

RESEARCH ARTICLE

Beyond Hume: Recovering the Scottish Enlightenment Background of James Madison's Thought

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Abstract

Scholarship over the last 70 years has shown that Madison looked to Hume for insight regarding faction, constitutional attachment, and political methodology. But the now commonplace image of a Humean Madison is misleading. I argue that Madison's understanding of self-government drew from the science of man articulated in Witherspoon's *Lectures on Moral Philosophy*, Hutcheson's moral sense theory, and Reid's common sense philosophy. These Scottish sources, all of which were critical of Hume, relied on Butler's conception of the authoritative conscience. This recovery of Madison's Scottish sources restores the primacy of reason and conscience in his system, in which the interest-based clash of factions, about which Hume theorized, is a secondary mechanism, always subordinate to the reason-based pursuit of the common good. For Madison and his Scottish sources, the will's responsiveness to reason is the *sine qua non* of self-government.

Keywords: David Hume; James Madison; Scottish enlightenment; American founding; John Witherspoon

Introduction

It is well established in the scholarly literature that James Madison gleaned crucial insights from David Hume's works, particularly the *Essays and Treatises on Several Subjects* and the *History of England*. According to the scholarly consensus, Madison's political methodology,¹ his interpretation of faction,² and his theory

¹ Morton White, *Philosophy, The Federalist, and the Constitution* (New York: Oxford University Press, 1987), 13.

² Mark G. Spencer, *David Hume and Eighteenth-Century America* (Rochester, NY: University of Rochester Press, 2005), 154–87.

of constitutional attachment³ are emphatically Humean. Whereas Madison's earliest biographers ignored Hume's influence on the development of his thought,⁴ scholarship since Douglass Adair's groundbreaking 1957 essay typically views Hume's influence on Madison as indisputable, forming "the heart of the new American system."⁵

Some scholars have exaggerated the degree to which Madison relied on Hume. Adair popularized the poignant, though unfounded, image of Madison composing *Federalist* 10 with Hume's *Essays* open on his desk.⁶ Gary Wills exceeded the evidence by referring to Hume's *Essays* as Madison's "favorite book."⁷ Now, Adair's "assertion of a Humean Madison," according to Mark Spencer, has become "a commonplace in scholarship on Hume, Madison, the *Federalist*, and even in broad surveys of the history of the early American Republic."⁸ I argue that this commonplace conception is misleading.⁹

Madison did appropriate some of Hume's constitutional theory, but rejected Hume's more controversial metaphysical and moral views. Morton White has recognized this, describing Madison as a Humean empiricist in political matters and a Lockean rationalist in moral matters.¹⁰ But this argument, evident in Edward Erler's recent presentation of Madison as a close reader of Locke,¹¹ is also in need of correction. I contend that Madison's moral rationalism derived less from Locke than from the common sense philosophy that provided an alternative to Hume's skeptical and cynical science of man.¹² Building on the work of Ralph Ketcham and Daniel Robinson, I recover this science of man underlying

³ Drew R. McCoy, *The Last of the Fathers: James Madison and the Republican Legacy* (Cambridge: Cambridge University Press, 1989), 48–50; Robert A. Manzer, "A Science of Politics: Hume, The Federalist, and the Politics of Constitutional Attachment," *American Journal of Political Science* 45, no. 3 (2001): 508–18; Jason Frank, *Publius and the Political Imagination* (Lanham, MD: Rowman & Littlefield, 2014), 54–55.

⁴ William C. Rives, *History of the Life and Times of James Madison* (Boston: Little, Brown & Co., 1866–70), 1: 218–19, and Gaillard Hunt, *The Life of James Madison* (New York: Doubleday, Page & Co., 1902), 14.

⁵ Arthur Herman, *How the Scots Invented the Modern World: The True Story of How Western Europe's Poorest Nation Created our World and Everything in it* (New York: Three Rivers Press, 2001), 260. See also Ralph L. Ketcham, "James Madison and the Nature of Man," *Journal of the History of Ideas* 19, no. 1 (1958): 73. Cf. Henry F. May, *Enlightenment in America* (New York: Oxford University Press, 1976), 97.

⁶ Douglass Adair, "That Politics May Be Reduced to a Science": David Hume, James Madison, and the Tenth Federalist," in *Fame and the Founding Fathers*, ed. Trevor Colbourn (Indianapolis: Liberty Fund, 1974), 150, n. 18.

⁷ Gary Wills, *Explaining America: The Federalist* (Garden City, NY: Doubleday, 1981), 183.

⁸ Spencer, *David Hume*, 157.

⁹ Lance Banning, *Sacred Fire of Liberty: James Madison and the Founding of the Federal Republic* (Ithaca, NY: Cornell University Press, 1995), 467, n. 35, and McCoy, *Last of the Fathers*, 43n., warned against a simplistic rendering of the similarities between Hume's and Madison's thought.

¹⁰ White, *Philosophy, The Federalist, and the Constitution*, 13–22.

¹¹ Edward J. Erler, *Property and the Pursuit of Happiness: Locke, the Declaration of Independence, Madison, and the Challenge of the Administrative State* (Lanham, MD: Rowman & Littlefield, 2019), 100.

¹² Irving Brant, *James Madison: The Virginia Revolutionist, 1751–1780* (Indianapolis: Bobbs-Merrill, 1941), 77, Frank Lambert, *The Founding Fathers and the Place of Religion in America* (Princeton: Princeton University Press, 2003), 10, 15, and James H. Hutson, *Forgotten Features of the Founding: The Recovery of Religious Themes in the Early American Republic* (Lanham, MD: Lexington Books, 2003), 155–85, doubt that Madison derived much of his own moral and political thought from Witherspoon's teaching.

Madison's political thought.¹³ This gives us a more accurate picture of the Humean and non-Humean elements of Madison's thought, while shedding light on the meaning, purpose, and legitimacy of self-government in the American system.

First, I contend that the science of man, rather than the progress of society, is the distinctive element of the Scottish Enlightenment. This interpretation allows us to distinguish between what Madison drew from Hume and what he drew from other Scottish philosophers. Second, I argue that the Scottish science of man that John Witherspoon, Madison's professor at Princeton, brought to America provides a wealth of insight into the constitution of human nature which Madison incorporated into his own writings.¹⁴ Although scholars of Madison's moral anthropology have mentioned the important role of Scottish philosophy, they have insufficiently articulated the compatibility between Hutcheson's moral sense theory and Reid's common sense philosophy, which Witherspoon reconciled. They have likewise underestimated the role of Joseph Butler's notion of conscience, which Witherspoon, Hutcheson, and Reid all used to navigate the debate about whether feeling or reason is the foundation of moral distinctions and obligations.¹⁵ Third, I show that the idea of conscience and self-government these thinkers shared is central to Madison's writings on morals and politics. Fourth, I contend that we misinterpret Madison's constitutional principles unless we go beyond Hume to the mainstream of Scottish philosophical thought from which Madison drank deeply. When we do so, we find that Madison's treatment of faction and the conflict of interests, which Spencer considers the most powerful evidence for a Humean Madison, is secondary to the disinterested and dispassionate pursuit of the common good. This is the first principle of good government in the American system of self-government. And it is the non-Humean nature of Madison's thought, drawn from alternative Scottish sources, that best captures it.

The Science of Man in the Scottish Enlightenment

Much of the surge in Hume-Madison scholarship over the last several decades presented Hume and Adam Smith as the foremost figures in eighteenth-century

¹³ Ralph L. Ketcham, "James Madison and Religion—A New Hypothesis," *Journal of the Presbyterian Historical Society* 38, no. 2 (1960): 71; Daniel Robinson, "The Scottish Enlightenment and its Mixed Bequest," *Journal of the History of the Behavioral Sciences* 22, no. 2 (1986): 171.

¹⁴ For Witherspoon's role in bringing common sense philosophy to America see May, *Enlightenment in America*, 62, 121, Thomas P. Miller, "Witherspoon, Blair, and the Rhetoric of Civic Humanism," in *Scotland and America in the Age of Enlightenment*, ed. Richard B. Sher and Jeffrey R. Smitten (Edinburgh: Edinburgh University Press, 1990), 108, and Peter J. Diamond, "Witherspoon, William Smith, and the Scottish Philosophy in Revolutionary America," in *Scotland and America*, ed. Sher and Smitten, 115–16.

