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Civic or Commercial? Adam Ferguson's Concept of Civil Society

JOHN VARTY

The essay begins with a critique of current civil society theory which is seen to underplay the importance of the economy, particularly the market, to civil society. It is argued that economic relations act as a bulwark against the encroachment of the state, but in turn threaten to atomize the social within civil society. The question is then posed: if it is the market that defends civil society from the state, what is it that can defend civil society from the market? This tension is examined through the work of Adam Ferguson. The essay concludes by highlighting two insights that Ferguson provides, which are of immediate relevance to contemporary theorizing on civil society and its relation to the emergence of democratic politics: (1) his unconventional account of how the market may lay the foundations for despotism; and (2) his insistence that institutional defences such as the rule of law are not, in themselves, sufficient as defences of liberty.

Introduction

The overall outline of the current debate on civil society presents something of a paradox: much of the historical development of the concept civil society has taken place from within the tradition of political economy yet there has been an exclusion of political economy from contemporary civil society debates. The importance of political economy becomes clear once we realize that the idea that the economy had its own dynamic and autonomous laws was a precondition of the concept of civil society as a sphere outside of (direct) control of, and (potentially) a force against, the state. That the economy is self-regulating suggests the possibility, indeed the necessity, that certain spheres can, and ought to, coordinate themselves and maintain their unity outside of political structures.[1]

Current theorists focus on the associational aspects of civil society. It is argued that this sphere is dependent upon the existence of the market, in that the existence of private property and the 'self-regulating' market acts as a bulwark against the encroachment of the state, and thus helps to preserve the independence of civil society. Yet market relations may also be destructive of the resources of solidarity necessary for the existence of associational life and limit the autonomy and pluralism that civil

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associations wish to defend. The market can lead to an atomized society. Civil society can be recast in the image of the market as simply a system of competing interest groups. On the other hand, authors, such as Marx, Polanyi and Schumpeter, have argued that it is the market that is dependent upon certain moral resources of civil society which the extension of market relations undermine and destroy. If it is the market that defends civil society from the state, what is it that can defend civil society from the market?

Contemporary theorists are concerned with the quality of associational life and have an interest in both extending existing, and introducing new, forms of democracy. Michael Walzer suggests that, increasingly, associational life in the 'advanced capitalist and social democratic countries seems at risk'.[2] He argues that the market is the most suitable economic form upon which a democratic civil society can be based, yet he recognizes that the market can be a danger to associational aspects of civil society. Thus he insists on the need to confine the market 'to its proper space'.[3] This tension between associational and market aspects of civil society leads to a fundamental ambiguity of the concept. What weight are we to give to each aspect of civil society? If and when market relations come into conflict with the requirements of associative life, to which do we give priority? We already have the market in the West, so to what extent is civil society something that exists or needs to be won?

In this essay I am going to explore this tension through a discussion of some of the themes central to Adam Ferguson's *An Essay on the History of Civil Society*. I will first discuss Ferguson's conception of how social order emerges in a 'commercial society'. Then I will turn to the relationship between commerce and virtue in Ferguson's essay. This discussion parallels that of the relationship between the market and associations in current advocates of civil society and is central to Ferguson's thought. Through a consideration of these issues I will try to assess the place of the economic within civil society and the relationship between civil society and the market. I will make use of J.G.A. Pocock's distinction between civic and commercial humanism in order to explore some of the tensions in Ferguson's thought. Then I will discuss Ernest Gellner's reading of Ferguson before concluding with some reflections on the contemporary relevance of Ferguson's concept of civil society.

As a concept, civil society has been one part of a changing series of antitheses: civil society/state of nature; civil society/rude or barbarous society and civil society/state. With Ferguson, and other Scottish Enlightenment thinkers, it was the second contrast that was central: that between a form of society that is 'civilized' or 'polished' and 'primitive' or 'rude' society. In the opening section of his essay Ferguson rejected any concept of a state of nature. Ferguson quoted Montesquieu from *The Persian Letters* with

approval: 'Man is born in society ... and there he remains.'[4] For Ferguson, the concept civil society refers to both political and legel arrangements – regular government, the rule of law – as well as the socio-economic structure of society. Though Ferguson did not make explicit the modern distinction between civil society and the state, a clear notion emerges of a sphere of society distinct from the state and with forms and dynamics of its own.

The title of Ferguson's essay – *An Essay on the History of Civil Society* – marks another important shift. Civil society had long been used as a concept in political philosophy before it was thought that there could be such a thing as a *history* of civil society. For Ferguson, as well as Hume and Smith, that history involved the establishment and diffusion of wealth, personal independence, and the refinement of arts, sciences, and manners. (Ferguson's essay includes the following sections: 'Of Population and Wealth'; 'Of Civil Liberty'; 'Of the History of Arts'; 'Of the History of Literature' and 'Of the Manners of Polished and Commercial Nations'.)[5]

Ferguson described economics as 'a subject in which I am not much conversant'. For the most part he gladly left the development of economic theory to Adam Smith and David Hume. (Later editions of Ferguson's essay refer to a forthcoming 'theory of national economy, equal to what has ever appeared on any subject of science whatever' by Mr. Smith, author of the *Theory of Moral Sentiments*.[6]) Nevertheless, Ferguson can be seen to have been concerned with political economy in its wider sense. He discussed at length and with considerable originality, the social and political implications of economic issues. Much of his essay needs to be understood as debate with Hume and Smith and a challenge to their more strongly 'commercial' perspectives.

