisement of market towns.<sup>117</sup> The Anglo-Irish MP, Edmund Burke, part of the Whig group that had formed itself around Charles Watson-Wentworth, second marquess of Rockingham, suggested that the rioting stemmed rather

<sup>111</sup> Hume, *History*, IV, p. 384.

<sup>112</sup> Hume, ‘Of public credit’, pp. 357–8.

<sup>113</sup> See also Hume to William Strahan, 25 June 1771, in Hume, *Letters*, II, pp. 243–5, at p. 245.

<sup>114</sup> The best narrative of the Wilkes affair and the politics of London remains George Rudé, *Wilkes and liberty: a social study of 1763 to 1774* (Oxford, 1962). See also Linda Colley, ‘Eighteenth-century English radicalism before Wilkes’, *Transactions of the Royal Historical Society*, 31 (1981), pp. 1–19.

<sup>115</sup> Arthur Cash, *John Wilkes: the scandalous father of civil liberty* (New Haven, CT, 2006), pp. 204–66.

<sup>116</sup> Rudé, *Wilkes and liberty*, pp. 38–56, 104–34.

<sup>117</sup> John Brewer, *Party ideology and popular politics at the accession of George III* (Cambridge, 1976), pp. 240–67.

from George III's separation of his court from parliament.<sup>118</sup> For Burke, the House of Commons was what Montesquieu referred to as an 'intermediate' power; but in order for the assembly to function effectively, royal authority had to flow through it in the form of court patronage, guided by the principles of party.<sup>119</sup> Hume, by contrast, showed little interest in linking the crisis to parliament's relationship with the crown.<sup>120</sup> He was more preoccupied by England's new class of financialized landlords. Britain's creditors, he claimed glumly, now filled 'all the chief Offices and are the Men of greatest Authority in the Nation'.<sup>121</sup> Landholders and stockholders had become 'so involvd with each other by Connexions and Interest', he wrote later, that the former could not persuade the latter to accept a patriotic default.<sup>122</sup> Now Hume had reimagined the birth of modern European history as a transformation of feudal manners, he had become worried about the political and financial entanglements of who he referred to in the *History* as the 'modern nobleman'.<sup>123</sup> The reincarnation of the 'ancient baron' may have brought 'personal liberty' to Europe. But in Britain, his presence in parliament increased the prospects of a violent end to its debt crisis.<sup>124</sup>

### III

In the years following the publication of Hume's *History*, historians, clergy, and jurists across Britain tried to contest its central claims.<sup>125</sup> While reading the first volume of Catharine Macaulay's *History of England* (1764–83), Hume noticed that he had been in her sights throughout.<sup>126</sup> Her own eight-volume history distinguished itself from Hume by reaching its apex with the emergence of a brief republic following the Regicide of 1649: a moment she described as the 'meridian of [England's] glory', after Hume had represented it as a violent, despotic, and fanatical nadir.<sup>127</sup> But in Scotland, the response to Hume's *History*

<sup>118</sup> Richard Bourke, *Empire & revolution: the political life of Edmund Burke* (Princeton, NJ, 2015), pp. 254–67.

<sup>119</sup> Edmund Burke, Debate on King's Proclamation for Suppressing Riots, 13 May 1768, in Henry Cavendish, ed., *Debates of the House of Commons, during the thirteenth parliament of Great Britain* (2 vols., London, 1841), I, pp. 14–15. Cited in Bourke, *Empire & Revolution*, p. 255.

<sup>120</sup> See Hume to Anne Robert Jacques Turgot, 16 June 1768; Hume to William Mure of Caldwell, 18 Oct. 1768; Hume to the Comtesse de Boufflers, 23 Dec. 1768; Hume to Hugh Blair, 28 Mar. 1769, in Hume, *Letters*, II, pp. 179–81, 187–8, 189–92, 196–8.

<sup>121</sup> Hume to William Strahan, 11 Mar. 1771, in *ibid.*, pp. 235–8, at p. 237.