¹⁵ The following articles underestimate Butler's role in this story: Edmond N. Cahn, "Madison and the Pursuit of Happiness," *New York University Law Review* 27, no. 2 (1952): 265–76; Ketcham, "James Madison and the Nature of Man"; James H. Smylie, "Madison and Witherspoon: Theological Roots of American Political Thought," *Princeton University Library Chronicle* 22, no. 3 (1961): 118–32; Joseph F. Kobyłka and Bradley Kent Carter, "Madison, 'The Federalist,' and the Constitutional Order: Human Nature and Institutional Structure," *Polity* 20, no. 2 (1987): 190–208; Theodore Draper, "Hume and Madison: The Secrets of Federalist Paper No. 10," *Encounter* 58, no. 2 (1982): 34–47; and Daniel W. Howe, "The Political Psychology of The Federalist," *William and Mary Quarterly* 44, no. 3 (1987): 485–509.

Scottish philosophy.¹⁶ According to this interpretation, the Scottish Enlightenment stood above all for finding the causes of human betterment in this world.¹⁷ A similar argument has been made that the cultivation of polite culture, discourse, and manners within commercial society is the unifying theme of the Scottish Enlightenment.¹⁸ From these perspectives—which treat the groundbreaking moral and sociological analysis of progress, commerce, and politeness as the essence of Scottish Enlightenment thought—there is good reason to think, with Nicholas Phillipson, that Hume was “the pivotal figure of the history of the Scottish Enlightenment.”¹⁹

But there is another interpretation in which Hume is not at the forefront. This interpretation stresses the primacy of metaphysics. The essence of the Scottish Enlightenment, in this case, is the use of scientific methods to develop a true pneumatology, or science of mind, capable of guiding all subsequent inquiry into moral and natural philosophy.²⁰ From this point of view, as James McCosh observed, Reid is “the fit representative of Scottish philosophy.”²¹

Of course, Hume also applied the scientific method to moral matters. He, too, portrayed the science of man as the foundation of all sciences. He articulated one that he hoped would be more accurate and useful than its rivals.²² But as Roger Emerson wrote, “Hume, driven by the hatred of religious belief which informs most of what he wrote, profoundly differed in outlook from most of his contemporaries.”²³ Hume’s science of man was unusual because it rejected the common language of duty and dismissed natural theology, which he regarded as beyond the scope of scientific investigation.²⁴ For this reason, Hume’s critics

¹⁶ Max Skjönsberg, “Hume and Smith Studies After Forbes and Trevor-Roper,” *European Journal of Political Theory* 19, no. 4 (2020): 631, warns against the danger of reducing Scottish Enlightenment studies to “hero worship” of Hume and Smith.

¹⁷ Trevor-Roper, *History and the Enlightenment* (New Haven: Yale University Press, 2010), 7–33; Duncan Forbes, *Hume’s Philosophical Politics* (Cambridge: Cambridge University Press, 1975), xi; John Robertson, “The Scottish Contribution to the Enlightenment,” in *The Scottish Enlightenment: Essays in Reinterpretation*, ed. Paul Wood (Rochester, NY: Rochester University Press, 2000), 42.

¹⁸ See Nicholas Phillipson, “The Scottish Enlightenment,” in *The Enlightenment in National Context*, ed. Roy Porter and Mikuláš Teich (Cambridge: Cambridge University Press, 1981), 1–18, and Richard B. Sher, *Church and University in the Scottish Enlightenment: The Moderate Literati of Edinburgh* (Edinburgh: Edinburgh University Press, 1985).

¹⁹ Phillipson, “Scottish Enlightenment,” 29.

²⁰ See M. A. Stewart, “The Scottish Enlightenment,” in *British Philosophy and the Age of Enlightenment*, ed. Stuart Brown (New York: Routledge, 1996), 274–308; Roger L. Emerson, “Science and Moral Philosophy in the Scottish Enlightenment,” in *Studies in the Philosophy of the Scottish Enlightenment*, ed. M. A. Stewart (Oxford: Clarendon Press, 1990), 11–36; and Paul B. Wood, “Science and the Pursuit of Virtue in the Aberdeen Enlightenment,” in *Studies in the Philosophy of the Scottish Enlightenment*, ed. M. A. Stewart (Oxford: Clarendon Press, 1990), 127–50.

²¹ McCosh, *The Scottish Philosophy: Biographical, Expository, Critical, from Hutcheson to Hamilton* (London: Macmillan & Co., 1875), 192.

²² David Hume, *A Treatise of Human Nature*, ed. David Fate Norton and Mary J. Norton (Oxford: Oxford University Press, 2000), Intro. 7, 10.

²³ Roger L. Emerson, “The Contexts of the Scottish Enlightenment,” in *The Cambridge Companion to the Scottish Enlightenment*, ed. Alexander Broadie (Cambridge: Cambridge University Press, 2003), 24.

²⁴ Francis Hutcheson, *A Synopsis of Metaphysics*, in *Logic, Metaphysics, and the Natural Sociability of Mankind*, ed. James Moore and Michael Silverthorne (Indianapolis: Liberty Fund, 2007), 66, defined pneumatology as study of “the doctrine of God and of the human mind.” Thomas Reid, *On Practical Ethics*,

regarded him as one of “the corrupters of science, the pests of society, and the enemies of mankind.”²⁵

Both Hume and Reid agreed that “The first Principles of all the Sciences are to be found in the Science of human Nature.”²⁶ Hume claimed to “cultivate true metaphysics.”²⁷ But Reid argued that “Mr Humes sceptical System” was “wrong & mistaken.”²⁸ This kind of combat over the first principles of the science of man shows the centrality of the constitution of the human mind in Scottish philosophy.

The Scottish philosophy, and its corresponding science of man, landed on American shores before Witherspoon did. The Scot William Smith became the first provost of the College of Pennsylvania and incorporated the writings of Francis Hutcheson into the ethics curriculum.²⁹ Hutcheson, who opposed Hume’s candidacy for the Chair of Ethics and Pneumatic Philosophy at Edinburgh in 1745, articulated a duty-based, theologically infused pneumatology on which Reid and Witherspoon built. Educated in Aberdeen, Smith applied in America what he had learned in Scotland, that moral philosophy is grounded in an understanding of human nature.³⁰ We learn our duties by learning our nature. If we get human nature wrong, then we get everything else wrong, from law and politics to economics and the arts. As Reid asserted, “the painter, the poet, the actor, the orator, the moralist, and the statesman” succeed or fail based on their knowledge of “the principles of the human constitution.”³¹ This has tremendous implications for politics. Reid wrote, “it is of great importance, that those who have any share, either in domestic or civil government, should know the nature of man, and how he is to be trained and governed.”³²

The science of man that prevailed in Scotland—and in America—in the eighteenth century drew so heavily from Scottish thinkers that writers, such as Madison, who were educated in the tradition, rarely acknowledged their specific debts to them. In some cases, scholars have given credit to Hume for ideas that Madison easily could have drawn from elsewhere.³³

ed. Knud Haakonssen (University Park, PA: Penn State University Press, 1997), 5, took a similar approach. James A. Harris, “Reid and Hume on the Possibility of Character,” in *Character, Self, and Sociability in the Scottish Enlightenment*, ed. Thomas Ahnert and Susan Manning (New York: Palgrave Macmillan, 2011), 42, states that “the language of duty is notably absent from Hume’s moral philosophy.”

²⁵ Dr Beattie to Dr Blacklock, January 9, 1769, in Sir William Forbes, *An Account of the Life and Writings of James Beattie: Including Many of His Original Letters* (London, 1824), 1: 124.

²⁶ Reid, *Practical Ethics*, 7.

²⁷ David Hume, *An Enquiry Concerning Human Understanding*, ed. Tom Beauchamp (Oxford: Oxford University Press, 2000), 1.10.

²⁸ Reid, *Practical Ethics*, 7.

²⁹ See Diamond, “Witherspoon, William Smith,” 115–16, and Samuel Fleischacker, “The Impact on America: Scottish Philosophy and the American Founding,” in *The Cambridge Companion to the Scottish Enlightenment*, ed. Alexander Broadie (Cambridge: Cambridge University Press, 2003), 328.

³⁰ See Stewart, “The Scottish Enlightenment,” 275, and Wood, “Science and the Pursuit of Virtue.”

³¹ Reid, *An Inquiry into the Human Mind on the Principles of Common Sense*, ed. Derek R. Brookes (University Park, PA: Pennsylvania State University Press, 1997), 11–12.