In Ferguson's time, political economy meant, on one level, 'the emerging science of the "wealth of nations" or the policy of administering the public revenue'. At another level, it denoted a 'more complex, and more ideological, enterprise aimed at establishing the moral, political, cultural, economic conditions of life in advancing commercial societies'. This is what Pocock describes as a 'commercial humanism' which 'met the challenge posed by civic humanism or classical republicanism'.[7] The traditional understanding of political economy is transformed once we see its emergence from within this context. We can recognize that it accepted much of the agenda, and many terms, set by humanism. It was not, at least in its origins, a neutral discipline. It had more to do with morality than science. We cannot assume that civic humanism was altogether superseded and submerged within it.[8]

Political Economy and Rethinking the Problem of Social Order: Commerce *versus* Virtue

The development of commercial society in the seventeenth and eighteenth

centuries created the problem of maintaining order in a society with its own spontaneous and 'natural' dynamics. In a period of transition from the political order of feudal hierarchy, Ferguson, and other thinkers of the Scottish Enlightenment, debated how these social processes themselves, with limited interventions from the state, may give rise to an ordered society.

From one ideological viewpoint – the civic humanist – the rise of commerce and trade was a problem. It was a threat to social order and a challenge to the possibility of civic virtue. Civic humanist thinkers (examples being primarily Machiavelli and, in Ferguson's time, Rousseau, and the Scot Andrew Fletcher) operated with a model of the virtuous citizen engaged in political life and acting to maintain the common good. It was understood that virtue required a material foundation: namely, real, immovable property. This enabled the citizen to remain independent of relations which might render him corrupt. Within this tradition commerce and virtue are irreconcilable. Commerce and exchange must end independence and lead to corruption. Within commercial society the economy expands far beyond the level of 'natural' or 'simple' need. (As Ferguson notes: 'the *necessary of life* is a vague term ... it has a reference to fancy, and to the habits of living ... it is the continual increase of riches ... that keeps the craving imagination at ease.[9]) There is a continual generation of new and greater wants. An inherently destabilizing world of appearance, fantasy and *amour-propre* is created.

Commercial humanists, such as Montesquieu, Adam Smith, David Hume, as well as Ferguson, made a distinction between 'passions' and 'interests'. The latter were opposed to the former and the advantageous state of affairs that arises when men follow their interests was contrasted with that when they give free reign to their passions. The expansion of commerce and industry was considered to refine human nature, providing new rules of conduct and devices that would impose discipline and constraints on both rulers and ruled. Potentially disruptive and antagonistic passions would be controlled by interests.[10]

Within such a paradigm, men's interests in commerce could then be seen, as against the republican tradition, as the controlling power over men's other, more unruly, passions and as the force that holds society together. When a man pursues his interests his actions become as transparent and predictable as those of a wholly virtuous person. The advantage of the passions of accumulation is its remarkable constancy and persistence. The desire for any given amount of money once satisfied leads only to the desire for greater sums of money. As Montesquieu observed: 'One commerce leads to another: the small to the middling; the middling to the great; and he who earlier desired to gain little arrives at a position where he has no less of a desire to gain a great deal.'[11]

The following quotation illustrates how, according to Ferguson, though the passions of men may be destructive of social order, their interests lead to its preservation:

> The dispositions which refer to the preservation of the individual, while they continue to operate in the manner of instinctive desires, are nearly the same in man that they are in the other animals: but in him they are sooner or later combined with reflection and foresight; they give rise to his apprehensions on the subject of property, and make him acquainted with that object of care which he calls interest .... .

Ferguson first expresses the traditional republican concern with the impact of commerce – it tempts us to act unjustly, to debase ourselves, it defines what is good and evil. He continues: 'if not restrained by the laws of civil society, men would enter on a scene of violence or meanness, which would exhibit our species, by turns, under an aspect more terrible and odious, or more vile and contemptible, than that of any animal which inherits the earth.'[12]

But Ferguson goes on to iterate the 'commercial humanist' resolution of the problem. Our natural tendency towards self-preservation combined with reflection and foresight is equated with 'interest'. Interest is thus midway between passion and reason. Reason would not be sufficient on its own as a limit to passion but interest partakes of the best of both sides: 'as ... passion ... upgraded and contained by reason, and as reason given direction and force by that passion.'[13] Interest acts as a countervailing force against the passions, a force at once more powerful and severe than religion or duty. Our passions might lead to the breakdown of liberal social order. Yet, because we wish to satisfy not just any particular appetite but need to secure the means to satisfy all, and because interest is combined with a measure of reflection and foresight, the principles of self-preservation give rise to a 'higher' principle which secures the means of satisfying the 'lower', 'animal' wants. Interest may frequently act as a restraint on our desires. Yet we have the understanding to recognize that we may need to pass up a desire now in order to satisfy others later.

If we turn now to a passage from the section of Ferguson's essay entitled 'Of Population and Wealth':

> Men are tempted to labour, and to practise lucrative arts, by motives of interest. Secure to the workman the fruit of his labour, and give him the prospects of independence or freedom, the public has found a faithful minister in the acquisition of wealth, and a faithful steward in hoarding what he has gained.[14]

The tradition of political economy emerged from the confrontation between commercial and civic humanism. Yet Ferguson, and other eighteenth-

century Scottish thinkers, did not reject virtue; they redefined it. Commerce and virtue were irreconcilable only whilst virtue was still understood in the austerely civic sense.[15] Commerce and trade created their own virtues: punctuality, enterprise, liberality. The classical image of the virtuous citizen was insufficiently modern, yet a concern with independence and the need for protecting the individual from corrupting influences was not abandoned. The rise of commerce was interpreted in a different light. Ferguson noted that, 'in rude ages' those involved in trade were 'short-sighted, fraudulent, and mercenary' but, with the development of commerce the trader's views are 'enlarged, his maxims are established.'[16]

