CHAPTER 1

The Development of Lockean Moral Philosophy

Whereas Paley's political philosophy engaged explicitly with the hot political issues of the 1780s, including proposals for the reduction of regal influence and the improvement of parliamentary representation, the context of his ethical thought is more difficult to reconstruct. We know that much of the *Principles* was based on lectures given at Christ's College in the early 1770s. Paley was admitted to Christ's as a sizar on 16 November 1758 and started his residence in October 1759, having been a pupil at the free grammar school in Giggleswick in the West Riding of Yorkshire, where his father was headmaster. A capable mathematician, he graduated as senior wrangler in June 1763. Unhappy spells as a schoolmaster's assistant at Dr Bracken's academy in Greenwich and then as an assistant curate ('the rat of rats', as he put it) were brought to an end in 1766 when he was elected a fellow of Christ's following his receipt of the Cambridge Members' prize in 1765 for an essay in Latin on the relative merits of Stoicism and Epicureanism. Vacating Christ's in 1776, Paley took up residence among the rural community of Appleby in the diocese of Carlisle. Then, from 1780 onwards, he had two houses, a prebendal residence in the close of Carlisle Cathedral and the vicarage at Dalston. In 1782 he replaced John Law, his college friend and confidant, as Archdeacon of Carlisle. He owed these appointments to John's father, the eminent theologian Bishop Edmund Law. In the late 1770s, Edmund began pressing Paley to get on with the job of developing the lectures into a book.[1] The Bishop's apparent anxiety about Paley's slow progress was undoubtedly brought on by the changing intellectual climate at Cambridge.

In an atmosphere of toleration and erudition, natural-theological apologetics flourished in 'Whig-Cambridge' for much of the eighteenth century, and, as Paley recognised in his dedicatory preface to the *Principles*, few had

[1] Edmund Law to John Law, 4 June 1778, London, National Archives, Edward Law 1st Earl of Ellenborough Papers, PRO 30/12/17/3/43.

laboured harder than Law to render religion more credible. However, according to Gascoigne, from the 1770s on, this tradition gradually began to give way to more transcendental doctrines, a shift that was partly the result of changes in the political landscape at the university.[2] As master of Peterhouse, Edmund had been among the foremost advocates of reform in the university. A confirmed Hoadlyite, he joined the campaign to relieve the clergy from mandatory subscription to the Thirty-Nine Articles, efforts which culminated in the Feathers Tavern Petition to Parliament in 1772. In the wake of the American Revolution, many at the university became more wary of the reform movement, not least because they believed that the concerted efforts of Wilkes and Wyvill to enlist popular support for their petitioning campaigns threatened to turn an innately tumultuous populace into actors on the political stage, where hitherto they had been mere spectators. Such worries help to explain why some at Cambridge thought the Feathers Tavern men, by petitioning Parliament, had taken matters too far. The defections from the church that followed the petition's failure appeared to point to the schismatic tendency of latitudinarian lenity. In 1779 one such renegade, John Jebb, advised the freeholders of Middlesex that if the government continued to deny the people their rights to equal representation and universal suffrage, 'it would be truly constitutional' for an extra-parliamentary convention to declare the dissolution of the Commons.[3] Small wonder that by the 1780s, many clerics began to equate the distaste for creeds with sedition. As Gascoigne observes, one upshot of this growing ideological polarisation at Cambridge was that anxious dons began to look more to the certainties of revealed theology.

No doubt sensitive to these changes, in 1782 Law was advertising Paley's talents to influential figures at Cambridge, probably in the hope of installing a latitudinarian work of ethics on the syllabus while like-minded clerics still held sway in university affairs.[4] It was the reformer Thomas Jones who, as moderator in the philosophical schools, introduced the *Principles* into exams at Trinity in 1786, and university-wide after 1787. If Law had expected Paley to throw in his lot with those agitating for constitutional change, he must have been disappointed, however. For despite his avowed aloofness from such disputes, the *Principles* expressly