³² Reid, *Essays on the Active Powers of Man*, ed. Knud Haakonssen and James A. Harris (University Park, PA: Pennsylvania State University Press, 2010), 148.

³³ White, *Philosophy, The Federalist, and the Constitution*, 13, and Spencer, *David Hume*, 186–87, cite Madison’s use of experience and observation in locating cause and effect in political affairs as evidence of a Humean political methodology.

Regarding constitutional attachment and political methodology, for example, Madison repeated commonplaces in Scottish thought. Madison's comment on the sources of constitutional attachment in *Federalist* 49 reflected Hume's analysis of the way custom, or prejudice, supports allegiance to government. Constant appeals to the public to amend the Constitution "would, in great measure, deprive the government of that veneration which time bestows on every thing, and without which perhaps the wisest and freest governments would possess the requisite stability."³⁴ But Madison need not have relied on Hume to understand that "reverence" for the constitution grows with "age."³⁵ Witherspoon, writing on the placement of the capital city in the United States, observed that it will "take some time" before the federal constitution "can acquire the respect and veneration necessary in every government from the body of the people, who are always guided by feeling and habit, more than by a train of reasoning, however conclusive."³⁶ Furthermore, Madison's observation that rational government benefits from having "the prejudices of the community on its side" was shared by Edmund Burke.³⁷ The thesis that time produces habitual obedience and constitutional reverence was shared by many eighteenth-century writers. Jason Frank flatly states that Madison "did not need to endorse Hume's radical skepticism or even be familiar with Hume's *Treatise* to use a widely available understanding of the customary basis of power in habit and the sediment of the imagination."³⁸

Similarly, Madison, like Hume, used experience and observation to draw lessons about politics. But Madison did not need to read Hume to adopt this method of inquiry. It is true that Madison's contemporaries lauded him for the "range of historical illustration" at his disposal.³⁹ But as Jack Rakove suggests, this method of "reasoning from past to present" was "familiar ... in eighteenth-century thinking."⁴⁰ It was not a matter of controversy.⁴¹

The constitution of the human mind, meanwhile, was a matter of controversy. Even then, though, the acknowledgment of intellectual debts was rare, because the first principles of the science of man were established by means of experience, observation, and philosophical rigor, not authority. Peter Diamond suggested that Witherspoon did not acknowledge his debts to Hutcheson in his *Lectures on Moral Philosophy*, because he, like Hutcheson, was a practical moralist, devoted to articulating a true theory of human nature. If reason and experience

³⁴ Madison, *Federalist* 49, in *Writings*, ed. Jack N. Rakove (New York: Library of America, 1999), 286–87. See also Madison to Jefferson, February 4, 1790, in *Writings*, 474.

³⁵ Hume, "Idea of a Perfect Commonwealth," in *Essays, Moral, Political, and Literary*, ed. Eugene F. Miller (Indianapolis: Liberty Classics, 1987), 512–13.

³⁶ Witherspoon, "On the Federal City," in *Works of John Witherspoon* (Edinburgh, 1804–5), 9: 217.

³⁷ See McCoy, *Last of the Fathers*, 59.

³⁸ Frank, *Publius and the Political Imagination*, 54.

³⁹ Hugh B. Grigsby, *The Virginia Convention of 1829–30* (Richmond, VA: Macfarlane & Ferguson, 1854), 22–23.

⁴⁰ Jack N. Rakove, *A Politician Thinking: The Creative Mind of James Madison* (Norman, OK: University of Oklahoma Press, 2017), 39.

⁴¹ Reid, *Practical Ethics*, 14–15, similarly used experience of cause and effect in history as the source of political knowledge.

verified that theory, there was no need to cite Hutcheson, Reid, or any other alleged authority.⁴²

When Witherspoon addressed seniors at Princeton receiving their Bachelor of Arts degrees in 1775, he declared that the education they received was “only intended to give you the elements and first principles of science.”⁴³ The Virginia historian Hugh Blair Grigsby wrote that Madison, in informal conversations at the Virginia Convention of 1829–30, “recalled to his young friends in his charming way the memory of Witherspoon, who blended so intimately the duties of the scholar and the statesman and who was the guide of his youth.”⁴⁴ Madison, Grigsby observed, had a “philosophical caste of mind.”⁴⁵ And this philosophical cast of mind was framed by Witherspoon, his guide, who taught him the first principles of science in accord with the Scottish philosophy.

Common Sense and Conscience: The Science of Man at Princeton

According to Madison’s early biographer William Rives, Witherspoon revised the college’s curriculum to place greater emphasis on metaphysics and moral philosophy. In the new curriculum, Witherspoon presented a science of man inspired by the writings of Hutcheson and Reid to an American audience. This science of man rested on the principles of common sense and conscience. Madison’s science of man rested on these principles, too.

Witherspoon’s *Lectures on Moral Philosophy* incorporated Reid’s common sense language to rebut the skeptical “metaphysical subtleties” of “infidel writers, particularly David Hume.”⁴⁶ Hume had shaken “the certainty of our belief upon cause and effect, upon personal identity and the idea of power,” by arguing that these beliefs were rationally unjustified.⁴⁷ Witherspoon responded as Reid and Beattie had. In fact, Witherspoon claimed to have articulated “the same trains of thought” before they had.⁴⁸ There are “certain first principles or dictates of common sense”—including intuitive belief in personal identity and necessary causation—that “are the foundation of all reasoning” and that, like axioms in mathematical science, cannot be proven.⁴⁹ These are the first principles on which all philosophic and scientific investigation depend.

Witherspoon contended that there are first principles of moral reasoning, as well.⁵⁰ His presentation of these, grounded in the fundamental idea of conscience, is consistent with that of Hutcheson and Reid. The priority of conscience in Witherspoon’s thought is where the two streams of Hutcheson’s moral sense

⁴² Diamond, “Scottish Philosophy in Revolutionary America,” 129.

⁴³ Witherspoon, “An Address to the Students of the Senior Class at Princeton College,” in *Works of John Witherspoon*, 6: 14.

⁴⁴ Grigsby, *Virginia Convention of 1829–30*, 24.

⁴⁵ *Ibid.*, 23.

⁴⁶ John Witherspoon, *Lectures on Moral Philosophy* (Princeton: Princeton University Press, 1912), 38.

⁴⁷ *Ibid.*

⁴⁸ McCosh, *Scottish Philosophy*, 188.

⁴⁹ Witherspoon, *Lectures on Moral Philosophy*, 39.

⁵⁰ *Ibid.*, 140–41.

theory and Reid's common sense philosophy converge.⁵¹ Scholars take too little notice of this.

Witherspoon's *Lectures* closely followed and sometimes amended the later writings of Hutcheson.⁵² It might seem odd that Witherspoon replicated so much of Hutcheson's moral philosophy, given that they were on opposite sides of ecclesiological debates in Scotland. Witherspoon was the vocal leader of the Popular Party against the Moderate clergy in the Scottish Kirk. Hutcheson's philosophy, meanwhile, appeared to inform the sermons of Moderate clergy, such as Hugh Blair and William Robertson. These clergymen seemed to downplay the relevance of church doctrine and natural theology and elevate the role of feeling, that is, the moral sense, in their preaching.⁵³ When Robertson served as a leading member of the General Assembly, Benjamin Rush wrote a letter to Witherspoon to persuade him to travel to America to become president of the College of New Jersey. He mentioned that Witherspoon's prospects were better in America, since the Moderate Party in Scotland had marked him "out as Object of their Resentment."⁵⁴

In any case, Witherspoon incorporated Hutcheson's moral sense language into his lectures. And he equated the moral sense, the moral faculty, and conscience, as Hutcheson had in his later writings. Christina Chuang argues that conscience in Hutcheson's later work "has a cognitive function."⁵⁵ But Reid, in the *Essays on the Intellectual Powers of Man*, contended that Hutcheson's moral sense always had incorporated rational judgment: "Sense always implies judgment."⁵⁶ Hutcheson admitted as much in *Synopsis Metaphysicae*, in which he wrote: "Of all these reflexive senses the most notable is the sense of the fitting and the good, which passes judgment as from the bench on all the things men do."⁵⁷

Hutcheson's early writings, published in the 1720s, targeted the egoists, Thomas Hobbes and Bernard Mandeville, who denied the reality of moral distinctions and resolved all motivation to self-love. Except for *Illustrations upon the Moral Sense*, Hutcheson did not bother to refute the moral rationalism of Samuel Clarke, because he agreed with Clarke on the most important fundamental principle,

⁵¹ Ibid., 10–11.