Commercial society brings to an end the corrupting system of feudal dependence and creates a complex system of interdependence. As with Smith and Hume, commerce, liberty and personal security were seen as mutually reinforcing. Both for Ferguson and Smith, commerce is its own best guide: 'men committed to the effects of their experience are least apt to go wrong'. Political control is likely to do more harm than good. The state's main function is simply to protect the general system of commerce, trade and property. The politician simply has to 'avoid doing mischief'; if he 'lends an active hand' he only 'multiplies interruptions and grounds for complaint'. 'Private interest is a better patron of commerce and plenty, than the refinements of state.'[17] In other words, the market must be self-regulating.

Ferguson was not in complete agreement with Smith and Hume though. Essentially, for Ferguson, the commercial arts are not in themselves sufficient as a basis of liberty. More traditional, political virtues are still necessary. According to Duncan Forbes, Hume never questioned his assumption that 'the good life is dependent on economic progress'.[18] Ferguson might have agreed with this notion on one level but he understood the relationship between economic progress and the good life – which Ferguson still defined in political terms as necessarily including active involvement in public life – to be more ambivalent and troubling. The differences between Ferguson and Smith and Hume can be exaggerated, though, due to a common continued misreading of Smith that argues that, within his thinking, economics displaced politics. This is wrong: Smith did not 'downgrade' or reject politics. He did have a politics, one that was similar to Hume's, though it was more 'institutional' – 'a matter of legal and constitutional machinery' – and less concerned with the character of men and the importance of an active political citizenry than Ferguson's.[19]

Moral Sentiments: Commerce *and* Virtue

Yet so far we have emphasized only one side of Ferguson's thought. He insisted that interest cannot be reduced to economic interest and that society

cannot be based on interest alone. If 'interest' means 'those objects of care which refer to our external condition, and the preservation of our animal nature' it could not be taken to include 'all the motives of human conduct'.[20] It cannot be that men value society for its 'mere external conveniences' as they are most attached to it when its material conveniences are fewest. Man is an inherently social being. He is most detached and solitary in commercial society where:

> he has found an object which sets him in competition with his fellow-creatures, and he deals with them as he does with his cattle and his soil, for the sake of the profits they bring. The mighty engine which we suppose to have formed society, only tends to set its members at variance, or to continue their intercourse after the bands of affection are broken.[21]

Ferguson's essay illustrates a continuing concern with solidarity, virtue, moral and political community, personality and the dangers of corruption. He argued for the need to 'reconcile ... the social affections of mankind, with their separate and interested pursuits'.[22] Within his essay, historical examples of earlier civil societies – i.e. the smaller citizen states of classical Greece and the Roman republic – serve as a counterpoint for his analysis of *modern* civil society represented by Britain.[23] Ancient republics are contrasted with modern monarchies. This is part of what Pocock describes as the 'nervous classicism' of eighteenth-century thought within which Sparta, Athens and Rome were constantly used as critical reference points.[24] The ancient civic humanist model functioned as a foil against which the divergence of contemporary reality from the necessary conditions for civic virtue was offset and attempts were made to construct an alternative ethico-political model.

Ferguson insisted that 'men are united by instinct ... they act in society from affections of kindness and friendship'.[25] He was concerned with civil society as an ethical sphere within which human personality could be constituted and maintained. Commerce and exchange were discussed in these terms. Market relations were not considered as a neutral arena. From a 'slight observation of what passes in human life' we are likely to conclude that 'the care of subsistence is the principal spring of human actions'. But, according to Ferguson, this was not the case. The actions of men within civil society could not be understood from a narrowly conceived economic viewpoint: 'The mighty advantages of property and fortune, when stripped of the recommendations they derive from vanity, or the more serious regards to independence and power, only mean a provision that is made for animal enjoyment ... '.[26]

If this were the case, economic activity would stop once our basic, quite

limited needs had been met: 'the toils of the mechanic ... the studies of the learned, would cease'. If the care of subsistence was our primary motive, human relationships would be purely instrumental. Each individual would consider others only as they affect his interest. As Ferguson continued: 'Profit or loss would serve to mark the event of every transaction; and the epithets *useful* or *detrimental* would serve to distinguish his mates in society, as they do the tree which bears plenty of fruit, from that which serves only to cumber the ground, or intercept his view.' Yet we know otherwise. In our dealings with others, notions such as 'success and disappointment' have a greater meaning than their economistic residue, and our language abounds with phrases which express sentiments beyond what we can comprehend from an economic viewpoint. For example, 'the term *misfortune* has but a feeble meaning, when compared to that of *insult* and *wrong*'. Furthermore, 'the bosom kindles in company, while the point of interest in view has nothing to inflame'; matters which may seem frivolous are important from the point of bringing to light 'the intentions and character of men'; economic values are not placed upon favours.[27]

So economic interest plays a leading role in modern social life but all the multifarious human drives cannot be reduced to this one aspect. Vanity, insult and wrong are all sentiments that go beyond the realm of mere interest. Their full meaning is embedded in the complex system of human interactions that constitute civil society.[28] The sentiments that are bound up in the process of exchange go beyond economic interest. The economic sphere is not, or ought not to be, fully 'disembedded'. It is not a sphere divested of moral significance. Like Adam Smith, and later Hegel, Ferguson saw the economy as being driven, in part, by the need for recognition: property and fortune derive recommendations from vanity. Though it is worth noting in passing that for Ferguson, as he indicated in the quote given above, the 'more serious regards' given to economic activity relate to its effects on 'independence and power'.