[2] Gascoigne, *Cambridge*, pp. 238–9.
[3] John Jebb, *Address to the Freeholders of Middlesex* (3rd edn. London, 1780), p. 16.
[4] He told his son that Paley's discourse had been 'highly approved' by vice-chancellor Richard Beadon. Edmund Law to John Law, 7 November 1782, PRO 30/12/17/1/21. But see pp. 82–3. For a further discussion of Law's motives.

rejected calls for a reform of the representation of Parliament and for the abolition of subscription. Yet if his politics had disappointed them, there was plenty for Law and Jones to like about Paley's theology, for the *Principles* was a work of rational religion par excellence. It was his unparalleled ability to give cogent answers to their theological and ethical questions that recommended the book to so many divines. Paley himself saw his system as a remedy for the failings of the moral philosophy curriculum at Cambridge. Whereas the writings of Grotius and Pufendorf were 'of too *forensic* a cast, too mixed up . . . with the jurisprudence of Germany' for his liking, the 'sententious apophthegmatising style' of Adam Ferguson's *Institutes of Moral Philosophy* (1769) gained 'not a sufficient hold upon the attention' of the ordinary reader. Moral philosophy should aim at nothing less than 'the information of the human conscience in every deliberation that is likely to come before it', according to Paley, and expediency met this criteria by providing a hard and fast rule, applicable in all situations.[5] Thomas Rutherforth's *Institutes of Natural Law* (1754–6), popular with tutors at Cambridge, had defined the 'law of our nature' as those rules that it is 'necessary for us to observe, in order to be happy'.[6] But here the doctrine of expediency was lost in a fog of otiose definitions which Paley believed would blunt its effect on young minds. By contrast, his bold affirmation that it is 'the utility of any moral rule alone which constitutes the obligation of it' signalled his intention to expound the principle in a manner sufficiently clear and comprehensive to direct behaviour.[7] The *Principles* drew heavily on John Gay's groundbreaking 'Preliminary Dissertation' (1731) and Edmund Law's follow-up, 'On Morality and Religion' (1758).[8] But where these earlier pioneers had explored the psychological underpinnings of theological utilitarianism, they had said little about its practical application. First in his lectures, and then in the *Principles*, Paley applied expediency to the lives of eighteenth-century Englishmen.[9]

[5] William Paley, *The Principles of Moral and Political Philosophy* (London, 1785), pp. i, iv, xv.
[6] Thomas Rutherforth, *Institutes of Natural law: Being the Substance of a Course of Lectures on Grotius de Jure Belli et Pacis Read in St John's Cambridge*, 2 vols. (Cambridge, 1754–6), vol. I, p. 10.
[7] *Principles*, pp. vi–vii, 61.
[8] Gay's 'Preliminary Dissertation Concerning the Fundamental Principle of Virtue or Morality' first appeared anonymously in Edmund Law, trans., *An Essay on the Origin of Evil* by William King (Cambridge, 1731). Law added two moral treatises of his own to the fourth edition, 'On Morality and Religion' and 'The Nature and Obligations of Man as a Sensible and Rational Being', in *An Essay on the Origin of Evil* by William King, trans. Edmund Law (4th edn. Cambridge, 1758). King's *De Origine Mali* was first published in 1702.
[9] *Principles*, p. ix.

In doing so he was continuing the systemisation of theological utilitarianism initiated by Abraham Tucker, who in his *Light of Nature Pursued* had sought to demonstrate the sanctity of human happiness by a rigorous examination of human nature. Fearing that the profuseness of his speculations would confine his readership to the learned, Tucker modestly observed that it was 'no uncommon thing in the sciences . . . to see one man prepare materials for another to work up'.[10] Paley apparently read this as a personal invitation, declaring that 'I shall account it no mean praise, if I have sometimes been able to dispose into method . . . or to exhibit in more compact and tangible masses, what, in that otherwise excellent performance, is spread over too much surface'.[11] In Chapter 3, it is shown that there was more to 'working up' Tucker's theology than merely distilling it into a practical code. First, however, some account must be given of the birth of the tradition in the 1730s.