⁵² See Jack Scott, "Introduction," in *An Annotated Edition of Lectures on Moral Philosophy by John Witherspoon* (Newark, DE: University of Delaware Press, 1982), 27–28, and Jeffry H. Morrison, *John Witherspoon and the Founding of the American Republic* (Notre Dame, IN: University of Notre Dame Press, 2005), 9, 49.

⁵³ For the classic account of the Orthodox and Moderate parties in Scotland, see Sher, *Church and University*. See also Thomas Ahnert, *The Moral Culture of the Scottish Enlightenment, 1690–1805* (New Haven: Yale University Press, 2014), 94–95. And for the role Hutcheson's theory played in Moderate sermons, see James A. Harris, "Answering Bayle's Question: Religious Belief in the Moral Philosophy of the Scottish Enlightenment," in *Oxford Studies in Early Modern Philosophy*, ed. Daniel Garber and Steven Nadler (Oxford: Oxford University Press, 2003), 235.

⁵⁴ This letter from 1767 is quoted in Gideon Mailer, "Anglo-Scottish Union and John Witherspoon's American Revolution," *William and Mary Quarterly* 67, no. 4 (2010): 729.

⁵⁵ Christina Chuang, "Perfecting the Self: From the Moral Sense to Conscience," *Sophia* 56, no. 3 (2017): 495.

⁵⁶ Thomas Reid, *Essays on the Intellectual Powers of Man*, ed. Derek R. Brookes (University Park, PA: Pennsylvania State University Press, 2002), 176.

⁵⁷ Hutcheson, *Synopsis of Metaphysics*, 119.

namely, that there is a real difference between moral good and evil.⁵⁸ As D. D. Raphael observed, it is unclear in Hutcheson's early works whether the moral faculty operates by sense or reason.⁵⁹

But in his later works, *Philosophiae Moralis Institutio Compendiaria* and the posthumously published *System of Moral Philosophy*, Hutcheson clearly presented the moral sense, or conscience, as a rational faculty. He treated conscience as hegemonic, playing an authoritative, governing role.⁶⁰ It ascertains what is good and evil according to "the constitution of nature" and directs us to what ought to be done for the sake of our "happiness and perfection."⁶¹ The moral sense, or conscience, can ascertain the laws of nature and guide the will accordingly.⁶²

Hume informed Hutcheson by letter that his *Institutio* seemed "to embrace Dr Butler's Opinion in his Sermons on human Nature."⁶³ Hume made this suggestion because Hutcheson's later work posited the existence of a "natural desire of moral excellence."⁶⁴ This natural desire is governed by conscience, which reveals the path to virtue by revealing what conforms with nature.⁶⁵ The determinations of conscience are authoritative, that is, they bind us. By incorporating the language of the authoritative conscience into his moral sense philosophy, Hutcheson's moral sense theory became, in Joseph Filonowicz's term, "Butlerized."⁶⁶ Butler had transcended the arguments that pit sense against reason as the origin of moral distinctions. He argued that conscience, that is, the moral sense, possesses normative authority because it partakes in reason, which reveals the law by which we ought to abide. It has been argued that Witherspoon's moral philosophy, as well as Reid's, was "Butlerized," insofar as they transcended the sense versus reason debate and put trust in the authority of conscience.⁶⁷

Witherspoon recognized there was common ground in the moral sense arguments, presented by Hutcheson, and the rationalist arguments, presented

⁵⁸ See Michael B. Gill, *The British Moralists on Human Nature and the Birth of Secular Ethics* (Cambridge: Cambridge University Press, 2006), 140–55.

⁵⁹ D. D. Raphael, *The Moral Sense* (Oxford: Oxford University Press, 1947), 19.

⁶⁰ In the English translation of the *Institutio*, *sensus recti et honesti* is translated as "conscience." In Hutcheson's inaugural lecture at Glasgow in 1730, he used the language of natural conscience directly (*conscientiam dicimus naturalem*). See Daniel Carey, "Francis Hutcheson's Philosophy and the Scottish Enlightenment: Reception, Reputation, and Legacy," in *Scottish Philosophy in the Eighteenth Century*, 1. *Morals, Politics, Art, Religion*, ed. Aaron Garrett and James A. Harris (Oxford: Oxford University Press, 2015), 52.

⁶¹ Francis Hutcheson, *System of Moral Philosophy*, in *Three Books* (London, 1755), 1: 1. See also Francis Hutcheson, *Philosophiae Moralis Institutio Compendiaria: With a Short Introduction to Moral Philosophy*, ed. Luigi Turco (Indianapolis: Liberty Fund, 2007), 35.

⁶² Hutcheson, *Institutio*, 105. See also Hutcheson, *System*, 1: 264–65, 268.

⁶³ Hume, *The Letters of David Hume*, ed. J. Y. T. Greig (Oxford: Oxford University Press, 2011), 1: 46–47.

⁶⁴ Hutcheson, *System*, 1: 101.

⁶⁵ Hutcheson, *Institutio*, 103.

⁶⁶ Joseph Duke Filonowicz, *Fellow-Feeling and the Moral Life* (Cambridge: Cambridge University Press, 2008), 106. The scholarly consensus is that the shift in emphasis in Hutcheson's later writings is a result of his reading of Butler and increased reliance on the principles of the ancients. See John D. Bishop, "Moral Motivation and the Development of Francis Hutcheson's Philosophy," *Journal of the History of Ideas* 57, no. 2 (1996): 277–95.

⁶⁷ See Scott, "Introduction," 38, and Harris, "Reid and Hume," 40–41.

by Clarke. Both understood conscience as the source of objective truth about moral distinctions and obligations.⁶⁸ Conscience is “the law which our Maker has written upon our hearts” that “both intimates and enforces duty, previous to all reasoning.”⁶⁹ “Conscience enlightened by reason” illuminates the “rule of duty” that directs us toward virtue and away from vice.⁷⁰ The distinction between virtue and vice is grounded in “the nature of things.”⁷¹ Witherspoon incorporated this understanding of the moral sense, or conscience, into his lectures to distance himself from the position he attributed to Hume, namely, that “virtue” is founded “on a delusive feeling.”⁷²

The notion of conscience shared by Butler, Hutcheson, Witherspoon, and Reid, as Harris states, “makes no sense” for Hume.⁷³ For Hume, it is “impossible, that the distinction betwixt moral good and evil, can be made by reason.”⁷⁴ “Morality” cannot “be discover’d by the understanding.”⁷⁵ But for Reid, the moral sense, though bearing an analogy to the external senses, is an intellectual power that shows “not what man is, but what he ought to be. Whatever is immediately perceived to be just, honest, and honourable.”⁷⁶ Reid emphasized that “the moral sense ... is the power of judging in morals.” And the authority of the moral sense derives from proper judgment. This contrasts with the view of “Mr. Hume,” who “will have the moral sense to be only a power of feeling without judging: This I take to be an abuse of a word.”⁷⁷

When Witherspoon mentioned Hume in his lectures at Princeton, he did so to rebut him. Madison’s reading of Hume’s *Essays and Treatises on Several Subjects*, which were on Witherspoon’s extracurricular reading list,⁷⁸ seems to have informed Madison’s views on the construction of political institutions.⁷⁹ Still, Madison’s encounter with Witherspoon’s *Lectures* would have provided him with ample reason to avoid Hume’s skepticism in metaphysical, epistemological, and moral matters. And there were other authors on Witherspoon’s recommended reading list that would have provided further support for a conception of the human person immune from skeptical assaults.

⁶⁸ Dafydd Mills Daniel, *Ethical Rationalism and Secularisation in the British Enlightenment: Conscience and the Age of Reason* (Cham: Palgrave Macmillan, 2020), 210–33, shows how Witherspoon appealed to Clarke’s defense of rational conscience while debating the Moderates in Scotland.

⁶⁹ Witherspoon, *Lectures on Moral Philosophy*, 18.

⁷⁰ *Ibid.*, 30.

⁷¹ *Ibid.*

⁷² Witherspoon, “The Absolute Necessity of Salvation through Christ,” in *Works of John Witherspoon*, 4: 242n.