<sup>122</sup> Hume to William Strahan, 19 Aug. 1771, in *ibid.*, pp. 247–8, at p. 248.

<sup>123</sup> Hume, *History*, III, pp. 76–7; see above, n. 89.

<sup>124</sup> Hume to William Strahan, 25 Mar. 1771, in Hume, *Letters*, II, pp. 238–43, at p. 242.

<sup>125</sup> Some responses have been collected in the seventh and eighth volumes of *Early responses to Hume*, ed. James Fieser (10 vols., Bristol, 1999–2003).

<sup>126</sup> Catharine Macaulay, *The history of England from the accession of James I to that of the Brunswick line* (8 vols., London, 1763–83); Hume to Catharine Macaulay, 29 Mar. 1764, in *New letters of David Hume*, ed. Raymond Klibansky and Ernest C. Mossner (Oxford, 1954), pp. 80–2. For Macaulay's biography, see Bridget Hill, *The republican virago: the life and times of Catharine Macaulay, historian* (Oxford, 1992); Karen O'Brien, *Women and Enlightenment in eighteenth-century Britain* (Cambridge, 2009), pp. 152–72.

<sup>127</sup> Macaulay, *History*, V, pp. 384–5; Hume, *History*, VI, pp. 7–17, 29, 43–5, 53–5, 60–4, 73–4.

was focused on its argument about the feudal world and the political arrangements that had superseded it. In the decade after its publication, Hume was challenged on these grounds by two prominent figures: the minister and historian Adam Ferguson, who had been appointed to the chair in Pneumatics and Moral Philosophy at Edinburgh University in 1764; and the jurist and historian John Millar, who had held the chair in Civil Law at Glasgow University since 1761. Ferguson and Millar are usually read alongside Hume, William Robertson, and Adam Smith as protagonists of an Enlightenment united by a cosmopolitan reworking of English whig history.<sup>128</sup> Yet they disagreed sharply with Hume on the history of Europe, and where its boundary between feudal and modern ought to be drawn. They each expanded the reach of the feudal system to encompass the rise of absolute monarchy across sixteenth-century Europe, while suggesting that this system had only been superseded in England by the seventeenth-century rise of its representative assembly.<sup>129</sup> For them, parliament had created English liberty and was capable of protecting British liberty in the future.

Ferguson reformulated the English modernization narrative in his *Essay on the history of civil society* (1767). He claimed that England, like the other ‘great monarchies’ that had grown out of the former western provinces of the Roman empire, began its life as a Germanic barbarian settlement.<sup>130</sup> Like Montesquieu and Hume, he traced fiefs to these settlements: they were temporary gifts that leaders gave to chiefs to provide for their subsistence.<sup>131</sup> Despite pronouncing that the ‘original’ of his own work could be found in Montesquieu, Ferguson did not engage further with his history of the Franks.<sup>132</sup> He agreed instead with Hume that once fiefs had become hereditary, chiefs transformed themselves into the ‘tyrants of every little district’.<sup>133</sup> But this is where Ferguson’s similarity to Hume ended. Hume’s ‘modern History’ began at the turn of the sixteenth century, which was when the Tudors consolidated the authority of the crown and personal liberty flourished across Europe. Ferguson cited Hume’s history of the Tudors to make a different claim: that the Tudors exemplified a further despotic stage of feudal government.<sup>134</sup> The Tudor monarchs had created a ‘despotism’, Ferguson argued, by stripping the feudal nobility of their military and legal authority under the pretext of ‘rescuing the labourer and the dependent’ from aristocratic

<sup>128</sup> Forbes, “‘Scientific’ Whiggism: Adam Smith and John Millar”; Kidd, *Subverting Scotland’s past*, pp. 208–9, 212; Plassart, *The Scottish Enlightenment and the French Revolution*, p. 31.

<sup>129</sup> Adam Ferguson, *An essay on the history of civil society*, ed. Fania Oz-Salzberger (Edinburgh and London, 1767; repr. Cambridge, 1995); John Millar, *Observations concerning the distinction of ranks in society* (London, 1771).

