

Hutcheson's Theory of Obligation

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Hutcheson says very little about obligation throughout his works. In fact, when he mentions the concept, he tends to speak about it rather negatively, calling ‘obligation’ a ‘confused’ word (Ill: 146)ⁱ and the related term ‘ought’ an ‘unlucky Word in Morals’ (Ill: 156). It is therefore no surprise that we find one of Hutcheson’s immediate critics, Lord Kames, saying that although some philosophers mention the words ‘duty’ and ‘obligation’, ‘I know not that any author hath attempted to explain them.’ (Kames 2005: 30) At the same time, it is well known that Hutcheson’s contrast between interested and moral obligation had an influence upon Hume’s own very similar distinctionⁱⁱ, and if we take a closer look at Hutcheson’s works, it is obvious that he was intimately familiar with the Early Modern discussion of obligation, in that he references the views of Grotius, Pufendorf, Cumberland, and others. The commentary on Hutcheson’s account of obligation in the secondary literature paints a similarly ambiguous picture, with some casting doubt on whether Hutcheson has any, or any meaningful, theory of obligation at all,ⁱⁱⁱ and others arguing that Hutcheson presents a ‘radical’ alternative to the theory of obligation found in Early Modern natural law.^{iv} To add even more complexity to the story, both Hutcheson’s contemporaries and present-day scholars have raised significant objections to the theory of obligation they claim to find in his philosophy, despite the apparent lack of clarity concerning both the nature and significance of his theory.^v My aim in this paper is to seek some clarity on Hutcheson’s account of obligation by situating his view in relation to the positions offered by the figures he references. I not only argue that Hutcheson has a theory of obligation that is different in important ways from the views presented by his predecessors, but I also suggest that his theory may not be as problematic as critics have claimed.

The paper proceeds in three sections. In section (I) I sketch a brief picture of the rich conceptual landscape surrounding the concept of obligation in the Early Modern period. I focus on the five figures Hutcheson references: Hugo Grotius, Samuel Pufendorf, their French translator and commentator Jean Barbeyrac, as well as G. W. Leibniz and Richard Cumberland. In these figures we find important conceptual distinctions, such as that between the efficient cause, the object, and the end of obligation, as well as the separation of the metaphysical issue of obligation’s source and the epistemological question of how we come to know what our obligations are. I use this background

to offer an account of Hutcheson's theory of obligation in section (II). Not only does Hutcheson have a view on the source, end, and object of obligation, he largely focuses on the epistemological question of the origin of our idea of obligation. Furthermore, although Hutcheson shares with his predecessors the idea that obligation implies a certain kind of necessity, he conceives of this necessity in a unique way, namely in terms of the necessity of a perception. In section (III) I address three objections that have been put to Hutcheson's theory of obligation: 1. that it makes a sham of obligation by locating its source within the human being, 2. that it is reducible to divine command theory, and 3. that, in the end, Hutcheson has no real or meaningful theory of obligation. Although I leave it an open question how compelling Hutcheson's theory ultimately is, my hope is that appraising these objections helps further clarify the theory of obligation that Hutcheson presents in his works.

1. Obligation in Early Modern Philosophy

As the 'father of natural law' (see Miller 2021), Grotius stands at the beginning of the Early Modern discussion of obligation. In his *Rights of War and Peace*, Grotius defines a law as 'a Rule of Moral Actions, obliging us to that which is good and commendable' (Grotius 2005: I.IX, 148) and he goes on to define natural law or right as follows: 'NATURAL RIGHT is the Rule and Dictate of Right Reason, shewing the Moral Deformity or Moral Necessity there is in any Act, according to its Suitableness or Unsuitableness to a reasonable Nature, and consequently, that such an Act is either forbid or commanded by GOD, the Author of Nature.' (ibid.: I.IX, 150-1) Although Grotius's understanding of obligation itself is far from straightforward (Miller 2021), the most important aspect of his view for my purposes is that he was understood by many, including his translator and publicist Barbeyrac, to be a non-voluntarist when it comes to the source of natural law, that is, that natural law has its origin in reason or the nature of things and not in the will of a superior. Consider the following passage, further explaining Grotius's conception of natural right as a dictate of right reason:

The Actions upon which such a Dictate is given, are in themselves either Obligatory or Unlawful, and must, consequently, be understood to be either commanded or forbid by God himself; and this makes the Law of Nature differ not only from Human Right, but from a Voluntary Divine Right; for that [i.e., voluntary human or divine right] does not command or forbid such Things as are in themselves, or in their own Nature, Obligatory or Unlawful;

but by forbidding, it renders the one Unlawful, and by commanding, the other Obligatory.
(Grotius 2005: I.I.X, 151-3)