⁷³ James A. Harris, “Hume on the Moral Obligation to Justice,” *Hume Studies* 36, no. 1 (2010): 37–38.

⁷⁴ Hume, *Treatise of Human Nature*, 3.1.1.16.

⁷⁵ *Ibid.*, 3.1.1.26.

⁷⁶ Reid, *Active Powers of Man*, 175, 179.

⁷⁷ *Ibid.*, 353.

⁷⁸ See Noah Feldman, *Three Lives of James Madison: Genius, Partisan, President* (New York: Random House, 2017), 6. Spencer, *David Hume*, 160–64, suggests that Madison may have read Hume before college, possibly with one of his private tutors, Donald Robertson or Thomas Martin.

⁷⁹ See White, *Philosophy, The Federalist, and the Constitution*, 5, 13, 22, and Gary Rosen, *American Compact: James Madison and the Problem of Founding* (Lawrence, KS: University Press of Kansas, 1999), 109.

One of those authors is Adam Ferguson who was, along with Reid, Beattie, Hutcheson, and Dugald Stewart, one of the most popular moral philosophers in American universities.⁸⁰ The Stoic, teleological, and Christian elements of Ferguson's thought are undeniable. He borrowed the language of moral sense from Hutcheson. He commented on the providential and objective quality of moral judgments. He propounded a system of natural law and argued that conscience guides the human person towards his natural end.⁸¹ According to Ferguson, "The testimony of conscience, which has been emphatically termed, *The Lamp of God in the Soul of Man*, is a striking evidence of his presence to administer light; and to enforce the discipline ... on the instruction and guidance of a conscious and voluntary agent."⁸² Ferguson, a critic of commercial society, who praised the honor, courage, and martial excellence of the Scottish Highlanders, founded his moral thought on conscience, duty, and natural religion.⁸³

Ferguson, like Hutcheson and Reid, articulated a central theme of the Scottish science of man, which Witherspoon conveyed to his students at Princeton, namely, that the will is responsive to reason.⁸⁴ "The understanding," Witherspoon wrote, "seems to have truth for its object, the discovering things as they really are in themselves. ... the choice made by the will seems to have the judgment or deliberation of the understanding as its very foundation."⁸⁵ Although Hutcheson is often classed among the moral sense theorists as opposed to the moral rationalists, he too wrote in the *Institutio* that the will is a "rational appetite." And "the stable desire of happiness" has "reason" for its conductor.⁸⁶ The attainment of happiness, in this case, depends on the proper development of sound understanding, because "the affections of the will naturally follow the judgments formed by the understanding."⁸⁷ Madison's moral and political philosophy hinges on this notion that Hume rejected, namely, that the will is responsive to reason, which can ascertain the nature of things.

Responsiveness to Reason as the Foundation of Self-Government

According to Colleen Sheehan, Madison wanted to establish "a political system in which the will of the society is based on the reason of society."⁸⁸ This, on a societal level, reflects what he thought was true on an individual level, namely, as Sheehan writes, that "in the exercise of his free will, an individual is answerable to reason and conscience."⁸⁹ This matches Witherspoon's and Reid's understanding

⁸⁰ Phillipson, "Scottish Enlightenment," 37.

⁸¹ See Vincenzo Merolle, "Ferguson's Moral Philosophy," in *The Manuscripts of Adam Ferguson*, ed. Vincenzo Merolle (New York: Routledge, 2006), xlvii–lxxvi.

⁸² Adam Ferguson, *Principles of Moral and Political Science* (Edinburgh, 1792), 1: 183.

⁸³ Hume disliked Ferguson's *Essay on the History of Civil Society*. See Ernest Campbell Mossner, *The Life of David Hume* (Oxford: Oxford University Press, 1980), 542–43.

⁸⁴ Hume, *Treatise of Human Nature*, 3.1.1.10, famously rejected this insight.

⁸⁵ Witherspoon, *Lectures on Moral Philosophy*, 10.

⁸⁶ Hutcheson, *Institutio*, 28–29.

⁸⁷ *Ibid.*, 87.

⁸⁸ Colleen A. Sheehan, *The Mind of James Madison: The Legacy of Classical Republicanism* (Cambridge: Cambridge University Press, 2017), 71.

⁸⁹ *Ibid.*

of self-government. Self-government occurs when the rational principle of conscience controls all thoughts, desires, and affections and orders them not toward immediate gratification, but toward the fulfillment of duties to God, oneself, and others.⁹⁰ This constitutes our happiness and perfection. The man, or the society, led by passion and interest rather than reason is, in Reid's words, "like a ship in the ocean without hands, which cannot be said to be destined to any port."⁹¹

Madison used this understanding of self-government in his own writings. In his final "Annual Message to Congress," he predicted with gratification that "the destined career of my country will exhibit a government pursuing the public good as its sole object, and regulating its means by the great principles consecrated in its charter, and by those moral principles to which they are so well allied."⁹² According to this vision of "true liberty," as Madison called it, the government acts appropriately by pursuing the good as its end. This good that the government pursues is preordained. It is prescribed by "the transcendent law of nature and of nature's God," as Madison declared in *Federalist* 43.⁹³ That end is "the safety and happiness of society."⁹⁴

The government's pursuit of safety and happiness is limited by constitutional and moral principles. The constitution represents the will of the people, or, as Madison sometimes termed it, "the cool and deliberate sense of the community."⁹⁵ This imposes one limit on government. Moral principles represent the natural moral order. This imposes another limit. Political leaders are obligated to follow not only constitutional principles, but also moral principles that are founded on the constitution of human nature. Madison expressed this point in Washington's First Inaugural Address, which he authored: "The foundations of our National policy will be laid in the pure and immutable principles of private morality."⁹⁶ These moral principles are "the eternal rules of order and right, which Heaven itself has ordained."⁹⁷ And according to this eternal order, there is "an indissoluble union between virtue and happiness, between duty and advantage."⁹⁸

The fulfillment of duty will always be in the individual's and the community's interest. Madison's idea here reflects Witherspoon's argument that "Interest and duty are the same."⁹⁹ Duty is "a wise appointment of nature."¹⁰⁰ It is in our interest to fulfill our duty because it leads to the "truest happiness."¹⁰¹ "The one arises from the other," as Witherspoon argued.¹⁰²

⁹⁰ See Witherspoon, *Lectures on Moral Philosophy*, 58–59.

⁹¹ Reid, *Active Powers of Man*, 150.

⁹² James Madison, "Annual Message to Congress, 3 December 1816," *Founders Online*, National Archives, <https://founders.archives.gov/?q=Project%3AMadison%20Papers%22%20%22destined%20career%22&s=1511311111&r=1>.

⁹³ Madison, *Writings*, 250.

⁹⁴ *Ibid.* See also *Federalist* 62, in *Writings*, 341.

⁹⁵ *Federalist* 63, *ibid.*, 347. See also "Detached Memoranda," in *Writings*, 759.

⁹⁶ George Washington, "First Inaugural Address," *Founders Online*, National Archives, <https://founders.archives.gov/documents/Washington/05-02-02-0130-0003>.

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

⁹⁹ Witherspoon, *Lectures on Moral Philosophy*, 22.

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*, 19.

¹⁰² *Ibid.*, 22.

Our true self-interest, grounded in human nature, incorporates both our “moral character” and our “religious hopes.”¹⁰³ In accord with the Scottish pneumatology, Witherspoon treated reason as a spiritual and transcendent power, the noblest capacity of man, which grants us insight into truths temporal and spiritual, natural and supernatural.¹⁰⁴ For this reason, when describing “liberty and political justice,” goods that constitute our temporal security, Witherspoon presented them as instrumentally good, valuable insofar as they make possible the higher good of “knowledge of God and his truths.”¹⁰⁵

The pneumatology that Madison expressed in his “Memorial and Remonstrance on Religious Assessments” is consistent with the understanding of the mind and of the doctrine of God that is characteristic of the Scottish pneumatology. In the “Memorial and Remonstrance,” written in opposition to Patrick Henry’s attempt to pass a bill to publicly fund teachers of the Christian religion, Madison opened the argument on metaphysical—and theistic—grounds. He supposed that God exists and is omniscient. And he supposed that the individual, through the exercise of natural reason, can understand his place in the providential order of things “as a subject of the Governour of the Universe.”¹⁰⁶ As Phillip Vincent Muñoz points out, Madison reasoned “from Nature to Nature’s God” to determine “our natural capacities.”¹⁰⁷ Madison regularly reasoned in this way, “from the effect to the cause, ‘from nature to nature’s God,’” or, in other words, from “order and design” to “proofs of a general plan.”¹⁰⁸ According to Madison, there is a cosmological order in which man, by reason, can find his place. Madison understood this and reasoned accordingly in his “Memorial and Remonstrance.” Witherspoon reasoned similarly in his *Lectures*, stating: “the principles of duty and obligation must be drawn from the nature of man ... if we can discover how his Maker formed him, or for what he intended him, that certainly is what it ought to be.”¹⁰⁹

Madison and Witherspoon, however, disagreed about how best to promote public religion.¹¹⁰ Witherspoon made clear in his *Lectures* that “true religion,” by which he meant Christianity, “is the best and most effectual way of making a virtuous and regular people” fit for self-government.¹¹¹ At the same time, Witherspoon was a strong supporter of religious freedom, a right he thought could not be alienated.¹¹² “Every one should judge for himself in matters of

¹⁰³ *Ibid.*, 59.