<sup>130</sup> Ferguson, *Essay*, pp. 98–9.

<sup>131</sup> *Ibid.*, p. 127.

<sup>132</sup> *Ibid.*, p. 66; Iain McDaniel has shown that Ferguson engaged with Montesquieu instead as a historian of Rome, for which see McDaniel, *Adam Ferguson in the Scottish Enlightenment* (Cambridge, MA, 2013), pp. 12–64.

<sup>133</sup> Ferguson, *Essay*, p. 127.

<sup>134</sup> *Ibid.*, pp. 101–2.

tyranny.<sup>135</sup> But in doing so, they had sown the seeds of their own destruction. By shielding the commons from the nobility, the Tudors had encouraged the practice of ‘commercial and lucrative arts’; having then become wealthy, the commons became protective over their new property and formed a ‘project of emancipation’ to dispute the prerogatives of the crown.<sup>136</sup> As the English constitution included a representative popular assembly, the commons possessed a body through which they could ‘avail themselves’ of their ‘new wealth’. Ferguson described the result of the commons’ liberation project as a ‘spectacle new in the history of mankind’: a monarchy ‘mixed with republic’.<sup>137</sup>

Ferguson’s English history was designed to shut down the central argument of Hume’s *History*, which is perhaps why Hume dismissed it as ‘exceptionable’.<sup>138</sup> Luxury consumption, for Hume, had changed the politics of Europe without the aid of representative or parliamentary government: personal liberty had arrived in the sixteenth century, the height of absolute monarchy in England. But Ferguson redescribed the Tudor dynasty as an example of the final stage of feudal government, before commerce had enabled the House of Commons to turn England into a republican, or parliamentary, monarchy. Ferguson’s ‘new spectacle’ was England’s post-Revolutionary settlement, rather than the transformation of Europe’s nobility. Liberty, he confirmed, could only be created by law (‘rights of property and station’).<sup>139</sup> The monarchies that had secured the liberty of their subjects were those – like England – that had ‘admitted every order of the people, by representation or otherwise, to an actual share of the legislature’.<sup>140</sup> Only parliamentary representatives, rather than the judiciary favoured by Montesquieu, were capable of sustaining and protecting the law.<sup>141</sup> As he put it to his friend William Pulteney, the House of Commons was ‘bone of our Bone & flesh of our flesh’.<sup>142</sup> Defending the Commons’ right to expel Wilkes, Ferguson claimed that ‘they cannot tear a bit of our flesh without tearing their own with it. This is what The Constitution means when it says we are safe under the Protection of our own Representatives’.<sup>143</sup>

Shortly after Ferguson published his *Essay*, John Millar also tried to move the boundary Hume had drawn between the feudal and the modern.<sup>144</sup> Like

<sup>135</sup> *Ibid.*, p. 128.

<sup>136</sup> *Ibid.*, pp. 128, 247.

<sup>137</sup> *Ibid.*, p. 128.

<sup>138</sup> Hume to Hugh Blair, 11 Feb. 1766, in Hume, *Letters*, II, pp. 11–13, at p. 12.

<sup>139</sup> Ferguson, *Essay*, p. 150.

<sup>140</sup> *Ibid.*, p. 159; recent scholarship has emphasized Ferguson’s preference for mixed, or representative, government. See McDaniel, *Ferguson in the Scottish Enlightenment*; Elena Yi-Jia Zeng, ‘Empire and liberty in Adam Ferguson’s republicanism’, *History of European Ideas*, 48 (2022), pp. 909–29.

<sup>141</sup> Ferguson, *Essay*, p. 249.

<sup>142</sup> Ferguson to William Pulteney, 7 Nov. 1769, in Adam Ferguson, *The correspondence of Adam Ferguson*, ed. Vincenzo Merolle (2 vols., London, 1995), I, p. 81. Pulteney was a Scottish advocate and, from 1768, MP for Cromarty.

<sup>143</sup> Ferguson to Pulteney, 7 Nov. 1769; see also Ferguson to Pulteney, 1 Dec. 1769, in Ferguson, *Correspondence*, I, pp. 85–9.