Within commercial nations especially, it may be true that 'mankind ... are devoted to interest' but this does not mean that 'they are, by their natural dispositions, averse to society and mutual affection', even where interest 'triumphs most', 'proofs of the contrary remain'. According to Ferguson:

> human felicity does not consist in the indulgences of animal appetite, but in those of a benevolent heart; not in fortune and interest, but in the contempt of this very object, in the courage and freedom which arise from this contempt, joined to a resolute choice of conduct, directed to the good of mankind, or ... of that particular society to which the party belongs.[29]

For Ferguson, it was human solidarity and moral sentiment that elevated us

above animals and the concerns of mere material subsistence. Thus it is: 'reserved for man to consult, to persuade, to oppose, to kindle in the society of his fellow-creatures, and to lose the sense of his personal interest or safety, in the ardour of his friendships and oppositions'.[30]

Ferguson also saw the need for markets to be 'reined in'. After referring to Smith's forthcoming *Wealth of Nations*, Ferguson continued as follows: 'But in the view which I have taken on human affairs, nothing seems more important than the general caution which the authors to whom I refer so well understand, not to consider these articles as making the sum of national felicity, or the principle object of any state.'[31] His essay concludes with a traditional republican account of a (possible) decline as a warning to commercial societies. (The final parts of the essay are entitled 'Of the Decline of Nations' and 'Of Corruption and Political Slavery'. As Fania Oz-Salzberger observes, the 'escalating moral tenor' of the essay is indicated by an increasing number of references to ancient moralists in its latter half.[32]) The market can lead to an atomized society which gives rise to corruption and finally political despotism. Ferguson was concerned that commercial society brought with it developments that could lead to the destruction of the moral basis of personality and of public spirit. The levels of specialization in a society with an advanced division of labour could 'dismember the human character'.[33] The division of labour gives rise to a complex system of economic interdependence yet the sense and awareness of our true interdependence as human beings might be lost. The separation of professions:

> serves, in some measure, to break the bands of society, to substitute form in place of ingenuity, and to withdraw individuals from the common scene of occupation, on which the sentiments of the heart, and the mind, are most happily employed.
> .... society is made to consist of parts, of which none is animated with the spirit of society itself.[34]

Civic or Commercial?

Having outlined these two aspects of Ferguson's thought, can we decide whether he was a civic or a commercial humanist? In a sense the question is misleading as it suggests these are two diametrically opposed positions: the former part of an ancient republican tradition, the latter inherently modern and thus bound to triumph over its rival. If this were the case one would expect the civic concerns to disappear, to be altogether superseded and submerged by commercial humanism; yet, even in this process of ideological transformation and criticism, similar concerns and much of the

political vocabulary remained relevant and vital. Eighteenth-century writers continued to use the civic humanist ideal in that they employed the humanist concept of the personality's integrity in offering a critique of contemporary society. Commercial humanism was still a form of humanism. It was still exercised by humanist concerns.[35]

If the civic and commercial traditions are part of a continuum within an ongoing political debate, not opposite poles, perhaps Ferguson was not wholly within either camp. The civic tradition was more immediately rooted in ancient political philosophy, and thus more 'backward looking'. The ancient city-state was taken as the model of republican virtue. Civic thinkers such as Rousseau sought to revitalise a view and practice of citizenship that was embodied in the Athenian polis or Roman republic. Man's telos was to be found in and only in the sphere of political activity. By contrast, commercial humanists were more sensitive to the irremediable nature of historical change.[36] Even though Ferguson was admiring of the ancient republics he attempted to posit a new foundation for community and personality rather than advocating a return to outdated forms. Rousseau defended ancient liberty yet his was a politics of a lost, or at least disappearing, past. Ferguson retained the civic concepts and attempted to adjust them so that they remained relevant to modern commercial societies.

Civil Society, Corruption and Anxiety: Gellner's Reading of Ferguson

In his recent discussion of civil society Ernest Gellner aligns himself with Adam Ferguson and the Scottish Enlightenment tradition as opposed to what he describes as the 'muddy obscurities of the Hegelo-Marxist tradition'.[37] According to Gellner, Ferguson is not just of historical interest: 'His manner of handling the problem ... helps to throw light on the contemporary issue.'[38] Ferguson is distinct in being 'a bemused, perplexed and rather worried observer of the kind of Civil Society which he sees emerging'. 'It is this anxiety and vacillation which inspire his excellent and profound reflections.'[39] Gellner focuses on Ferguson's worries in terms of the division between citizen and soldier and the balance between the commercial and military arts. Ferguson was concerned as to the possible dangers to liberty posed by the existence of a standing army in a society where military activity had become a specialized art.