¹⁰⁴ See also Reid, *Practical Ethics*, 5.

¹⁰⁵ Witherspoon, “Dominion of Providence,” in *Works of John Witherspoon*, 5: 203.

¹⁰⁶ Madison, “Memorial and Remonstrance,” in *Writings*, 30.

¹⁰⁷ Vincent Phillip Muñoz, *Religious Liberty and the American Founding: Natural Rights and the Original Meanings of the First Amendment Religion Clauses* (Chicago: Chicago University Press, 2022), 79.

¹⁰⁸ Stewart M. Robinson and Anne Payne Robinson, “James’s Madison’s Essay on ‘Symmetry of Nature,’” *Princeton University Library Chronicle* 23, no. 3 (1962): 110; James Madison, “From James Madison to Frederick Beasley, 20 November 1825,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Madison/04-03-02-0663>.

¹⁰⁹ Witherspoon, *Lectures on Moral Philosophy*, 4.

¹¹⁰ See Morrison, *John Witherspoon*, 25–28.

¹¹¹ Witherspoon, *Lectures on Moral Philosophy*, 110. See also Witherspoon, “Dominion of Providence,” in *Works of John Witherspoon*, 5: 209.

¹¹² Hutcheson, *Institutio*, 111, agreed. Tim Stuart-Buttle, *From Moral Theology to Moral Philosophy: Cicero and Visions of Humanity from Locke to Hume* (Oxford: Oxford University Press, 2019), 47, finds the origins of this right in Locke and Cicero.

religion.”¹¹³ He thought public religion should be promoted as robustly as possible, but without resort to an established church.

Madison’s support of religious freedom was evident throughout his career, from early letters to his contributions to the Virginia Declaration of Rights and his authorship of the “Memorial and Remonstrance.”¹¹⁴ Madison, though, no less than Witherspoon, suggested that pure morals and true religion were public goods to be protected. And both Witherspoon and Madison issued religious proclamations, recommending thanksgiving and prayer, during their respective political careers.¹¹⁵ In his “Detached Memoranda,” however, which he wrote after he left public office, Madison regarded his proclamations as violations of conscience rights, since they suppose that “political rulers” have a “religious agency” that the people did not give them.¹¹⁶ Madison strongly advised against “usurpations on the rights of conscience,” of “giving to Caesar what belongs to God.”¹¹⁷ Nevertheless, Madison’s end-goal regarding religion and morals was the same as Witherspoon’s, namely, the spread of religious teachers, zeal for religion, and moral purity. Writing in 1819, around the time his “Detached Memoranda” are dated, Madison credited the doctrine of religious freedom with the moral and religious improvements evident in his native Virginia since the Revolution, referencing “the number of religious teachers, the zeal which actuates them, the purity of their lives, and the attendance of the people on their instructions.”¹¹⁸ The seeming decline of religiosity in Virginia in the 1780s perturbed Madison, no less than Patrick Henry. According to Rives, Madison “was a sincere friend” to the cause of religion and was “an enlightened believer in the truth and divine authority of the Christian system.”¹¹⁹ Henry responded to the religious crisis by endorsing state sponsorship of Christian teachers. Madison responded by promoting religious freedom. But both thought improvement in religious zeal and moral purity was good for self-government.

The Scottish science of man, the interpretive key I use to analyze Madison’s political thought, reveals that responsiveness to reason is foundational for Madison. Reasoning from effect to cause makes us aware of order in nature and in our own constitutions, the existence of God and our duties to Him. Constitutional limits involve not only written law, but also the moral law, grounded in the human constitution, ascertainable by reason and directed toward the fulfillment of duty. Madison’s language incorporated both a duty-based conception of morals and natural theology. In this way, he inserted two of the main aspects of the Scottish pneumatology that were rejected by Hume into his political reasoning. And this reorients our understanding of Madison on

¹¹³ Witherspoon, *Lectures on Moral Philosophy*, 111.

¹¹⁴ See Madison, “Madison to Bradford, April 1, 1774,” in *Writings*, 5–7, and the overview in Muñoz, *Religious Liberty*, 25–27, 103–15.

¹¹⁵ For Witherspoon’s, see Morrison, *John Witherspoon*, 6–7. Madison’s proclamations were signed on July 9, 1812, July 23, 1813, November 16, 1814, and March 4, 1815.

¹¹⁶ Madison, “Detached Memoranda,” in *Writings*, 764. Morrison, *John Witherspoon*, 37–40, argues that Madison’s record on church–state relations is inconsistent.

¹¹⁷ Madison, “Detached Memoranda,” in *Writings*, 760.

¹¹⁸ Madison, “Madison to Walsh, March 2, 1819,” in *Writings*, 726.

¹¹⁹ Rives, *James Madison*, 1: 603.

faction and the nature of republican government, which I discuss in the next section.

The Science of Man, Faction, and Republican Government

For Hume, the British government was “if not the best system of government, at least the most entire system of liberty, that ever was known amongst mankind.”¹²⁰ Madison, however, argued that the quest for gain that enlivened the British constitution was morally blameworthy. The British constitution depended on private vice for its operation. Unlike other prominent Federalists, Alexander Hamilton and John Adams, Madison did not think the British government worthy of emulation. In “Spirit of Governments,” Madison rebuked the “predominant spirit and principles” of the British government, particularly in comparison with those of the “republican governments which it is the glory of America to have invented, and her unrivalled happiness to possess.”¹²¹ Montesquieu and Hume had praised Great Britain for its system of liberty. But Madison railed against its corruption. He referred to it as a “government operating by corrupt influence; substituting the motive of private interest in place of public duty.”¹²² Hume, on the other hand, had defended what the Country Whigs decried as “corruption,” namely, the dependence of party leadership in the House of Commons on the patronage of the Crown, which rewarded party loyalists with influential administrative positions. Hume argued that “corruption,” in this case, was necessary for the Crown to balance the growing power of the House.¹²³

Madison disagreed, distinguishing between the British government, which is based on the “motive of private interest” and the republican governments in America, which rely on more noble principles. The American model of republican government does not operate by force, like most European governments, nor by private interest, like the British government. Instead, “deriving its energy from the will of the society, and operating by the reason of its measures, on the understanding and interest of the society,” it surpasses the other forms.¹²⁴ The American type of government is that “for which philosophy has been searching, and humanity been sighing, from the most remote ages.”¹²⁵ It is the one in which the will of society is guided by “reason,” “understanding,” and “interest.”

It may seem odd that “interest” is listed here beside “reason” and “understanding.” But it is entirely consistent with the faculty psychology that ascribes to reason the power of directing passion and interest.¹²⁶ As Adam Potkay observes, Hume

¹²⁰ David Hume, *The History of England from the Invasion of Julius Caesar to the Revolution in 1688* (Indianapolis: Liberty Fund, 1983), 6: 531.

¹²¹ Madison, “Spirit of Governments,” in *Writings*, 510–11.

¹²² *Ibid.*, 510.

¹²³ Hamilton defended Hume’s take on “corruption.” See Max Farrand, ed., *The Records of the Federal Convention of 1787* (New Haven: Yale University Press, 1911), 1: 381, and Spencer, *David Hume*, 231–34.

¹²⁴ Madison, “Spirit of Governments,” in *Writings*, 511.