<sup>144</sup> For biography, see John Craig’s biographical introduction, ‘Account of the life and writings of John Millar, esq.’, to Millar, *The origin of the distinction of ranks; or, an enquiry into the circumstances*



Ferguson, he rendered the Tudor dynasty as the final phase of feudal government – what he referred to in a set of lectures in 1787–8 as ‘feudal monarchy’.<sup>145</sup> The Germanic barbarian settlements that had grown out of the former western provinces of the Roman empire began their lives as communities of independent chiefs who held ‘allods’, and vassals who held fiefs that had been granted by the chiefs (Millar later referred to this phase in his lectures as ‘feudal aristocracy’).<sup>146</sup> The chiefs tended to unite under a general or king for mutual defence; but in order to make war or peace, the king required the consent of his assembled allods – the origin, Millar claimed, of the ‘ancient Parliaments of France, the Cortes in Spain, and the Wittenagemote in England’.<sup>147</sup> As barbarian monarchies were vast, however, kings were often unable to provide security to their least powerful chiefs. The result was that chiefs who held smaller allods, and hence fewer vassals, entered into the vassalage of more powerful neighbours. Millar argued that it was through this process that the ‘feudal system was completed in most of Europe’: after a point, even the more powerful allodial proprietors could not defend themselves against others, and were forced into the vassalage of the king. This was how the ‘whole of a kingdom came to be united in one great fief’, as it was under William the Conqueror in England, or Hugh Capet in France.<sup>148</sup> The Tudors were the last beneficiaries of this system in England: they took the royal prerogative to a height incompatible with the ‘freedom of the people’.<sup>149</sup>

Like Ferguson, Millar claimed that the Tudor feudal monarchy began to collapse with improvements to commerce.<sup>150</sup> The development of trade in luxury goods allowed the poor to profit from their labour and become independent of their feudal superiors. At the same time, noblemen became ‘addicted’ to consumption and encumbered their estates with debts to fuel their new habits: the means by which they fell into the hands of merchants who simply wanted legal protections for their property (what Millar referred to as ‘sentiments of liberty’).<sup>151</sup> Power followed soon upon wealth: citing Hume’s history, Millar claimed that Charles I was forced into yielding to the ‘growing power of the commons’. Their demand for legal protections from the crown had created the ‘most popular’, or democratic, government that had yet to be established from the ruins of a large feudal monarchy.<sup>152</sup> England’s feudal monarchy had only been superseded, then, because luxury consumption had transferred wealth to the commons, empowering the Lower House to overwhelm the

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*which give rise to influence and authority, in the different members of society* (4th edn, Edinburgh, 1806), pp. i–cxxxiv.

<sup>145</sup> See the set of student notes taken by Millar’s son, James, on Millar’s ‘Lectures on government’, 3 vols., University of Glasgow Special Collections, MS Gen 289–91, II, fo. 21.

<sup>146</sup> Millar, *Observations*, p. 161; Millar, ‘Lectures on government’, II, fo. 21.

<sup>147</sup> Millar, *Observations*, p. 162.

<sup>148</sup> *Ibid.*, pp. 172–3.

<sup>149</sup> *Ibid.*, pp. 173–4.

<sup>150</sup> *Ibid.*, pp. 180–91.

<sup>151</sup> *Ibid.*, pp. 185–7.

<sup>152</sup> *Ibid.*, p. 191.

crown's authority in the seventeenth century (a phase he later referred to in his lectures as 'commercial government').<sup>153</sup>