Although perhaps not abundantly clear from this passage, Grotius's view is that natural law can be understood as being commanded by God *because* it accords with right reason, rather than vice versa. As Barbeyrac describes his position, Grotius believes that 'the Rules of the Law of Nature and Morality do in themselves impose an indispensable Necessity of conforming to them, independently of the Will of God'. (see Grotius 2005: 151, note 3) As we will see, the idea of obligation as involving or imposing a necessity to act upon human beings is a feature that many figures highlight, including Hutcheson, albeit in his own way. Before we get there, however, still to mention about Grotius's view is that it offers an account of what we might call the metaphysical source of obligation, as opposed to an account of the epistemological origin of the idea of obligation. As Barbeyrac clarifies in his commentary: 'The Question here is *not* whether we can discover the Ideas and Relations, from which all the Rules of the Law of Nature and Morality are deduced, abstractedly from the Will of an intelligent Being.' (Grotius 2005: note 3, 151f., emphasis added) The question is rather whether obligation can *exist* apart from the will of God, and Grotius's answer is a resounding 'yes'; as he puts it in a famous passage from the Prolegomena to the *Rights of War and Peace*: obligation 'would take place, though we should even grant, what without the greatest Wickedness cannot be granted, that there is no God, or that he takes no Care of human Affairs.' (ibid.: 89)

Pufendorf offered the most famous alternative to Grotius's theory in the Early Modern period. Obligation has an intimate relation to law on Pufendorf's view, too, but he defines law as follows: 'In general, a *Law* may conveniently enough be defin'd, a *Decree by which a Sovereign obligeth a Subject to conform his Actions to what he prescribes.*' (Pufendorf 1729: I.II.IV, 60) Thus, whereas Grotius's definition of obligation 'supposeth somewhat to be Just and Right before any Rule or *Law*; whence it must follow, that the Law of Nature doth not make what we call *Right*, but only denotes and points it out as a Thing already Existing' (Pufendorf 1729: I.II.IV, 60), on Pufendorf's view it is a superior and a law that first obliges and makes what is right or just. Put differently, Pufendorf argues that the moral qualities of actions are determined by and dependent upon the extent to which they agree with law:

since Honesty (or moral necessity) and Turpitude are Affections of human Deeds, arising from their Agreeableness or Disagreeableness to a Rule, or a Law; and since a Law is the Command of a Superior, it does not appear how we can conceive any Goodness or

Turpitude before all Law, and without the Imposition of a Superior. (Pufendorf 1729: I.II.VI, 17)

Thus, in that laws ‘proceed from a Superior’ and superiors alone ‘have in themselves the Power of obliging’ (ibid.: I.VI.V, 60) by virtue of their authority, superiors are the source of obligation in a relatively strong, *metaphysical* sense: on Pufendorf’s view, without a superior and law, there would *be* no obligation. Also, interesting to note about this view is that the superior *gives* and another *receives* an obligation, such that obligation ‘inheres in the Person obliged’. (ibid.: I.VI.V, 60)

An important event in the Early Modern discussion of obligation is the critique of Pufendorf’s view written by Leibniz, initially provided in the form of a letter to a friend. The letter eventually found its way into the hands of Barbeyrac, who not only translated the letter into French, but included it in his French edition of Pufendorf’s *De Officio Hominis*, along with an extended defense of Pufendorf against Leibniz’s attacks.^{vi} In the letter, Leibniz criticizes Pufendorf’s view on three main issues: the *end*, *object*, and *efficient cause* of natural law. With respect to the *end* of natural law, Leibniz criticizes Pufendorf for limiting its application to the present life, rather than the afterlife as well. (Pufendorf 2003: 274-6) With respect to the *object* of the law, Leibniz objects to the idea that natural law concerns external actions only and does not also concern ‘internal actions’ (ibid., 279), namely human intentions and dispositions, which Pufendorf allegedly leaves to the theologians rather than the natural lawyers. (ibid.: 279-80) Finally, Leibniz finds fault with Pufendorf’s location of the *efficient cause* of natural law in the will of a superior, as opposed to ‘in the very nature of things or in the maxims of right reason’ (ibid.: 286). The triangular exchange between Pufendorf, Leibniz, and Barbeyrac extends beyond these three topics, and it also addresses these in significantly more detail than I can capture here. I will mention some further relevant details once I turn to Hutcheson.

The final discussion of obligation from the Early Modern period that Hutcheson references is that provided by Cumberland in his *A Treatise of the Laws of Nature*. Cumberland’s position takes its cue from a definition of obligation found in Roman law and which is cited by many authors during the Early Modern period, namely the definition found in Justinian’s *Institutes*, where obligation is ‘*That bond of the Law, by which we are tied with the necessity of paying any thing, according to the Laws of that State to which we belong*’. (cited in Cumberland 2005: 519) On this view, the ‘force of a Law is to command, forbid, permit, punish’ as well as ‘to confer rewards’; this is at least what Cumberland claims ‘what some express by the *Metaphorical* words of *Obliging* and *creating a Duty*.’ (ibid.: 519) Indeed, Cumberland argues against this view on that grounds that ‘it breeds *obscurity*, that he [Justinian] uses

Metaphorical words, which are generally of *doubtful* meaning' namely the words 'bond' and 'tied', which Cumberland says 'are not more easily understood, than *Obligation*, which is to be defin'd.' (ibid.: 519) Thus, rather than explain obligation, Justinian's definition only makes its meaning more obscure. In response, Cumberland offers his own definition:

I, therefore, resolve Moral Obligation, (which is the immediate Effect of Nature's Laws,) into their First and Principal Cause, which is the Will and Counsel of God promoting the Common Good; and, therefore, by Rewards and Punishments, enacting into Laws the Practical Propositions which tend thereto. Mens [sic] care of their own Happiness, which causes them to consider, and be moved by, Rewards and Punishments, is no Cause of Obligation; That proceeds, wholly, from the Law and the Lawgiver: It is only a necessary Disposition in the Subject, without which the Rewards and Penalties of the Law would be of no Force to induce Men to the performance of their Duty. As Contact is necessary in the Communication of Motion from Body to Body; tho' Force impress'd be the only Cause of that Motion. (ibid.: 543)

In this definition, Cumberland distinguishes between the cause of obligation, which for him is the lawgiver, and obligation itself as the effect of this cause. Furthermore, and somewhat perplexingly given his earlier criticism, he then goes on to offer the metaphor of motion to explain obligation: a human being's care for their own happiness is a necessary disposition which allows the rewards and punishments of law to have force, just as force is the cause of motion and contact is the necessary condition for its communication. It is this care for one's own happiness which Cumberland elsewhere explains as the condition that makes the *necessity* of obligation possible: 'the whole force of Obligation is this, That the Legislator has annex'd to the observance of his Laws, Good; to the transgression, Evil; and those Natural, in prospect whereof men are moved to perform actions, rather agreeing than disagreeing with the Laws.' (ibid.: 519) As he explained in the previous quotation, the care for happiness is not the cause of obligation. Rather, because human beings seek good and fear evil, obligation is made possible by means of a lawgiver connecting rewards and punishments to certain actions, thereby making it *necessary* that we perform or omit them on account of the essential disposition in human nature to obtain good and avoid evil.

The above is obviously an incomplete and condensed account not only of the views belonging to the above-mentioned figures, but of the Early Modern discussion of obligation more generally.^{vii} It is, however, a summary of the most important features of the views belonging to the figures whom Hutcheson mentions explicitly, and which will help make sense of the view he offers

in his own very brief discussions of the concept. With this background now in hand, I turn in the next section to a reconstruction of Hutcheson's theory, before turning to several important objections that scholars have made to his view in section three, the answers to which I hope will even further clarify his position.

2. Hutcheson's Theory of Obligation

There are four core discussions of obligation in Hutcheson's works, in four different texts: the *Inquiry*, *Illustrations*, *Short Introduction*, and *System*. In each of these works, obligation arises in a specific context and, depending on that context, a different aspect of obligation is emphasised. In this section I argue that Hutcheson presents a consistent theory of obligation across these works.^{viii} Drawing on the features of obligation highlighted in the previous section, I show that Hutcheson too has a view on the source, object, and end of obligation, as well as a particularly interesting take on the kind of necessity involved therein, among other things. I therefore illustrate that, despite saying relatively little about the concept, Hutcheson can be said to possess a theory of obligation and, indeed, one that is more interesting and novel than appearances might first suggest.

I begin by focusing on the discussion of obligation in the *Inquiry*, which is at once both Hutcheson's most important and detailed discussion as well as the most obscure. It is here that Hutcheson also says the most about the *source* of obligation. Hutcheson's account of obligation in the *Inquiry* takes place in the final section of Treatise II, Section VII, devoted to 'A Deduction of some Complex moral Ideas,' one of which is the idea of obligation. (Inq: 177) Hutcheson begins the section by asking an interesting question: 'Can we have any Sense of Obligation, abstracting from the Laws of a Superior?' (Inq: 177) On the one hand, it might seem odd that Hutcheson is starting with this question, since it was such a controversial topic in the Early Modern period *whether* obligation could take place abstracting from the laws of a superior, with Grotius arguing in favour and both Pufendorf and Barbeyrac arguing against. However, Hutcheson takes this as his starting point because he has already shown in the foregoing sections of the *Inquiry* that our ideas of moral good and evil come from the moral sense, and *not* the laws of a superior. Early in Treatise II, for instance, Hutcheson argues explicitly that our ideas of moral good and evil do not come from education, custom, example, or study. (Inq: 99) He also argues that religion is not the origin of moral ideas. More specifically, ideas of (divine) reward and punishment are not the origin of our ideas of moral good and evil, because reward and punishment only show our own advantage and

disadvantage and not *moral* goodness. (Inq: 96) As he explains later, for those who claim that our ideas of good and evil come from ‘Relation to a Law and its Sanctions’, ‘Obligation, with them, is only such a Constitution, either of Nature, or some governing Power, as makes it advantageous for the Agent to act in a certain manner.’ (Inq: 181) This is why section VII begins with the assumption that the laws of a superior are *not* the source of our ideas of *moral* good and evil, and why he subsequently asks whether the concept of obligation has any meaning outside of this context.