¹²⁵ *Ibid.*

¹²⁶ For an analysis of Publius’s use of this faculty psychology, see Howe, “The Political Psychology of The Federalist,” 487–90, and Jon Elster, “The Political Psychology of Publius: Reason, Passion, and Interest in the Federalist,” in *The Cambridge Companion to The Federalist*, ed. Jack N. Rakove and Colleen A. Sheehan (Cambridge: Cambridge University Press, 2020), 195.

overturned “the classical faculty psychology that places reason above passion.”¹²⁷ But Madison turned it right side up. Even in his remarks on faction—allegedly Humean in nature—he portrayed “passion” and “interest” in opposition to “the permanent and aggregate interests of the community.”¹²⁸ These “permanent” and “aggregate” interests are, for Madison, consistent with the dictates of reason.

According to Madison, interest is an intermediate motive. It can respond to passion or to reason. Our true, or permanent, interest lies in following reason, which guides us toward ultimate happiness. When, as a member of Congress, Madison wrote a letter to James Monroe commenting on the North’s willingness to give control of the Mississippi River to Spain in return for access to Spanish ports, he reflected on the meaning of interest. “There is no maxim in my opinion,” Madison wrote, “which is more liable to be misapplied and which therefore more needs elucidation than the current one that the interest of the majority is the political standard of right and wrong.”¹²⁹ But, Madison continued, “taking the word ‘interest’ as synonymous with ‘ultimate happiness,’ in which sense it is qualified with every necessary moral ingredient, the proposition is no doubt true.”¹³⁰

Madison interpreted the “popular” definition of interest—the mundane pursuit of material wealth or short-term gain—as a formula for oppression. It causes the majority to ignore the rights of the minority for its own advantage. Permanent interest, though, is revealed by reason. “It is the reason, alone, of the public, that ought to control and regulate the government. The passions ought to be controlled and regulated by the government.”¹³¹ It is “the mild voice of reason,” moreover, that is responsible not only for regulating passion, but also for “pleading the cause of an enlarged and permanent interest.”¹³² Madison’s notion of enlarged interest, then, is something revealed by reason to be true and permanent. True interest conforms to objective reality, to an external truth about the nature of man and society, rather than to independent utility calculations concerning the individual’s satisfaction of desire.

Reason does not play this kind of elevated role in Hume’s thought.¹³³ One lesson from his *History of England* is that the established system of liberty in Great Britain was the product of historical development, of continual conflict and fluctuation, not reason and foresight. Hume presented partisan discord as a central feature of the growth of liberty in Great Britain. In his *Essays*, Hume surmised that the abolition of parties was neither “practicable” nor “desirable.”¹³⁴ In his *History*, Hume went

¹²⁷ Adam Potkay, *The Fate of Eloquence in the Age of Hume* (Ithaca, NY: Cornell University Press, 1994), 49.

¹²⁸ Madison, *Federalist* 10, in *Writings*, 161.

¹²⁹ James Madison, “From James Madison to James Monroe, 5 October 1786,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Madison/01-09-02-0054>.

¹³⁰ *Ibid.*

¹³¹ Madison, *Federalist* 49, in *Writings*, 289–90.

¹³² Madison, *Federalist* 42, in *Writings*, 238–39.

¹³³ Claudia Schmidt, *David Hume: Reason in History* (University Park, PA: Pennsylvania State University Press, 2003), 421, makes the singular argument that the “development and activity of reason in history” is the main theme of Hume’s *History*. For a critique of Schmidt, see F. L. van Holthoorn, “Hume and the End of History,” in *David Hume: Historical Thinker, Historical Writer*, ed. Mark G. Spencer (University Park, PA: Pennsylvania State University Press, 2015), 143–62.

¹³⁴ Hume, “Of the Coalition of Parties,” in *Essays*, 493.

further, describing how party rage was indispensable to the formation of free government in Britain: “the parties of court and country ... while they oft threaten the total dissolution of the government, are the real causes of its permanent life and vigour.”¹³⁵ Madison wrote positively about the role of faction in a large republic. If he learned about the benefits of faction in part from Hume, which seems to be the case, then Hume’s *History of England*, with which, Spencer writes, Madison “also had a lengthy acquaintance,” would have been “just as important” to Madison as Hume’s *Essays*.¹³⁶

Spencer has provided the most extensive analysis of Madison’s indebtedness to Hume on faction, particularly those insights Hume articulated in the *History of England*. There are several similarities in Madison’s and Hume’s respective analyses of faction. Both thought the “causes of faction” were “sown in the nature of man.”¹³⁷ Both thought that factions, which result both from differing interest and opinions in free states, as well as the structure of the constitution,¹³⁸ distort the moral sentiments.¹³⁹ When Madison asked about the possible motives that could prevent factions from violating the rights of minorities or individuals, he sounded a Humean note of pessimism. He wrote that neither concern for the good, concern for one’s character, or concern for religion are sufficient safeguards to protect against the adverse moral effects of faction. He concluded that political technology, that is, a well-modeled constitution, was needed to “break and control the violence of faction.”¹⁴⁰ This is strikingly Humean, as many scholars have noted.

Madison, like Hume, thought factions were inevitable. He subsequently defended an extended republic that would set several factions against one another, thereby subduing them. “The Society becomes broken into a greater variety of interests, of pursuits, of passions, which check each other, whilst those who may feel a common sentiment have less opportunity of communication and concert.”¹⁴¹ This is the idea that, according to Adair, Madison picked out from Hume’s essay, “Idea of a Perfect Commonwealth.”¹⁴² And Spencer has shown that Hume’s *History*, too, taught Madison about “the causes and nature of faction.”¹⁴³

But this does not fully capture Madison’s theory about the role of faction in a system of self-government. According to Hume’s empirical and technological approach to politics, a properly constructed constitution fosters liberty through the balance of conflict. Through constitutional balance, the multiplicity of passions and interests in the political community are appropriately channeled toward the public good. But Madison repudiated the claim that balancing

¹³⁵ Hume, *History of England*, 5: 556.

¹³⁶ Spencer, *David Hume*, 165.

¹³⁷ Madison, *Federalist* 10, in *Writings*, 161. Hume, “Of Parties in General,” in *Essays*, 60–61.

¹³⁸ Madison, “Madison to Henry Lee, June 25, 1824,” in *Writings*, 803; Hume, “Of the Parties of Great Britain,” in *Essays*, 64–65.

¹³⁹ Madison, “Vices of the Political System of the United States,” in *Writings*, 76–79; Hume, *History of England*, 6: 438.

¹⁴⁰ Madison, *Federalist* 10, in *Writings*, 160.

¹⁴¹ Madison, “Vices of the Political System of the United States,” in *Writings*, 79.

¹⁴² Adair, “That Politics May Be Reduced to a Science,” 142.

¹⁴³ Spencer, *David Hume*, 176.

competing interests, alone, contributes to a thriving modern republic. He mocked the idea that we should foster more inequality, more class distinctions, or more parties to create more checks and thus a more perfectly balanced government. This would “not [be] less absurd than it would be in ethics, to say, that new vices ought to be promoted, where they would counteract each other, because this use may be made of existing vices.”¹⁴⁴

For Madison, competing passions and interests are dealt with appropriately only when political actors make them subservient to reason. In a letter to Washington, he argued not that an impersonal procedure should channel passions and interests, but that an umpire, “disinterested & dispassionate,” should resolve “disputes between different passions & interests in the State.” The discovery of a “disinterested & dispassionate” umpire was “the great desideratum which has not yet been found for Republican Governments.”¹⁴⁵ In this instance, Madison advocated for a national veto on state legislation because he thought that the national power could be—as ideally the British monarch would be—dispassionate and disinterested, adhering to reason and coordinating the activities of communities within the state’s jurisdiction accordingly.

Madison thought senators, too, could prioritize wisdom, justice, and the common good over the diverse passions and interests that drive the various communities within the state. He believed, as did Charles Rollin, author of *The Roman History*, that the “authority” of the Roman senate was “the authority of virtue ... and of merit.”¹⁴⁶ Rollin’s portrayal of Roman history inspired Catherine Macaulay, who wrote a *History of England* designed to compete with Hume’s. Macaulay was far friendlier than Hume to the ideas of divine providence and eternal and immutable moral truths open to reason.¹⁴⁷ And Macaulay’s claim that the Roman republic was filled with patriotic and virtuous statesmen, until they were corrupted by power and luxury, is reminiscent of Madison’s idea in *Federalist* 63 that the US Senate would consist of a “temperate and respectable body of citizens” capable of governing by the “authority” of “reason, justice, and truth.”¹⁴⁸ Although Madison’s pet idea of the national veto never found its way into the US Constitution, he still thought the US Constitution was superior to the British Constitution, because it relied not only on the clash of private interests but also on the election of “the purest and noble characters which [the Society] contains” to deliberate disinterestedly about to the common good.¹⁴⁹ This fuller picture, in which Madison thought disinterested and dispassionate actors, above

¹⁴⁴ Madison, “Parties,” in *Writings*, 504–5.