Millar's *Observations* went further than shutting down Hume's claim that the Tudor period heralded the beginning of modern history: it also recast the European feudal system as republican in character. Citing the French historian Gabriel Bonnot de Mably rather than Montesquieu, Millar claimed that in 'each of the feudal kingdoms' that had emerged from the ruins of the Roman empire, sovereignty was exercised by a 'national council' of its independent, or 'allo-dial', property-holders, while the king was distinguished by being the largest property-holder of all.<sup>154</sup> Membership of the legislature was conditional upon property-holding, and all that changed across Millar's three phases of government – 'feudal aristocracy', 'feudal monarchy', and 'commercial government' – was how many people held it. It was for this reason that Millar later rebuked Hume's depiction of the Tudors in his own *Historical view of the English government* (1787).<sup>155</sup> Hume, he bristled, had made the 'gross error' of describing the legislative power of Tudor English parliaments as a 'mere fallacy'.<sup>156</sup> Parliament still legislated as it had done since the arrival of the Saxons into Roman Britannia: it was by acts of parliament, Millar pointed out, that Henry VIII had suppressed the monasteries, become head of the church, and abolished the civil authority of the pope.<sup>157</sup> Luxury consumption had changed English politics by democratizing property-holding; but it had not brokered the transition from 'ancient' to 'modern'. For Millar, the Germanic conquerors of the Roman empire performed that function: the feudal governments they had erected in the former western provinces of the Roman empire were modern because parliamentary monarchy was unknown to the ancients.<sup>158</sup> The only distinction between Norman and contemporary British parliaments was that the latter were more democratic, as landownership had become more widespread.<sup>159</sup> The priority for contemporary Britain, he explained to his students, was to keep it that way. To prevent a reversion to the aristocratic parliaments that had characterized the eleventh to the sixteenth centuries, Millar suggested that the franchise could be opened up to labourers earning a high enough wage.<sup>160</sup> The 'most popular' of all the Western European governments could be sustained by ensuring that property-

<sup>153</sup> Millar, 'Lectures on government', II, fo. 21.

<sup>154</sup> Millar, *Observations*, pp. 232–6; Gabriel Bonnot de Mably, *Observations sur l'histoire de France* (Geneva, 1765), pp. 1–34.

<sup>155</sup> John Millar, *An historical view of the English government, from the settlement of the Saxons in Britain to the Revolution in 1688* (4 vols., London, 1803; repr. Indianapolis, IN, 2006). The 1803 edition published posthumously by Millar's nephew, John Craig, included seventeenth-century material that had been absent from the edition published by Millar: *An historical view of the English government, from the settlement of the Saxons in Britain to the accession of the House of Stewart* (London, 1787). Hereafter all references are to the reprint of the 1803 edition.

<sup>156</sup> Millar, *Historical view*, II, pp. 401, 429.

<sup>157</sup> *Ibid.*, pp. 401, 410–11.

<sup>158</sup> *Ibid.*, I, pp. 108, 141; see also III, p. 445; and IV, p. 750.

<sup>159</sup> *Ibid.*, II, pp. 237–8, 248–9.

<sup>160</sup> Millar, 'Lectures on government', III, fo. 18.

holding was spread more widely, if necessary by redefining it to include income from wages.<sup>161</sup>

Like Ferguson, Millar rejected Hume's periodization of history: both historians designated Tudor government as feudal, rather than the moment at which a new culture – or system of 'manners' – was born. But Millar went a step further than Ferguson by questioning whether there was a distinction between feudal and modern politics at all.<sup>162</sup> By design, there was no room in Millar's history of Europe for the analytical distinction that Hume had drawn between the lives of feudal and modern noblemen. There was no room, either, for Hume's suggestion that the fundamental characteristic of 'modern History' lay in the kind of life that the modern nobleman made possible: the new sense of security – or 'personal liberty' – experienced by the tenants of his estates, or those who earned wages by catering to his desires. For Millar, as for Ferguson, it was imperative to restore the idea that liberty was only possible in states with a wide distribution of landownership and a popular assembly in which the interests of landowners might be represented. Rather than applauding Hume's bleak account of the modern world, they explicitly rejected its politics.