Hutcheson’s starting point in the *Inquiry* reveals an additional, extremely important aspect of his approach to obligation, one which is not immediately apparent but which becomes clear in relation to the views sketched in the previous section. At the start of section VII, Hutcheson announces that his intention is the following: ‘It remains to be explain’d, how we acquire more particular Ideas of Virtue and Vice, abstracting from any Law, Human, or Divine.’ (Inq: 177) Just as his aim in Treatise II of the *Inquiry* more broadly is to explain the ‘Original’ (Inq: 83), namely the origin, of our *ideas* of moral good and evil, his aim in section VII is to explain where the *idea* of obligation comes from. This is significant, because it heavily contrasts with what Barbeyrac, for example, saw as the essential question to be answered about obligation. As we have seen in his remarks on Grotius, Barbeyrac states explicitly that the question to be answered is not whether we can have the *idea* of obligation independently of law, rather, it is the question of whether obligation can take place if it does not have its *metaphysical source* in a law and a superior. Similarly, we saw that Leibniz objects to Pufendorf’s location of the ‘efficient cause’ of obligation in the will of a superior, rather than in right reason or the nature of things. (Pufendorf 2003: 286-7) In contrast to these approaches, the question for Hutcheson is not metaphysical but *epistemological*, namely he is concerned with the source of the *idea* of obligation. As we will see, this is a profoundly important feature of Hutcheson’s approach to obligation.

With this clarification in mind, Hutcheson proceeds in the *Inquiry*, as he does in all four of his discussions of obligation,^{ix} to distinguish between two ‘senses’ of obligation:

If by Obligation we understand a Determination, without regard to our own Interest, to approve Actions, and to perform them; which Determination shall also make us displeas’d with our selves, and uneasy upon having acted contrary to it; in this meaning of the word Obligation, there is naturally an Obligation upon all Men to Benevolence; and they are still under its Influence, even when by false, or partial Opinions of the natural Tendency of their Actions, this moral Sense leads them to Evil. (Inq: 177)

In line with Hutcheson's definition of moral good as what is good independently of private advantage or natural good (Inq: 89ff.), this is what we might call moral obligation. Hutcheson contrasts this meaning with another that is based on self-interest, and thus which we might call interested obligation:

if by Obligation, we understand a Motive from Self-interest, sufficient to determine all those who duly consider it, and pursue their own Advantage wisely, to a certain Course of Actions; we may have a Sense of such an Obligation, by reflecting on this Determination of our Nature to approve Virtue, to be pleas'd and happy when we reflect upon our having done virtuous Actions, and to be uneasy when we are conscious of having acted otherwise; and also by considering how much superior we esteem the Happiness of Virtue to any other Enjoyment. (Inq: 178)

These two senses of obligation therefore reflect Hutcheson's distinction between natural and moral good: on a basic level, moral obligation relates to moral good and interested obligation relates to natural good or advantage.

To note about Hutcheson's distinction between these two senses of obligation in the *Inquiry* in particular is that he is discussing two ways of being obligated to the same thing, namely beneficent actions. I will turn shortly to Hutcheson's characterization of the proper object of obligation, i.e., what we are obligated to do. For the time being let us simply call it 'benevolence' as Hutcheson does in the above passage. (Inq: 177) His point there is that we have two different meanings of the idea of being obligated to benevolence: 1) we approve of benevolence independently of interest (moral obligation), and 2) we approve of benevolence on the basis of our interest (interested obligation). We are obligated to benevolence in the latter sense, i.e., from interest, for two separate reasons: 1) because benevolence causes us to experience a particular kind of 'concomitant' pleasure when we so act (Inq: 110, see also 87), namely the pleasures of the moral sense, and 2) because benevolence is the most reliable way to bring about the natural good or pleasure of both oneself and others. On this latter point, Hutcheson explains that instrumental rationality shows us that 'a constant Course of benevolent and social Actions, to be the most probable means of promoting the natural Good of every Individual', including one's own, a view he notes is to be found in Cumberland and Pufendorf as well. (Inq: 178) Thus, we are obligated to benevolence for two reasons: both because it promotes the natural good of both ourselves and others (interested obligation), as well as on the basis of it being morally good, i.e., independently of whether it advances anyone's natural good (moral obligation).