For Ferguson: 'The subdivision of arts and professions, in certain examples, tends to improve the practice of them, and to promote their ends. By having separated the arts of the clothier and the tanner, we are the better supplied with shoes and with cloth.' Economic specialization is seen in most positive terms, yet what worries Ferguson is when specialization is applied to the 'higher departments of policy and war' which should be the

business of every citizen: '... to separate the arts which form the citizen and the statesman, the arts of policy and war, is an attempt to dismember the human character, and to destroy those very arts we mean to improve'.[41] The separation of the population into civilians and soldiers can deprive a free people of the ability to defend themselves against invasions, opens up the prospect of the establishment of military government at home, and may dismember the human character. If citizens turn purely to production rather than martial honour they open up the danger of becoming less than citizens. On the other hand, the mercenary will not be as efficient in defending the state as the citizen-soldier. Making fighting a profession is self-defeating. A professional army exposes civil society to the dangers of government by military force. For Ferguson, to 'allow legitimate coercion to be not just a specialism but a monopolistic specialism of a single institution, the state...must be a danger'.[41]

Though this outcome – the rise of military despotism – could be avoided, it was a perpetual possibility. Gellner notes Ferguson's uncertainty and ambivalence. At times Ferguson suggested that such concerns are over played. Those who think that 'the virtues of men are secure' turn their attention away from public affairs and 'think of nothing but the numbers and wealth of a people'. Those who fear corruption 'think of nothing but how to preserve the national virtues'. Yet: 'human society has great obligations to both. They are opposed to one another only by mistake.'[42] So it may be that the commercial and martial virtues are not mutually exclusive: 'the character of the warlike and the commercial are variously combined: they are formed in different degrees by the influence of circumstance'.[43] Yet Ferguson's worries constantly re-emerge.

Ferguson praised the Romans' lack of specialization even in the matter of martial skills: 'the antagonists of Pyrrhus and Hannibal were ... still in need of instruction in the first rudiments of their trade'. Even so he insisted that: 'the haughty Roman ... knew the advantage of order and union, without having been broke to the inferior arts of the mercenary soldier; and had the courage to face the enemies of his country, without having practised the use of his weapon under the fear of being whipped'. Yet the Romans could not imagine a time when the 'art of war' would consist 'in a few technical forms'; when citizens and soldiers are 'distinguished as much as men and women'; when the citizen possesses property 'which he would not be able, or required, to defend'; and the soldier 'would be appointed to keep for another what he would be taught to desire, and what he would be enabled to seize for himself'. Modern circumstances are such that: 'one set of men were to have an interest in the preservation of civil establishments, without the power to defend them; that the other were to have this power, without either the inclination or the interest'.[44]

In 'rude societies' everyone takes part in war. To illustrate the difference of modern societies, Ferguson made use of the example of the American chief addressing the governor of Jamaica who was preparing for hostilities against Spain. The chieftain was astonished by the smallness of the body of armed men, even more so by the 'croud of spectators' who were not being enlisted for the conflict. The governor explained that these were merchants and other inhabitants who took no part in military service. The chief responded: 'when I go to war, I leave nobody at home but the women.'[45] Ferguson comments that this 'simple warrior' did not know that war and commerce were not necessarily distinct: 'mighty armies may be put in motion from behind the counter; ... and how often the prince, the nobles, and the statesmen, in many a polished nation, might ... be considered as merchants'.[46] Gellner adds that once war is carried on by specialists it becomes commensurate with other activities: 'it is a continuation of commerce by other means, or perhaps the other way round.'[47]

Ferguson saw these changes as opening up dangerous possibilities: 'there is no distinction more serious than that of the warrior and that of the pacific inhabitant; no more is required to place men in the relation of master and slave.' Whilst the 'rigours of an established slavery' are abated, as in modern Europe 'this distinction serves still to separate the noble from the base, and to point out that class of men who are destined to reign and to domineer in their country'. Now this order is reversed and government and military force are placed in different hands, but might the former order again take place? Is it not possible that: 'the pacific citizen ... must one day bow to the person with whom he has entrusted his sword. If such revolutions should actually follow, will this new master revive in his own order the spirit of the noble and free? Will he restore to his country the civil and military virtues? I am afraid to reply.'[48] The advancements of modern civil society can at any time be reversed:

> The boasted refinements ... of the polished age, are not divested of danger. They open a door, perhaps, to disaster, as wide and accessible as any they have shut. If they build walls and ramparts, they enervate the minds of those who are placed to defend them...they reduce the military spirit of entire nations ... they prepare for mankind the government of force.[49]

Gellner suggests, following up on Ferguson's more confident pronouncements, that Ferguson's problem is not one that should concern us anymore. It is a danger that no longer arises. (This may not be a problem in the West, but can Gellner afford to ignore the numerous military coups that have taken place elsewhere in the world?) He argues that: 'we might have both modern wealth and ancient virtue, or at any rate not be wholly bereft

of either, and enjoy a society based on both virtue and affluence ... we may enjoy both participation and wealth!'[50] Gellner notes that Ferguson feared that the market would lead the way to 'serfdom' yet he does not examine the different aspects of Ferguson's argument, concentrating solely on the concern with the standing armies.[51] Whilst Gellner can legimately claim to follow in Ferguson's footsteps, in terms of his attempt to reconcile commerce and virtue, there is much of Ferguson's discussion that he neglects. In what follows I shall outline some of these arguments.

Gellner has an orthodox view of the connections between the market and political liberty, but Ferguson did not share such a view. Hirschman has discussed at length Ferguson's argument as to the possible connection between commerce and despotism. (It may be that Hirschman is more aware of the issues because of his concern with Latin America – he remarks that his study of seventeenth and eighteenth century reflections prior to the triumph of capitalism was initially prompted by the 'frequently calamitous political correlates of economic growth and the incapacity of contemporary social science to shed light on this phenomenon'.[52] By contrast with Gellner's Eurocentric perspective a strong correlation between the existence of the market and the extension of political liberties can be confidently claimed even though this correlation has not been reproduced in other parts of the world.)