#### IV

In a series of lectures that began in the winter of 1762, his final year in the chair of Moral Philosophy at Glasgow, Adam Smith intervened in the Scottish debate about the content and periodization of modern history.<sup>163</sup> As part of a broad history of government in Western Europe, he told his students that 'the nobility necessarily fell to ruin as soon as luxury and arts were introduced' into the countryside of sixteenth-century monarchies, and that 'their fall everywhere gave occasion to the absolute power of the king'.<sup>164</sup> The shift was to be welcomed. Under an absolute monarchy like that of the Tudors, the 'greatest part of the nation' had little to fear from the crown, whereas everyone had been oppressed by 'petty lords'.<sup>165</sup> The people, Smith explained, could never have 'security in person or estate' until the power of the nobility had been curtailed.<sup>166</sup>

<sup>161</sup> Millar stopped short of supporting universal suffrage, for which see *ibid.*, fo. 44.

<sup>162</sup> For an account of the contested nature of these boundaries in eighteenth-century Western European thought, see John Pocock, 'Perceptions of modernity in early modern historical thinking', *Intellectual History Review*, 17 (2007), pp. 79–92.

<sup>163</sup> Adam Smith, *Lectures on jurisprudence*, ed. R. L. Meek, D. D. Raphael, and P. G. Stein (Oxford, 1978; repr. Indianapolis, IN, 1982), 'Report of 1762–3', pp. 5–394, at pp. 244–64 (hereafter LJ (A)). On Smith's final years in the chair, see Nicholas Phillipson, *Adam Smith: an enlightened life* (London, 2010), pp. 159–80.

<sup>164</sup> Smith, LJ (A), pp. 244–64, at p. 264. On the lectures' history of Rome and its succession by barbarian monarchies in the fifth century, see Pocock, *Barbarism and religion*, II, pp. 319–29, and III, pp. 387–99; István Hont, 'Adam Smith's history of law and government as political theory', in Richard Bourke and Raymond Geuss, eds., *Political judgement: essays for John Dunn* (Cambridge, 2009), pp. 131–72, at pp. 150–71.

<sup>165</sup> Smith, LJ (A), p. 264.

<sup>166</sup> *Ibid.*

Smith intervened in the debate again in the most influential work of Scottish political economy, his *Wealth of nations*.<sup>167</sup> Like Dalrymple, Kames, Ferguson, and Millar, Smith had a ‘conjectural’ theory of how human societies became more civilized over time.<sup>168</sup> But he claimed that Hume was the ‘only writer’ who had taken any notice of how luxury consumption had introduced ‘liberty and security’ for those who used to live in a perpetual state of feudal war.<sup>169</sup> Smith’s account of the arrival of modern liberty in Europe, contained in the work’s historical third book, carefully reiterated and expanded on the central argument of Hume’s *History*.<sup>170</sup>

Scholars have long been puzzled by the silences in Smith’s claim.<sup>171</sup> Where were the references to the other Scottish jurists and historians who had made connection between commerce and liberty, like Kames, Ferguson, Millar, Robertson, or the Jacobite political economist Sir James Steuart? But Smith’s citation of Hume’s *History* was deliberate. By singling out Hume and renarrating his *History* so carefully, Smith put his finger on its central claim: that the modern world had only emerged from the feudal once the people of European monarchies, both propertied and waged, had begun to feel safe enough to attain a sense of autonomy. Only Hume had located the emergence of this kind of liberty in the sixteenth century, once feudal nobles had transformed themselves into improving agriculturalists and their former soldiers had become artisans in the towns. For others, like John Millar, the rise of luxury consumption among the sixteenth-century English nobility was only important insofar as it triggered a redistribution of their property, allowing more people to hold property and secure liberty for themselves via their representatives in the House of Commons. For Millar, as Catharine Macaulay had put it, ‘property in the soil’ and ‘voice in the legislature’ were one and the same thing, and the only means of generating the safety and security that Hume had found in post-feudal political culture.<sup>172</sup> This was why Millar feared a British reversion to an aristocratic pattern of property-holding, and wished to stave off this possibility – if necessary – by widening the definition of property-holding itself. Given the focus of Millar’s vision of modern politics, it is unsurprising that his own major work, his *Historical view*, was a history of England’s property-holders and the parliament that represented them.