One of the most difficult questions to answer about this distinction is what they both have in common, and thus what obligation in general is, for Hutcheson.^x Although he refers to both senses of obligation as a ‘determination’, this term is of no particular help here, for Hutcheson seems to use it rather loosely simply to refer to a feature of our nature.^{xi} Although I will not be in a position to properly answer this question until the end of this section, to be noted in advance is that, in line with his broader epistemological focus described above, Hutcheson is indicating two separate sources of the *idea* of obligation: the moral sense and what Hutcheson calls our ‘senses of private happiness’. (see E: 146) Important to stress about moral obligation is that the source of this idea need not be my own moral sense: as Hutcheson states in the *Inquiry*, we are still under the influence of this kind of obligation if our own moral sense is weakened and thus does not correctly guide us. This is because, as he goes on to explain, we have other ‘Indications ... of what is in the whole benevolent’ (Inq., 178), namely ‘Friends so faithful as to admonish us’ and when ‘the Persons injur’d will not fail to upbraid us.’ (Inq., 178) In other words, the moral senses of spectators also serve as a source of our idea of moral obligation. An important point to note about interested obligation, which is not particularly clear in the *Inquiry* but comes to the fore in Hutcheson’s other discussions, is that we can be obligated to things other than benevolence on the basis of our sense of private happiness. Based on how he defines it in the *Essay*, for example, interested obligation simply means that ‘*the Action is necessary to obtain Happiness to the Agent, or to avoid Misery*’ (E: 146), thus any action that is necessary for this purpose is something we are (interestedly) ‘obligated’ to do. I’ll discuss whether this latter meaning really is obligation proper, as well as the extent to which the two kinds of obligation overlap, i.e., obligate us to the same actions, once I turn to an important objection that concerns the distinction between interested and moral obligation in the next section.

Thus far I have been primarily concerned with Hutcheson’s conception of the *source* of the *idea* of obligation. Let us now turn to his take on the *object* of obligation, that is, what we are obligated to do. As mentioned in the previous section, the exchange between Leibniz, Pufendorf, and Barbeyrac revealed two options: external and/or internal actions. Determining Hutcheson’s view on this topic is not as easy as one might expect. In line with his definition of moral obligation, for instance, Hutcheson claims that ‘there is naturally an Obligation upon all Men to Benevolence’ (Inq., 177), which could be interpreted in multiple ways.^{xii} The most straightforward way to read this is that we are in some way obligated to act benevolently in the sense that we are obligated to a kind of internal action, that is, to possess and act from the disinterested desire for the happiness of others. Another way to read this is that Hutcheson believes we are obligated to act externally, i.e., to

perform the actions that bring about the happiness of others. On this reading, we are not obligated to possess or act from benevolence as a motive, but merely to perform the actions to which benevolence would normally lead us, namely those that promote the happiness of others. Strictly speaking, therefore, on this latter reading we would be obligated to *beneficence*.

A careful appraisal of Hutcheson's writings reveals that the latter option is closer to the text. In all four of his discussions of obligation Hutcheson clearly states that we are obligated to perform actions, no matter what kind of obligation we are speaking of. In the *Inquiry*, for instance, moral obligation is 'a Determination ... to approve *Actions*, and to perform them' (Inq: 177, my emphasis), and interested obligation is 'a Motive from Self-interest, sufficient to determine all those who duly consider it ... to a certain Course of *Actions*'. (Inq: 178, my emphasis) When mentioning that law can oblige us if our moral sense is weakened, Hutcheson is clear that in such a case law obligates us to '*beneficent Actions*.' (Inq: 178, my emphasis) In both the *Illustrations* and the *System*, both kinds of obligation are senses of being 'obliged to an *Action*' (Ill: 146 and Sys: 264), and in the *Short Introduction* Hutcheson speaks of being '*obliged to act*' and interested obligated as inducing us 'to certain actions or performances, or omissions of action.' (SI: 112) Furthermore, Hutcheson implicitly rules out that we can be obligated to possess and act from benevolence as a motive given the conjunction of two of his more general commitments: first, Hutcheson advances a version of the 'ought implies can principle' in the sense that 'there can be no Right, Claim, or Obligation to Impossibility' (Inq: 192), and, second, he explicitly denies that human beings can raise desires merely by an act of will (see Inq: 224). Accordingly, we cannot be obligated to raise, or act from, the disinterested desire for the happiness of others because this is impossible for us. I therefore take it to be relatively clear that, on Hutcheson's view, what we are obligated to do is perform some actions and omit others, namely those that promote and hinder, respectively, the happiness of others and to which benevolence would otherwise naturally leads us.

What about the *end* of obligation? As we saw in the previous section, Leibniz criticized Pufendorf for limiting the science of natural law to this life and excluding consideration of the afterlife. Excluding consideration of the afterlife is problematic on Leibniz's view, for it would be 'to destroy many of this life's duties' (Pufendorf 2003: 275), since we see that crimes go unpunished in this life and 'the advantages of this present life' (ibid.: 276) would thereby lead us to evil rather than duty. Both the afterlife and divine retribution are therefore needed, according to Leibniz, in order to ensure that human beings do their duty. Such a view is based on a particular conception of human nature, however. As Leibniz goes on to argue:

unless one is born with such a disposition or brought up in such a way that one takes great pleasure in virtue and finds great distress in vice, which is not everyone's good fortune, nothing will be able to prevent one from acting most criminally when, by crime, one can acquire great wealth with impunity. (Pufendorf 2003: 276)