On one level, Ferguson shared these orthodox expectations: it is possible for commerce to have beneficial political effects: 'Liberty, in one sense, appears to be the portion of polished nations alone.' Whilst the savage is personally free in the sense of living 'unrestrained' and the barbarian independent because 'he has courage and a sword', only good policy 'can provide for the regular administration of justice, or constitute a force in the state, which is ready on every occasion to defend the rights of its members'. Ferguson noted the simultaneous advance of the commercial and political arts. Within Europe they are so interwoven that it is impossible to 'determine which were prior in the order of time, or derived most advantage from the mutual influences with which they act and re-act upon one another'. 'In some nations the spirit of commerce, intent on securing its profits, has led the way to political wisdom.'[53] Wealthy citizens are often formidable opponents of oppression, but Ferguson concluded that wealth will not always operate to the same effect. The polished nations could lose their liberty by neglecting any concern with public affairs, and becoming indifferent to or supportive of despotic rule. The preoccupation with individual wealth can lead in the opposite direction, to 'despotical government'.

Ferguson's general, dynamic principle was that: 'The virtues of men have shone most during their struggles, not after the attainment of their ends. Those ends themselves, though attained by virtue, are frequently the

causes of corruption and vice.'[54] Due to the dialectic of virtue and corruption we can never be certain of the continued existence of our advantages.[55] In different circumstances, the admiration of riches leads to despotical government.[56] 'When heirs of family find themselves straitened and poor, in the midst of affluence', this fear of losing wealth coupled with resentment of the rich could create support for the despotic government. 'When fortune ... instead of being considered as the instrument of a vigorous spirit, becomes the idol of a covetous or a profuse, of a rapacious or timorous mind, the foundation on which freedom was built, may serve to support a tyranny.' As wealth is being acquired it can create virtue, but when it is being defended it often leads to corruption: 'the means of subsistence, may put an end to the exercise of those very virtues that were required in conducting its execution.' The 'very advantages' which the virtues of others procured can be turned into a 'source of corruption'.[57]

Commerce creates a desire for tranquility and efficiency, and this may be another source of despotism. 'Civil order, and regular government, are advantages of the greatest importance' but their effects may not be permanent. So-called political refinements are to be feared as 'repose, or inaction itself, is in a great measure their object'. Governments would be modelled 'not merely to prevent injustice and error, but to prevent agitation and bustle'; the barriers they would raise 'against the evil actions of men, would prevent them from acting at all'. Within such a view: 'every dispute of a free people, in the opinion of such politicians, amounts to disorder, and a breach of the national peace.'[58] When government has:

> bestowed a degree of tranquility ... and public affairs ... proceed ... with the least possible interruption to commerce and the lucrative arts; such a state...is more akin to despotism than we are apt to imagine.
>
> ... liberty is never in greater danger than it is when we measure national felicity by the blessings which a prince may bestow, or by the mere tranquility which may attend an equitable administration.[59]

For Ferguson, economic expansion and the accompanying preoccupation with individual economic improvement can be both cause of the advance of the political arts and also responsible for their deterioration. In other words: 'Economic expansion is *basically and simultaneously* ambivalent in its political effects.'[60]

Corruption could then lead to political slavery and invert the 'normal' connection between civil society and liberty. The signs of corruption are a 'growing indifference to objects of a public nature', an ending of party disputes and the silencing of dissension. We know that such a state has arisen when no engagement remains 'on the part of the public, [and] private

interest, and animal pleasure, become the sovereign objects of care'.[61] Human energies are channelled into one sector to the neglect of others:

> The commercial and lucrative arts may continue to prosper, but they gain ascendant at the expence of other pursuits. The desire of profit stifles the love of perfection. Interest cools the imagination, and hardens the heart; and, recommending employments in proportion as they are lucrative, and certain in their gains, it drives ingenuity, and ambition itself, to the counter and to the workshop.[62]

For Ferguson, the centralized political-legal arrangements – the 'government of laws'[63] – can help to restrict political abuses and secure citizens' civil liberties and 'rights of property and station'.[64] This alone, though, cannot guarantee the civil freedoms of citizens: those who exercise power directly can always abuse it. If laws are no longer 'enforced by the very spirit from which they arose, they serve only to cover, not to restrain, the iniquities of power'. A corrupt magistrate respects the laws only when they 'favour his purpose' not 'when they stand in his way'. Ferguson insisted that:

> the influence of laws, where they have any real effect in the preservation of liberty, is not any magic power descending from the shelves that are loaded with books, but is, in reality, the influence of men resolved to be free; of men, having adjusted in writing the terms on which they are to live with the state, and with their fellow-subjects, are determined, by their vigilance and spirit, to make these terms observed.[65]

Political or legal arrangements are insufficient defences of freedom which, ultimately, can only rest on the actions of people.

For Gellner it would seem that all of these concerns are 'invalidated ... by the expansion of productive power'.[66] He argues that: 'Civil society is an order in which liberty...is available even to the timorous, non-vigilant and absent-minded.'[67] Yet Ferguson insisted that 'liberty is a right which every individual must be ready to vindicate for himself, and which he who pretends to bestow as a favour, has by that very act in reality denied'.[68] Political establishments are not to be relied on for the preservation of freedom. Ultimately, despite appearances, they are not independent of the will and arbitration of men. The rule of law is in itself enough as a defence of liberty. People must still be active in defence of liberty. Gellner makes some interesting points in terms of how the division of labour leads not necessarily to greater separation but to greater homogeneity.[69] Yet though he notes that, for Ferguson, the real problem was not the specialization of economic tasks but the separation between man and citizen, Gellner does

not treat this as being of significance. He also fails to mention Ferguson's 'civic distrust of Hume's and Smith's legalism' and thus neglects a central part of Ferguson's political vision.[70] Furthermore, the argument that the market provides the conditions for a potential rise of an insidious form of despotism is not taken seriously. Ultimately his discussion neglects and fails to make use of some of Ferguson's critical insights.