Unlike Millar, Smith adopted Hume’s account of modern history. His own major work, by contrast, was a study of how the profiteering aristocrats and

<sup>167</sup> The best discussion of the political stakes of the *Wealth of nations* remains István Hont and Michael Ignatieff, ‘Needs and justice in the *Wealth of nations*’, in *Jealousy of trade*, pp. 389–443. See also Winch, *Adam Smith’s politics*; Samuel Fleischacker, *On Adam Smith’s Wealth of nations: a philosophical companion* (Princeton, NJ, 2004).

<sup>168</sup> Smith, *Wealth of nations*, II, book V, chapter i, paragraphs 1–12.

<sup>169</sup> *Ibid.*, I, III, iv, 4.

<sup>170</sup> *Ibid.*, I, III, iv, 6–17.

<sup>171</sup> Forbes, ‘Sceptical Whiggism, commerce, and liberty’, p. 193; see also Roy Campbell and Andrew Skinner’s editorial comments at Smith, *Wealth of nations*, I, III, iv, 4n; Donald Winch, ‘Adam Smith’s “enduring particular result”: a political and cosmopolitan perspective’, in Hont and Ignatieff, eds., *Wealth and virtue*, pp. 253–69, at p. 268.

<sup>172</sup> Macaulay, *History*, V, p. 380.

waged labourers of Hume's modern world could co-exist without coming into existential conflict. Rather than redistributing property, Smith's solution was to keep wages high by relentlessly increasing industrial productivity.<sup>173</sup> While wages in advanced economies like Britain would always be undercut by less advanced competitors, Smith claimed that improved productivity would allow Britain to outrun them without recourse to imperial projects or slavery.<sup>174</sup> In the *Wealth of nations*, Smith criticized the Iberian empires in Peru and Mexico, the European settlements on the west coast of Africa, and British company rule in India.<sup>175</sup> But his anti-imperialism did not issue from a cosmopolitan ability to recognize strange and unfamiliar communities as 'constituting extant forms of life'.<sup>176</sup> As Onur Ince has recently shown, Smith justified the agrarian settler colonies of British north America on the grounds that indigenous American communities had no conception of land-property, and were therefore incapable of being expropriated.<sup>177</sup> For Ince, Smith's justification was one of many British attempts to reconcile the violence of colonial expropriation with Britain's self-image of its imperial political economy as 'liberal'.<sup>178</sup>

The inferior status Smith attached to indigenous Americans was also anchored in his set of claims about how the modern world had emerged. Smith had already pointed out to his students in 1763 that the Germanic tribes that 'broke into Europe' in the fifth century were a 'step farther advanced' than eighteenth-century indigenous Americans.<sup>179</sup> Americans were 'savage' hunter-gatherers, while the Germans fell into the interstice between pasturage and agriculture – the subsequent two stages of Smith's conjectural theory of civilization.<sup>180</sup> Smith had explained then that human societies only required a governing authority to adjudicate their disputes once they began to survive through pasturage, as pasturage (unlike hunting and gathering) created notions of property in land.<sup>181</sup> One reason why Smith never located land-property and government as active concepts in savage communities is because they had never populated ancient, feudal, or modern European history: in his eyes, neither Germanic tribes such as the Franks and Saxons, nor the Greeks and Romans before them, had ever been hunter-gatherers. In the *Wealth of nations*, Smith claimed that the eighteenth-century indigenous inhabitants of

<sup>173</sup> Smith, *Wealth of nations*, I, I, i, 1–11.

<sup>174</sup> István Hont, 'The "rich country–poor country" debate in the Scottish Enlightenment', in *Jealousy of trade*, pp. 267–325.

<sup>175</sup> Smith, *Wealth of nations*, II, IV, vii(c), 100–8.

<sup>176</sup> Mehta, *Liberalism and empire*, p. 40.

<sup>177</sup> Ince, 'Limits of liberal anti-imperialism', p. 1089; the tension between Smith's view of settler colonization and alien imperial rule has also been explored in Tom Hopkins, 'Adam Smith on American economic development and the future of European Atlantic empires', in Sophus Reinert and Pernille Røge, eds., *The political economy of empire in the early modern world* (Basingstoke, 2013), pp. 53–75.