The True Origin and Criterion of Morals

The prime mover in the development of Christian utility was Edmund Law. The son of a curate and schoolmaster, Law graduated from St John's College, Cambridge in 1723 and was elected a fellow of Christ's College in 1727.[12] In a long career at the university, crowned by his ascent to the Mastership of Peterhouse College in 1754, his mission was to ensure that it led the way in advancing the investigation of religious truth, on the one hand by spearheading the endeavour to restore the teachings of scripture to their original simplicity and on the other by nurturing natural theology and the sciences that sustained it.[13] To create the optimum conditions for truth to thrive, moreover, he strove tirelessly to remove alleged obstacles to free religious inquiry such as mandatory subscription – though like his close friend Francis Blackburne, he remained committed to doing so from within the Anglican fold. On the ground, Law's campaign to forward the march of Christian Enlightenment involved modernising the curriculum, nurturing the next generation of latitudinarian thinkers and contributing to scholarly debate through his own publications.[14] As will become

[10] Abraham Tucker, *The Light of Nature Pursued: From the Second Edition Revised and Corrected with Some Account of the Life of the Author*, ed. H. P. St. John Mildmay, 4 vols. (1768–78; Cambridge, 1831), vol. 1, p. 88.
[11] *Principles*, pp. xiii–xiv. [12] *ODNB*.
[13] See Paley, *A Short Memoir of the Life of Edmund Law (Extracted from Hutchinson's 'History of Cumberland', . . .) Re-printed with notes. By Anonymus* (London, 1800).
[14] His protégés included future-Unitarians like Jebb, John Disney and Gilbert Wakefield; but also lifelong Anglican latitudinarians like Richard Watson and John Hey.

apparent, all three endeavours contributed to the rise of Christian utility. While its success did not precipitate the kind of doctrinal warfare sparked by anti-Trinitarianism in the period, it did provoke a hostile reaction from a number of prominent churchmen, who saw utility as undermining some of the basic assumptions of Christianity. Its rise undoubtedly owed much, therefore, to Law's intellectual character, his extraordinary openness to new and challenging ideas, but also his stubborn adherence to those he found persuasive. He was willing both to brave the censure of his more orthodox colleagues for propounding unorthodox teachings – most notably, the doctrine of mortalism, the notion that the soul slept between death and resurrection – and to take up the cudgels for some of the most heterodox churchmen of the day, many of whom were his acolytes.[15] Importantly, his intellectual courage was matched by his energy and commitment. As we have seen, it was Law who coaxed Paley into turning his lectures on ethics into a textbook, while working tirelessly on the University authorities to ensure it became required reading. Given, in addition, that John Gay was by all accounts a highly reticent character, it is hard to think that his seminal essay would have seen the light of day had Law not included it in his edition of William King's *De Origine Mali* (1731).

A fellow of Sidney Sussex, Gay lectured in Hebrew, Greek and Ecclesiastical History. All we know about him apart from this is that he was an accomplished biblical scholar with an unsurpassed knowledge of Locke.[16] A vital influence on Tucker and Paley, his 'Preliminary Dissertation' was a highly original contribution to the debate about moral sense theory. The work challenged Francis Hutcheson's characterisation of the moral sense as innate, offering in its place a genealogy of moral affections drawn from Locke's analysis of human motivation. In a bid to refute the assertion of Hobbes and Mandeville that both moral approbation and virtue stemmed from selfish motives, Hutcheson's *Inquiry Concerning Moral Good and Evil* (1725) had ascribed such behaviour to the interplay of two instincts which acted 'without regard to *self-interest*' – the *moral sense* which determines our minds to approve of 'some quality apprehended in actions' which we recognise as morally good, and '*disinterested affection*' from which virtuous actions flow.[17] That men generally look favourably upon good actions without being able to give reasons for their approbation and that they often pursue

[15] Paley, *Short Memoir*, pp. 12–13. [16] This was according to the Bishop. Ibid., p. 2.
[17] Francis Hutcheson, *An Inquiry into the Original of Our Ideas of Beauty and Virtue* (3rd edn. London, 1729), pp. 115, 104, 158–9. Hutcheson styled the moral affections instincts in *Inquiry*, pp. 195–6.

virtue without considering their private interest, only a fool or a Hobbist would deny, asserted Gay. But the theory that described the moral sense and the public affections as instincts, if not necessarily guilty of resurrecting the discredited doctrine of innate ideas, smacked nonetheless 'of that of *occult qualities*'.[18] It is an extremely telling allegation in regards to the themes of this book, since it reveals that from its inception, theological utility was conceived of as an attempt to extend the 'scientific revolution' to the realm of ethics.