Conclusions

According to Ferguson, from one angle, the market must be self-regulating, that is free from state interference. From another it must be reined in and not allowed to colonize civil society. Ferguson's solution to this problem was not to call for institutional constraints upon the market but to appeal to the moral sentiments of his audience so that they recognize the true importance of the economic sphere. This remained, for him, subordinate to active participation within the political community. 'Interest' must not be allowed to triumph everywhere at the expense of the 'higher engagements of life'. The economic sphere had been granted a falsely privileged position. To put Ferguson's argument into Hegelian terms the citizen must not be reduced to the bourgeois.

Yet we should be aware that, for Ferguson, not everyone was a citizen. Participation was only a prospect for an elite. He was far from being a democrat. He argued that man has a natural tendency to 'rise above the consideration of mere subsistence, and the regards of interest'. He thus acts from the heart, motivated by friendship and opposition. Ordinary cares are left to the 'weak or servile'. In polished societies 'the beggar, who depends upon charity; the labourer, who toils that he may eat; the mechanic, whose art requires no exertion of genius', are considered to be 'degraded by the object they pursue, and by the means they employ to attain it'.[71] Politics must be beyond the 'consideration of mere subsistence and the regards of interest' and thus those who are, by their social position, trapped into such concerns are inherently unsuitable for activity in the political sphere. Democracy in the modern sense of universal or even manhood suffrage was not an issue for Ferguson. Ferguson understood democracy in the classical sense as a form of government in which sovereignty rests with the collective body of the whole people, and in which all citizens are eligible for public office. The virtue of the citizenry is a precondition of such a system and Ferguson concluded that substantive democracy could not be sustained in commercial societies.

Ferguson referred to the ancient republics where women and slaves were 'set apart for the purposes of domestic care, or bodily labour'. By contrast, freemen 'had no object beside those of politics and war'. 'Elevation of

sentiment, and liberality of mind' will only be found among those who, by their social condition and wealth, are 'relieved from sordid cares and attentions'. Whilst the 'lot of a slave' was 'more wretched than that of the indigent labourer and the mechanic among the moderns' it is not certain that, in commercial societies, the 'superior orders' achieve the 'dignity which befits their condition'. Ferguson's concern was that: 'If the pretensions to equal justice and freedom should terminate in rendering every class equally servile and mercenary, we make a nation of helots, and we have no free citizens.'

Ferguson had a thoroughly classical understanding of the necessary exclusion of women and labourers from civil society. From the classical perspective not all inhabitants of the community are considered to distinguish themselves by 'civility'. Not the unfree of every kind who carry out the necessary labours underlying the public-political sphere in the private household, not the artisan, active economically but bound to the domestic workshop, not women. All are part of the domestic economy and as such lack the political standing which confers civility. Their life exists outside the civil society which defines and contrasts itself by reference to them.[72] Ultimately Ferguson's concerns lay with the moral character of the elite. He had already written off the 'lower orders'.

Ferguson asked: 'How can he who has confined his views to his own subsistence or preservation, be entrusted with the conduct of nations?'[73] He concluded that: 'Whether in great or small states, democracy is preserved with difficulty, under disparities of condition, and the unequal cultivation of the mind which attend the variety of pursuits, and applications, that separate mankind in the advanced state of commercial arts.'[74] Ferguson is not the only civil society theorist who cannot be considered a democrat though. Of the other theorists that John Keane sees as central to the development of the concept of civil society – Hobbes, Locke, Paine, Hegel and de Tocqueville – only Paine and de Tocqueville can be classified as democratic theorists. The strong connection between civil society and democracy has only emerged in the recent 'rediscovery' of the concept in Eastern Europe and in its 'importation' back to the West.

Despite its lack of democratic credentials, Ferguson's analysis of civil society has relevance to contemporary theory. Ferguson has a lot to offer a communitarian perspective on civil society. He was concerned with developing a model of citizenship which posited an alternative to market relations as the basis of moral community and a politics that was not simply reducible to individual or sectional interests. He criticized utilitarian theories of motivation and insisted upon the importance of the public sphere. He argued that man's happiness is to make his social dispositions the ruling spring of his actions: 'to state himself as the member of a community,

for whose general good his heart may glow with an ardent zeal, to the suppression of those personal cares which are the formation of painful anxieties, fear, jealousy and envy ... '.[75]

Communitarian writers – who are concerned with ideas of civic virtue and democratic participation – have taken up the theme of civil society: for example, Charles Taylor. Taylor stresses de Tocqueville's concern with a kind of despotism where citizens are dwarfed by the state. This is both cause and effect of citizens' turn away from concern with the public to the private, and this shift 'represents a diminution of their human stature'.[76] This is the same fear that motivates Ferguson's reflections.

The main weaknesses of current theory is its uncritical account of civil society. This seems to arise from an uncritical understanding of the market and its role in civil society. Ferguson's account should weigh against this tendency. A close study of Ferguson can provide a more realistic and nuanced analysis of civil society and its relationship to the market. If what is motivating the current debate about civil society is a concern with 'despotic' forms of power, then it is worth our while to look at Ferguson for two reasons: (1) his unconventional account of how the market may lay the foundations for despotism; and (2) his insistence that institutional defences such as the rule of law are not, in themselves, sufficient as defences of liberty.