Although Hutcheson believes in both the afterlife and divine providence (E: 123-4), we have already seen that our knowledge of such things is not required for us to have an idea of obligation (see e.g., Inq: 96). While knowledge of such things might improve our ability to act morally (see e.g., E: 102 and Harris 2004: 242-3), our knowledge of obligation is not *dependent* on such things (Inq: 96, and see Harris 2008: 208). Neither, importantly, is motivation. Whereas Leibniz, in the above passages, claims that it is a contingent matter, i.e., a matter of good fortune, whether one is born with or educated in such a way that one has acquired the disposition of finding pleasure in virtue and distress in vice (Pufendorf 2003: 276), Hutcheson's psychology and doctrine of the moral sense asserts that this is in fact a disposition that everyone possesses by birth. Although the moral sense can be weakened, we have already seen that there are other sources that provide us with indication of what is good and evil, namely spectators. Hutcheson's response to Leibniz would therefore be that human nature is different from what he supposes, and therefore that excluding consideration of the afterlife does not deprive human beings of the idea of moral obligation as it might for someone who takes human nature to be self-interested. Thus, there is no issue with restricting the end of obligation to life on earth, on Hutcheson's account, and thus no *need* to include considerations of the afterlife, even if doing so might assist our moral progress.

Let us now return to the central question of what both interested and moral obligation have in common, and thus to the definition of obligation on Hutcheson's view, most generally considered. In order to answer this question, we need to consider a final aspect of Hutcheson's theory of obligation, namely the notion of *necessity*. In the previous section, the notion of necessity was present in all the figures Hutcheson references in the context of obligation. Cumberland offered a particularly clear description of what the notion of necessity is supposed to capture, namely the idea that a superior connects rewards and punishments with certain actions and omissions via laws and thereby makes it necessary for human beings to so act or omit. This is only possible, of course, on the presupposition that human beings care for their own happiness, i.e., seek good and avoid evil. Hutcheson acknowledges that necessity functions in this way for these figures: in the *Illustrations*, for instance, Hutcheson refers to Barbeyrac's commentary to Grotius and notes that obligation there refers to 'an *indispensable necessity to act in a certain manner*.' (III: 146, see also Grotius 2005: 148)

Hutcheson goes on to note that in this context necessity is not *natural* necessity, ‘otherwise no Man could act against his Obligation’ (Ill: 146), rather it only denotes ‘such a constitution of a powerful Superior, as will make it impossible for any Being to obtain *Happiness*, or avoid *Misery*, but by such a Course of Action.’ (Ill: 146) On Hutcheson’s view, however, this only captures the way in which interested obligation works. Indeed, as mentioned at the end of the preceding paragraph, Hutcheson’s understanding of human nature as not solely self-interested but as also capable of disinterested benevolence completely changes how the notions of moral and natural good relate to motivation.^{xiii} Not only this, but Hutcheson’s psychology implies that the notion of necessity no longer applies in the context of obligation, at least in the same way it did for someone like Cumberland: the fact that acting in a certain way is necessary to obtain happiness no longer *necessitates* me because I always also desire the happiness of others as an ultimate end. The converse also holds: the fact that I perceive something as morally good via the moral sense does not make it *necessary* that I act accordingly because I always also desire my own private advantage.^{xiv} This kind of necessity is thus not something present in either interested *or* moral obligation, thus it is not the feature that defines obligation more generally, for Hutcheson, as it did for the figures discussed above.

There is, however, a different sense of necessity operative in Hutcheson’s writings, which I take to be shared by both moral and interested obligation. Although lurking in the background of his works in moral philosophy, Hutcheson only ever explicitly describes this sense of necessity in his *Metaphysics*. There, Hutcheson makes the familiar distinction between internal or absolute necessity, namely ‘a necessity of connection between the terms of a self-evident or proven abstract proposition’ (Met: 88) which ‘remains the same in every time and place’ (Met: 89), and external or hypothetical necessity, ‘which necessarily follows upon something else which has been previously posited’ (Met: 89). To these types of necessity Hutcheson adds the necessity of a *perception*: ‘A *perception* is said to be *necessary* if it presents itself to us, whether we will or no’ and he contrasts this with a ‘*voluntary*’ perception, namely one ‘which we can change, obstruct, or stop.’ (Met: 89)^{xv} Interestingly enough, Hutcheson is clear about what kind of perceptions are necessary, namely those of pleasure and pain:

our Perceptions of Pleasure, or Pain, do not depend directly on our Will. Objects do not please us, according as we incline they should. The presence of some Objects necessarily pleases us, and the presence of others as necessarily displeases us. Nor can we by our Will, any otherwise procure Pleasure, or avoid Pain, than by procuring the former kind of

Objects, and avoiding the latter. By the very Frame of our Nature the one is made the occasion of Delight, and the other of Dissatisfaction. (Inq: 8)