¹⁴⁵ Madison, “Madison to Washington, April 16, 1787,” in *Writings*, 81.

¹⁴⁶ Charles Rollin, *The Roman History from the Foundation of Rome to the Battle of Actium: That is, To the End of the Commonwealth* (London, 1768), 1: xx. For evidence that Madison owned a copy of this book, see Charles Stuart Waugh, “From Charles Stuart Waugh to James Madison, 30 August 1817,” *Founders Online*, National Archive, <https://founders.archives.gov/?q=Project%3AMadison%20Papers%22%20%22rollin%22&s=15113111111&r=6>.

¹⁴⁷ Skjönsberg, “Introduction,” in *Catherine Macaulay: Political Writings*, ed. Max Skjönsberg (Cambridge: Cambridge University Press, 2023), xxii.

¹⁴⁸ Macaulay, *Political Writings*, 230; Madison, *Federalist* 63, in *Writings*, 347.

¹⁴⁹ Madison, “Vices of the Political System of the United States,” in *Writings*, 79.

all, were responsible for directing the community toward the common good, is consistent with the Scottish science of man.

Madison shared with other Scottish Enlightenment thinkers the insight that political institutions, alone, even those that balance countervailing passions, are not sufficient to maintain self-government. Hutcheson and Witherspoon thought constitutional government must, first, secure wise government, and second, prevent abuses of power.¹⁵⁰ A good constitution does not merely balance competing interests. It must be properly balanced in another way, first, giving enough power to political agents to pursue the common good, and second, impeding both the potential for political overreach and the illicit quest for private gain.

Madison followed this reasoning closely.¹⁵¹ “The aim of every political constitution is, or ought to be, first, to obtain for rulers men who possess most wisdom to discern, and most virtue to pursue the common good of the society; and in the next place, to take the most effectual precautions for keeping them virtuous, whilst they continue to hold their public trust.”¹⁵² The lack of wisdom in the state and federal governments was, arguably, the primary impetus for his effort to reform the Articles of Confederation in the late 1780s. At the same time, he asserted in *Federalist* 10 and 51 that enlightened statesmen will not always be at the helm. For this reason, constitutional limits are essential. Ambition must check ambition to prevent abuses of power. Hutcheson, Witherspoon, and Ferguson endorsed this theory of countervailing passions, which pit ambition against ambition in the very structure of government.¹⁵³ Unlike Hume, however, they did not think constitutional machinery, alone, could secure good government.

Madison claimed that republican government presupposes the existence of the noble qualities of the human person more than any other form of government.¹⁵⁴ That is what makes wise government possible. But the human person is also inclined toward depravity. This makes it necessary to use constitutional structures to keep political agents faithful to the public good when they are tempted to act for private advantage. This duality of human nature is evident in Witherspoon’s first “Druid” essay: “there is, doubtless, no small degree of error, ignorance, prejudice, and corruption to be found among men ... but the human race in general, with all its defects, is certainly the noblest and most valuable in this lower world, and therefore the most worthy of cultivation.”¹⁵⁵ A conception of government that recognizes only one part of this duality of nobility and depravity is untrue to human nature as Madison conceived it.

¹⁵⁰ Hutcheson, *Institutio*, 248–52; Witherspoon, *Lectures on Moral Philosophy*, 94.

¹⁵¹ Madison, “Vices of the Political System of the United States,” in *Writings*, 75; Madison, “From James Madison to Caleb Wallace, 23 August 1785,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Madison/01-08-02-0184>; Farrand, *Records*, 1:151, 421–23.

¹⁵² Madison, *Federalist* 57, in *Writings*, 326.

¹⁵³ See Arthur O. Lovejoy, *Reflections on Human Nature* (Baltimore, MD: Johns Hopkins Press, 2020 [1968]), 39, 57.

¹⁵⁴ Madison, *Federalist* 55, in *Writings*, 319–20.

¹⁵⁵ Witherspoon, “Druid,” in *Works of John Witherspoon*, 9: 226–28. Wills, *Explaining America*, 190–92, sees elements of Hume’s depiction of man in “Of the Dignity or Meanness of Human Nature,” in *Essays*, 84–85.

Conclusion

According to Andreas Kalyvas and Ira Katznelson, Madison's greatest contribution to political thought is the "liberal constitutional cure" he provided for the problem of pluralism in modern society.¹⁵⁶ This institutional treatment is a Humean one that finds stability in balancing various competing classes and interests.¹⁵⁷ It tends to render incidental the classical political concern with the promotion of virtue, which is so difficult to inculcate in modern commercial society. My reading, on the other hand, vindicates Gordon Woods's assertion that "Madison ... was not at all as modern as we make him out to be," because he believed "rational men" could "promote the public good in a disinterested manner," even in an enlarged republic filled with many competing factions.¹⁵⁸

I recommend that we follow the suggestions made by Gary Wills¹⁵⁹ and Lance Banning¹⁶⁰ to transcend the liberal-republican debate and to regard Madison as a theorist of self-government above all. But we cannot understand Madison's theory of self-government without accounting for the science of man at the center of it. Madison's science of man draws from the Scottish common sense philosophy, which reconciled reason and the moral sense, uniting both under the hegemonic conception of conscience as described by Butler. This is far from a Humean science of man. Madison, unlike Hume, thought self-government required the will's responsiveness to reason. Reason illuminates our nature and our duties to God and others in a providentially ordered cosmos. Reason reveals the constitution of human nature. And it is this constitution of human nature—in addition to the written constitution—that places limits on, and gives direction to, the pursuit of the common good in society.

Madison's acceptance of the mainstream Scottish science of man led him to believe that the US Constitution was preferable to the British alternative. The latter operated on the clash of interests, as Hume insisted. The former was made to be responsive to reason, as Madison noted. The conflict of passions and interests characterizes much of daily political life. And Madison asserted in the *Federalist*, the party press essays, and beyond, that the essence of self-government consists in resolving those inevitable conflicts of passions and

¹⁵⁶ Andreas Kalyvas and Ira Katznelson, *Liberal Beginnings: Making a Republic for the Moderns* (Cambridge: Cambridge University Press, 2008), 17, 90, 114. See also Richard K. Matthews, *If Men were Angels: James Madison and the Heartless Empire of Reason* (Lawrence, KS: University Press of Kansas, 1995), 22; Rosen, *American Compact*, 56; Rakove, *Politician Thinking*, 55; Michael Zuckert, "The American Founders and the Fundamentals of Governance," in *From Reflection and Choice: The Political Philosophy of the Federalist Papers and the Ratification Debate*, ed. Will R. Jordan (Macon, GA: Mercer University Press, 2020), 9–25.

¹⁵⁷ Brant, *James Madison: The Nationalist, 1780–1787* (Indianapolis: Bobbs-Merrill, 1948), 415. This volume was published in 1948, nine years before Adair's article on Hume's influence on *Federalist* 10. Nevertheless, Brant recognized the importance of the extended republic and Hume's theory of faction to Madison's political theory.

¹⁵⁸ Gordon Wood, "Interests and Disinterestedness in the Making of the Constitution," in *The Idea of America: Reflections on the Birth of the United States* (New York: Penguin Press, 2011), 150.

¹⁵⁹ Wills, *Explaining America*.

¹⁶⁰ Lance Banning, "Quid Transit? Paradigms and Process in the Transformation of Republican Ideas," *Reviews in American History* 17, no. 2 (1989): 201.

interests in accordance with the written constitution and the unwritten constitution of human nature. The rule of reason, in accord with the nature of things, is the standard of self-government. Properly balanced political machinery is necessary to prevent abuse in a world of sinful human beings. Hume emphasized this, but so did his critics. And on moral and metaphysical matters, Madison was one of Hume's critics. The notion of a "Humean Madison," then, is dubious. It should no longer be commonplace in Madison scholarship.