NOTES

1. C. Taylor, 'Modes of Civil Society', *Public Culture*, Vol.3, No.1 (Fall 1990), pp. 107–9.
2. M. Walzer, 'The Concept of Civil Society', in Walzer (ed.), *Toward a Global Civil Society* (Providence, RI: Berghahn Books, 1995), p.8.
3. M. Walzer, 'Liberalism and the Art of Separation', *Political Theory*, Vol.12, No.3 (1984), p.323.
4. A. Ferguson, *An Essay on the History of Civil Society* (ed. Fania Oz-Salzberger), (Cambridge: Cambridge University Press, 1995), p.21.
5. For a more detailed account of Ferguson's specific use of the concept of civil society – emphasizing the difference to jurisprudential uses and the importance of political participation – see Oz-Salzberger, *Translating the Enlightenment: Scottish Civic Discourse in Eighteenth-Century Germany* (Oxford: Clarendon, 1995), pp.142–9.
6. Ibid., p.140.
7. J.G.A. Pocock, *Virtue, Commerce, and History: Essays on Political Thought and History, Chiefly in the Eighteenth Century* (Cambridge: Cambridge University Press, 1988), p.194.
8. J.G.A. Pocock, 'Cambridge Paradigms and Scotch Philosophers: A Study of the Relations between the Civic Humanist and the Civil Jurisprudential Interpretation of Eighteenth-Century Thought', in Istvan Hont and Michael Ignatieff, *Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1983), pp.244 and 251.
9. Ferguson, op. cit., pp.137–8.
10. See A. O. Hirschman, *The Passions and the Interests: Political Arguments for Capitalism before Its Triumph* (Princeton, NJ: Princeton University Press, 1977).
11. Montesquieu, *The Spirit of the Laws* (translated and edited by Anne Cohler, Basia Miller, Harold Stone) (Cambridge: Cambridge University Press, 1992), p.340.

12. Ferguson, op. cit., p.17.
13. Hirschman, op. cit., p.44.
14. Ferguson, op. cit., p.138.
15. Pocock, *Virtue, Commerce, and History*, p.48.
16. Ferguson, op. cit., p.138.
17. Ibid., p.139.
18. Quoted in Donald Winch, *Adam Smith's Politics: An Essay in Historiographic Revision* (Cambridge: Cambridge University Press, 1978), pp.73–4.
19. Ibid., p.177.
20. Ferguson, op. cit., p.20.
21. Ibid., p.24.
22. Ibid., p.139.
23. John Keane, 'Despotism and Democracy: The Origins and Development of the Distinction between Civil Society and the State 1750–1850', in Keane (ed.), *Civil Society and the State: New European Perspectives* (London: Verso, 1988), p.40.
24. J.G.A. Pocock, *The Machiavellien Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, NJ: Princeton University Press, 1975), p.466.
25. Ferguson, op. cit., p.38.
26. Ibid., p.35.
27. Ibid., pp.35–6.
28. Adam B. Seligman, *The Idea of Civil Society* (Princeton, NJ: Princeton University Press, 1992), p.28.
29. Ferguson, op. cit., p.39.
30. Ibid., p.207.
31. Ibid., p.140.
32. Oz-Salzberger, 'Introduction' to ibid., pp.xx–xxi.
33. Ferguson, op. cit., p.218.
34. Ibid., p.207.
35. Pocock, 'Cambridge Paradigms', op. cit., p.244.
36. Seligman, 'Animadversions upon Civil Society and Civic Virtue in the Last Decade of the Twentieth Century', in John A. Hall (ed.), *Civil Society: Theory, History, Comparison* (Cambridge: Polity Press, 1995), p.202.
37. Ernest Gellner, *Conditions of Liberty: Civil Society and Its Rivals* (London: Hamish Hamilton, 1995), p.202.
38. Ibid., p.61.
39. Ibid., pp.62 and 65.
40. Ferguson, op. cit., p.218.
41. Gellner, op. cit., p.64.
42. Ferguson, op. cit., p.141.
43. Ibid., p.132.
44. Ibid., pp.218–19.
45. Ibid., p.145.
46. Ibid.
47. Gellner, op. cit., p.67.
48. Ferguson, op. cit., p.145.
49. Ibid., p.219.
50. Gellner, op. cit., pp.64–5.
51. Ibid., pp.70–71.
52. Hirschman, op. cit., p.122.
53. Ferguson, op. cit., p.247.
54. Ibid., pp.196–7.
55. Louis Schneider, 'Introduction' to Ferguson, *An Essay on the History of Civil Society* (New Brunswick, NJ: Transaction, 1980), p.xv.
56. Ferguson, op. cit., p.248.
57. Ibid., pp.210–11.
58. Ibid., p.209.

59. Ibid., pp.254-55.
60. Hirschman, op. cit., p.122.
61. Ferguson, op. cit., p.242.
62. Ibid., p.206.
63. Ibid., p.249.
64. Ibid., p.150.
65. Ibid., p.249.
66. Gellner, op. cit., p.79.
67. Ibid., p.80.
68. Ferguson, op. cit., p.251.
69. Gellner, op. cit., pp.75-77.
70. Oz-Salzberger, *Translating the Enlightenment*, op. cit., p.121.
71. Ferguson, op. cit., p.176.
72. Keane, op. cit., p.68; Manfred Riedel, *Between Tradition and Revolution: The Hegelian Transformation of Political Philosophy* (Cambridge: Cambridge University Press, 1984), p.137.
73. Ferguson, op. cit., p.178.
74. Ibid., pp.175–9.
75. Ferguson, op. cit., p.56.
76. Taylor, op, cit., pp.113-14.