Many different objects please us or cause us pain. In fact, Hutcheson says soon after the passage just quoted that ‘There is scarcely any Object which our Minds are employ’d about, which is not thus constituted the necessary occasion of some Pleasure or Pain.’ (ibid.) The important point for my purposes, however, is the fact that our necessary perceptions of pleasure and pain are at the foundation of our ideas of good and evil. As Hutcheson explains early in Treatise II of the *Inquiry*: ‘The Pleasure in our sensible Perceptions of any kind, gives us our first Idea of natural Good, or Happiness; and then all Objects which are apt to excite this Pleasure are call’d immediately Good.’ (Inq, 86) The moral sense operates in the same way, namely we find in certain *actions* ‘immediate Goodness’, i.e., ‘we perceive Pleasure in the Contemplation of such Actions’. (Inq, 88) Thus, our ideas of natural and moral goodness share the feature of being associated with necessary perceptions, namely the perceptions of pleasure and pain that accompany our sensation of certain objects, through our sense of private happiness or the moral sense, whether we will or no.^{xvi}

Interested and moral obligation are therefore based on the ideas of natural and moral goodness, which are themselves based on necessary perceptions of pleasure and pain. But obligation does not merely highlight the fact that our ideas of good and evil are connected to necessary perceptions. On the contrary and as noted above, Hutcheson takes our perception of almost all objects to be accompanied by pleasure and pain (Inq: 8), and the internal sense of beauty, for example, causes us to *necessarily* feel pleasure when confronted with certain objects as well. (Inq: 25) Not only this, but the idea of obligation must also be distinct from our ideas of natural and moral goodness if it is to be a meaningfully unique concept. Luckily, Hutcheson is clear about the way in which obligation and goodness are different: whereas natural and moral goodness are simple ideas in that they proceed from a single sense (see Inq: 21-24) and ‘cannot be farther explained’ (see Inq: 217), obligation is a complex idea, as Hutcheson indicates in the title of his discussion of obligation in the *Inquiry*. (Inq: 177) In line with this, I propose that what is distinctive about obligation is not only that it is the idea of the goodness of an action, but the idea of the goodness of an action that is necessary: whereas the ideas of both natural and moral good and evil are simply perceptions of actions as good that we necessarily have, as simple ideas they do not yet include the notion of necessity in the content of the ideas themselves. Obligation, on the other hand, is not just the idea of an action as good, it is the idea of an action as good where we are also aware that we necessarily perceive it to be good. Obligation therefore captures the fact that we necessarily perceive some

actions as good, such that necessity is part of the content of the idea, rather than merely the way in which we are confronted with an idea. This is an important addition, for this is how the simple ideas of actions as naturally and morally good are transformed into ideas of actions that *must* be done: actions that are good should be done, whereas actions that we necessarily perceive as good convey the fact that they should be done necessarily.^{xvii} Thus, there is a sense in which Hutcheson preserves the notion obligation in terms of the necessity of an action, albeit in his own unique way. Whether his is a meaningful conception of the necessity of an action or not, especially considering it seems possible for interested and moral obligation to collide (thereby making neither one of them strictly necessary), is a question I discuss in the following section.^{xviii}

3. Objections: Just How Necessary is Moral Obligation?

If I am correct that interested and moral obligation share the feature of being ideas, whose content includes the necessity with which we perceive goodness, we are still left with the problem that both ideas confront us just as necessarily as the other. In other words: if we necessarily approve of actions on the basis of both the moral sense *and* interest, does this mean that morally good actions are just as necessary as naturally good actions? If they are, does this mean that we are not really *obligated* in any true sense of the word? In this final section I address three objections, two of which express concerns about the kind of necessity involved in Hutcheson's account of obligation. While it is not my aim to defend Hutcheson against them once and for all, my hope is that by offering a response on Hutcheson's behalf, we can gain even further insight into his understanding of obligation.

The first objection I wish to address has not been raised to Hutcheson's theory of obligation directly but might be thought to apply given the way he has conceived of the source of obligation. The objection arises in Barbeyrac's commentary on Grotius. In response to Grotius's claim that actions are 'in themselves either Obligatory or Unlawful' (Grotius 2005: 151) and that natural law is 'the Rule and Dictate of Right Reason' (ibid.), Barbeyrac argues the following:

our Reason, considered as independent on the Being who endowed us with it, is at the Bottom nothing but Ourselves. Now no Man can impose on himself an indispensable Necessity of acting or not acting in such a particular Manner. The very Notion of Necessity implies, that it cannot cease at the Pleasure of the Person subject to it; otherwise it would be ineffectual, and reduced to Nothing. If then the Person obliged, and the Person who lays the

Obligation be one and the same, he may disengage himself from it, when, and as often as he pleases; or rather there will be no real Obligation. (ibid.: note 3)

We have seen above that the source of the idea of obligation for Hutcheson is also located within ourselves, namely either in the moral sense or our sense of private happiness. Applied to Hutcheson, then, this objection might amount to the claim that locating the source of the idea of obligation within the human in this way, too, would dissolve the idea of obligation, for perhaps this would also imply that we could similarly ‘disengage’ ourselves from it as we please.