As Keith Hutchison has shown, when exponents of mechanical science scorned occult qualities, what they were often really objecting to was the idea of Aristotelean qualities per se, i.e. the *qualitates* or forms said to be responsible for the attributes of things.[19] Because they assumed that in perception, the properties of bodies accessed the mind directly, peripatetics held that such qualities provided 'a complete and satisfactory explanation of the observed phenomena, the final answer to all queries'.[20] Qualities that were 'within the realm of experience, but outside the realm of sense', however, such as magnetism and ether, were deemed to fall beyond the scope of *scientia*, which dealt only with things that could be perceived by the senses.[21] These were designated occult qualities by the peripatetics, and frequently ascribed to supernatural causes.[22] As the proponents of mechanical science saw things, however, all causes were occult by this definition, since they all produced their effects imperceptibly, i.e. through some indiscernible interaction between the minute parts (corpuscles or atoms) of the bodies in question.[23] Perception did not partake of the real essence of things. They asserted, moreover, that the specific phenomena deemed occult by the Aristotelians were amenable to scientific explanation, in the sense that their causes might be accounted for mechanically, or that their effects could be described in terms of general scientific laws. In claiming that invoking the moral sense to account for morals was redolent of the doctrine of occult qualities, then, Gay meant either that it was vacuous – akin to explaining heat as a manifestation of the form of heat – or that it was a way of evading explanation altogether while giving credence to mysticism.

[18] Gay, 'Preliminary Dissertation', p. xiv. On Hutcheson's attitude to innate ideas see Daniel Carey, *Locke, Shaftesbury, and Hutcheson: Contesting Diversity in the Enlightenment and Beyond* (Cambridge, 2006), pp. 161–172.
[19] Keith Hutchison, 'What Happened to Occult Qualities in the Scientific Revolution?', *Isis*, 73 (1982), 234.
[20] Marie Boas, 'The Establishment of the Mechanical Philosophy', *Osiris* 10 (1952), 415.
[21] Hutchison, 'Occult Qualities', p. 239. [22] Ibid., pp. 235–6. [23] Ibid., p. 243.

A more credible explanation of the moral sentiments, Gay hypothesised, was that such dispositions were rooted in rational calculations of self-interest and ultimately derived therefore from 'the principle of all action', the pursuit of pleasure and avoidance of pain. When viewed in the imagination, the objects of pleasure and pain, or what we call good and evil, 'have a present pleasure or pain annexed to them, proportional to what is apprehended to follow them in real existence'.[24] These are our passions, and the desires that arise from them are affections. The theological utilitarians agreed with Locke, then, that the province of reason was to consider which desires ought to be satisfied in order to produce happiness, understood as 'the utmost pleasure'.[25] Adopting a first-person narrative, Gay advances a conjectural history of how moral sensibilities would have evolved among rational beings dedicated to seeking private happiness. As my happiness depends on the voluntary behaviour of my fellows, approbation is a way of 'annexing pleasure' to their selfless behaviour as the only means of encouraging them to promote my happiness. But since I approve of my benefactor's happiness, I also desire and take pleasure in it. And this esteem which I attach to actions that benefit me is the source of public affection, as it provides the motive for moral actions.[26] The error of those like Hutcheson who saw merit as being incompatible with acting for the sake of private happiness was that they failed to distinguish properly between ultimate and inferior ends. As all actions are ultimately motivated by the pursuit of happiness, the merit of an action must concern its inferior end. Though I am aware that his final objective is to bask in the warmth of my approval, as long as his immediate aim is to promote my general well-being and not to procure some particular favour, the moral agent is worthy of my esteem.[27] Like Adam Smith later, Gay maintained that that the whole gamut of moral affections – benevolence, ambition, honour, shame, etc. – could be explained in terms of an economy of esteem; but whereas, for Smith, such 'fellow feeling' was its own reward, for utilitarians the hunger for merit derived