<sup>178</sup> Onur Ulas Ince, *Colonial capitalism and the dilemmas of liberalism* (Oxford, 2018).

<sup>179</sup> Smith, LJ (A), p. 107.

<sup>180</sup> On the conceptualization of the 'savage' in eighteenth-century Europe, see Pocock, *Barbarism and religion*, IV, pp. 157–81.

<sup>181</sup> Smith, LJ (A), p. 208.

Peru, Mexico, west Africa, and east India were already ‘shepherds’.<sup>182</sup> They subsisted in the same way as the Germanic tribes who erected the feudal monarchies of Western Europe. They could be assimilated to the arc of European history, and were included in Smith’s account of imperial injustice. But it is unclear whether indigenous Americans could make the critical developmental leap from hunting to shepherding. Although Smith’s vision of history was more accommodating of non-European peoples than Hume’s, it had limits. Indigenous Americans appeared to inhabit a different temporal dimension, existing outside of Smith’s perimeter of injustice.

## V

It might reasonably be argued that many of the Scots considered in this article never managed to escape the sense that there was something special about English history. Kames updated the ubiquitous English history of the Revolution. Hume’s history of the modern world still carried the title *The history of England*. Ferguson and Millar extolled the virtues of representative parliamentary government. Yet confining them within the English whig tradition obscures their closely argued debate about the relative importance of manners, landowning, representation, Protestantism, and consumption in powering the emergence of the modern world. Regardless of where the ‘prime mover’ of the transition was located, their histories of how the modern world had emerged from the feudal (or the ancient) engaged with French scholarship as much as English, and moved well beyond the whig fixation on the English Revolution of 1688–9.<sup>183</sup> The worlds they imagined were also restricted to the feudal (or post-feudal) monarchies of Western Europe, which had sprouted in turn from the former western provinces of the Roman empire. The communities that existed outside these places, such as the ‘savage’ indigenous inhabitants of America or Africa, were often denied the same capacities for social and moral improvement. In Scotland’s modernist history-writing, the modern period was distinct from a civilizational stage that could in theory be reached by all.

These conclusions suggest that it may be fruitful to reopen the question of how the historical discourses of Enlightenment Scotland shaped the intellectual and political cultures of late eighteenth- and early nineteenth-century Britain. It is well known that many of the works considered in this article were reprinted in large quantities throughout the late eighteenth and early nineteenth centuries; that they were centrepieces of the subscription libraries blossoming across urban Scotland; that they were taught in Edinburgh to the students who set up the most successful British periodical of the early nineteenth century, *The Edinburgh Review*; and that they could be found in the libraries of early nineteenth-century British politicians and colonial officials,

<sup>182</sup> Smith, *Wealth of nations*, II, IV, vii(c), 100–8, at paragraph 100; on this point, see Ince, ‘Limits of liberal anti-imperialism’, pp. 1090–2.

<sup>183</sup> The concept of the ‘prime mover’ in the collapse of feudalism underpins the so-called ‘Transition Debates’ of post-war British historiography. For an entry point, see Rodney Hilton, ‘Feudalism and the origins of capitalism’, *History Workshop Journal*, 1 (1976), pp. 9–25, at pp. 22–4.



many of whom were Scottish.<sup>184</sup> Beyond the story of the cosmopolitan legacy of Scotland's social theory, it is less clear what these readers did with these works.

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<sup>184</sup> Richard Sher, *The Enlightenment and the book: Scottish authors and their publishers in eighteenth-century Britain, Ireland, and America* (Chicago, IL, 2006), pp. 30, 705–6; William St Clair, *The reading nation in the Romantic period* (Cambridge, 2004); Bob Harris, 'The Enlightenment, towns, and urban society in Scotland, c. 1760–1820', *English Historical Review*, 126 (2011), pp. 1097–136; Winch, 'The system of the north'; John MacKenzie and Tom Devine, eds., *Scotland and the British empire* (Oxford, 2011).

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