[24] Gay, 'Preliminary Dissertation', p. xxii.
[25] John Locke, *An Essay Concerning Human Understanding*, Peter H. Nidditch (ed.) (4th edn. 1700; Oxford, 1975), p. 258. The sphere of morality, according to Locke, consists in our 'power to *suspend* the prosecution of this or that desire', for during this suspension 'we have opportunity to examine, view, and judge, of the good or evil of what we are going to do'. Our duty then is to ensure that we choose those sources of uneasiness (i.e. passions) which yield the highest amount of satisfaction. pp. 263–4.
[26] Gay, 'Preliminary Dissertation', p. xxiv. [27] Ibid., pp. xxv–xxvi.

from our perception that those who held us in high regard were more likely to treat us well.[28]

The obvious objection to this scheme, Gay acknowledged, was that we approve or disapprove of moral actions spontaneously without any consideration of self-interest, and even where the behaviour has no effect on our private happiness. Rather than providing evidence of divinely implanted instincts, however, such phenomena could be explained in terms of Locke's theory of the association of ideas. In a brief chapter added to the fourth edition of *An Essay Concerning Human Understanding*, Locke had described how ideas with no natural correspondence often became fixed in the mind through chance or custom, and how, indeed, 'most of the Sympathies and Antipathies observable in men' could be ascribed to associations cemented in this way.[29] Gay took the further step of explaining the process by which such connections gave rise to the moral sense and to all the '*acquired Principles* of acting' that may have the appearance of instincts.[30] On observing that certain modes of action promote our private happiness, we attach pleasure to them. But eventually such behaviour becomes inextricably linked in the imagination with the idea of pleasure, such that when we witness selfless actions we automatically feel enjoyment, even where we are not the beneficiaries. The moral agent comes to admire virtue in the same way a miser develops a love of money then, association turning 'that which was first pursued only as a *Means*' into 'a real End, and what their Happiness or Misery consists in'.[31] Crucially, however, many of these associations come to us secondhand, being gradually accumulated as we imitate others in attaching pleasure and pain to certain types of action. It was thus conventional morality that was supported by the moral sense and public affections. And it was clearly with a view to exposing the gulf between 'that, which is thought praiseworthy'[32] and that which was right in God's eyes that Gay's critique of Hutcheson was prefaced by a section purporting to reveal the true criterion of virtue.

Again, the reader is invited to see the world through the eyes of a reasonable creature trying to maximise personal happiness. Obligation is defined in similarly Lockean terms as '*the necessity of doing or omitting any Action in order to be happy*'. As it arises 'from the necessary Influence which

[28] Ibid., pp. xxvii–xxviii. For Smith, esteem was easily the most sought-after pleasure, but virtue was only one means of attaining it. Adam Smith, *The Theory of Moral Sentiments*, Knud Haakonssen (ed.) (6th edn. 1790; Cambridge, 2002), pp. 69–70.
[29] Locke, *Essay*, p. 396. [30] Gay, 'Preliminary Dissertation', p. xxx. [31] Ibid., p. xxxi.
[32] Locke, *Essay,* p. 354.

any Action has upon present or future Happiness or Misery', obligation can emerge from natural or civil law as well as conventional morality. But complete obligation can only come from divine authority, for God alone can influence our happiness in all cases (presumably because of the sanctions at his disposal).[33] If the will of God was the rule of virtue, however, it remained to be explained what it was he commanded. In attempting to answer this question, so vital to clergymen who saw virtue as the main province of religion, Gay was entering territory that Locke had left largely uncharted. For despite Locke's insistence that the proper definition of mixed modes would render morality as demonstrable as mathematics and his frequent hints as to the type of behaviour likely to be rewarded by the Almighty, no clear measure of rectitude was identified in the *Essay*.[34] Such direction could be gleaned, maintained Gay, from the abundantly evident goodness of His works, which plainly demonstrated 'that he could have no other design in creating Mankind than *their* Happiness'. As the will of God was 'the immediate Criterion of virtue', a morally good action was one that furthered this design by promoting the happiness of our fellows.[35] In addition, then, to the Lockean account of the moral sense, Gay's bequest to later latitudinarian moralists included a standard of virtue which neatly reconciled private with public good while preserving the religious basis of ethics. For Paley and Tucker, as we shall see, the role of the philosopher was to effect a closer alignment between these two pillars of theological expediency, by increasing the degree to which the morality of opinion was governed by the rational rule of virtue. In other words, Paleyan ethics was largely concerned with the cultivation of the moral sense, and it is this objective which engendered the sociological approach to morality, religion and politics that forms the core theme of this book. Any genealogy of Paley's thought must give due weight therefore to the moral sense tradition, at least as it was construed by Christian utilitarians.

A helpful way of grasping its significance in relation to the emergence of Christian expediency is through Law's periodical updates on the state of ethics and religion, unsystematically strewn over successive editions of his works (and frequently in footnotes) in the middle decades of the eighteenth century. Interestingly, Law's first commentary on the subject, a lengthy footnote in his translation of Archbishop William King's *De Origine Mali*, wholeheartedly endorsed the idea of 'a disinterested

[33] Unlike Locke, Gay does not stipulate that our obligation stems from rewards and punishments in the next life. Locke, *Essay*, pp. 351–2.
[34] Locke, *Essay*, p. 516. [35] Gay, 'Preliminary Dissertation', p. xix.

benevolent instinct', largely with a view to exposing the alleged vacuousness of intuitionist ethics. By directing us to perform and approve of actions which benefited mankind, the moral sense illuminated the true criteria of morals, providing it with the substantive basis which was lacking in those theories which made '*essential Rectitudes*, and *Eternal Notions*' the basis of virtue.[36] Clearly, however, this thoroughly utilitarian slant on the moral sense, which saw it solely as an indicator of the types of action that yielded human satisfaction, subverted Hutcheson's intention of showing that 'moral good is irreducible to natural good'.[37] Furthermore, by placing it at the hub of a theory that held 'a principle of Self Happiness' to be the 'spring' of moral obligation and therefore the basis of natural law, Law used the notion of conscience to support precisely the view of morality it was designed to overturn. The idea of a moral sense fit neatly into this picture because it suggested that we were to some extent driven to perform virtuous deeds by the pleasures accompanying them.[38] Hutcheson, on the other hand, had denied that virtuous actions were prompted by such a 'secret sense of pleasure', again, because it implied that morality was merely part of the system of natural wants.[39]

It was only on coming to appreciate fully the implications of Gay's 'Preliminary Dissertation' that Law finally rejected the notion of an instinctive moral faculty unequivocally. In the 1731 edition, however, he reflected only cursorily on its import, echoing Gay's conclusions that the moral sense was a throwback to 'the Old Philosophy' which too readily ascribed what it could not explain to appetites and innate capacities. At this stage he deemed it unnecessary to revise the 'Remark' expositing his version of the moral sense theory, probably because such exactitude was unnecessary to his broader aim in this part of the book of demonstrating the moral attributes of God from the appearances of human nature.[40] If it could be shown that man had a natural tendency to approve of virtuous actions, we

[36] Edmund Law, 'Remarks referred to in Footnote 18', in *Origin of Evil* (1731), p. 66. As well as conflating Joseph Butler's idea of *conscience* with Hutcheson's moral sense, Law confused the moral sense with benevolence.

[37] Stephen Darwall, *The British Moralists and the Internal 'Ought' 1640–1740* (Cambridge, 1995), p. 211. In Law's defence, the *Inquiry* assigned to utility the important role of determining the relative 'moral Excellency' of various proposed actions. *Inquiry*, p. 180.

[38] Law, 'Remarks', p. 66.

[39] Hutcheson, *Inquiry*, p. 108. This he took to be the implication of Shaftebury's assertion that the natural affections were the chief source of felicity. The Third Earl of Shaftesbury (Anthony Ashley Cooper), ' An Enquiry Concerning Virtue or Merit', in *Characteristics of Men, Manners, Opinions, Times*, 3. Vols. (2nd edn. London, 1714), vol. 2, pp. 99, 103.

[40] The aim of Footnote 18 of chapter one, section three, to which the remark refers, was to provide a sounder explication of the divine attributes than King had offered. See *Origin of Evil* (1731) pp. 45–50.