A brief explanation will illustrate that this is not the case. As a reminder, Hutcheson’s concern is with the origin of the *idea* of obligation, not with the metaphysical source of obligation. Furthermore, and as we have just seen, Hutcheson conceives of the idea of goodness as arising in us *necessarily*, i.e., whether we will it or not, when we are confronted with actions of a certain nature. Thus, we cannot escape the idea of actions that should be done, no matter how hard we try. Even if our moral sense is weakened, spectators will indicate to us what is morally good, such that ‘no Mortal can secure to himself a perpetual Serenity, Satisfaction, and Self-approbation, but by a serious Inquiry into the Tendency of his Actions, and a perpetual Study of universal Good, according to the justest Notions of it.’ (Inq: 178) In locating the sources of our ideas of obligation within the human being, Hutcheson does not therefore risk making a sham of obligation by allowing ourselves to be rid of obligations whenever we please. On the contrary, as involving necessity perceptions, obligation is something we are confronted with whether we will or not.

The second objection I wish to address comes from Christine Korsgaard, who has argued that, at the end of the day, Hutcheson’s theory of obligation reduces to voluntarism. Her argument is as follows: in that the moral sense is the source of moral obligation, and the source of the moral sense in turn is God, then God is the ultimate source of obligation. (Korsgaard 1996: 44) As Korsgaard puts it: ‘providing us with a sense which endues certain motives with a moral quality is just a way for God to create morality by positive institution.’ (ibid.: 44) Citing *Illustrations* Section VI, Korsgaard even goes on to claim that ‘Hutcheson admits as much, for he says that God could have given us a malice-approving moral sense had He so chosen. It is not because benevolence is obligatory in itself, but because God is benevolent, and approving benevolence is good for us, that God has caused us to approve it.’ (ibid.: 44) Korsgaard finds this objection in Richard Price, who, in his *A Review of the Principal Questions in Morals*, argues that if there is ‘nothing intrinsically proper or improper, just or unjust; there is nothing *obligatory*.’ (Price 1787: 73-4)

It is of course true that Hutcheson believes that God is the author of human nature and, as such, he is not only responsible for our having a moral sense, but also for the moral sense having the standards of judgement that it has. He also admits that, in principle, God could have given us a moral sense with different standards. (Inq: 197) He is clear, however, that this does not imply that the standards of the moral sense are arbitrary and that morality is merely created by ‘positive institution’. In fact, in relation to the internal sense of beauty Hutcheson explicitly argues against the idea that ‘the Constitution of our Sense so as to approve Uniformity, is merely arbitrary in the Author of our Nature’ (Inq: 46). Hutcheson argues, rather, that ‘there is a great moral Necessity, from his Goodness, that the internal Sense of Men should be constituted as it is at present, so as to make Uniformity amidst Variety the Occasion of Pleasure.’ (ibid.: 80) He later argues that the same can be said of the moral sense: although it is true that the moral sense could have, in principle, been created in such a way that we approve malevolence rather than benevolence, God’s goodness makes it such that this would never happen. (Inq: 197) Another way of putting this is that it is indeed *necessary* that we have the moral sense with its specific standards, but this is not *internally* or *absolutely* necessary, which again Hutcheson defines as ‘a necessity of connection between the terms of a self-evident or proven abstract proposition’. (Inq: 88) Rather, that we judge benevolence to be morally good is, in the end, only externally or hypothetically necessary, which Hutcheson defines as that ‘which necessarily follows upon something else which has been previously posited’ (Inq: 89). In the present context, what has been previously posited is the goodness of God. The moral sense thus does not arbitrarily have its standards via God’s ‘positive institution’, rather we necessarily (on hypothesis of God’s goodness) approve of benevolence.

Stephen Darwall has made a related objection to Hutcheson’s theory. We have seen above that we have the idea of obligation in two cases: when an action promotes our happiness (naturally good) and when it promotes the happiness of others (morally good). This raises the question of whether Hutcheson has a notion of the ‘obligatory’, all things considered, or whether both interested and moral obligation are equally necessary ideas. Darwall addresses this worry primarily from the perspective of practical reason, that is, from the point of view of whether there is overriding reason to decide in favour of morality or self-interest, or whether Hutcheson should be regarded as an early precursor to Henry Sidgwick’s doctrine of the ‘dualism of practical reason’. (see Darwall 1995: 235) Darwall argues in favour of the latter position and that, for Hutcheson, ‘Morality’s authority as rational motive is ... no less than that of self-love.’ (1995: 210) Put differently, ‘universal benevolence is both the morally best, and no less a rational, motive than self-love.’ (1993: 420) What

this means is that, in the end, there is no ‘all-things-considered’ sense of obligation that trumps every other demand laid upon us. (see Darwall 1997: 86-7) Similarly, as Darwall has put the point in his contribution to this special issue: ‘Hutcheson simply has no theory of obligation in the distinctively deontic sense’ (*[insert reference for final version]).

In response to this objection it should be noted, as Darwall admits, that although morality is no less a rational motive than self-love in Hutcheson’s account of practical reason, the goodness of God has guaranteed that morality is always in our interest:

From the agent’s point of view, it is simply fortunate, a gift from God, that these two ultimate and independent sources of motivation, and their related “obligations,” point the same way. The reason why moral philosophy’s “principal Business” is to demonstrate a congruence between benevolence and self-love is that there can be, according to Hutcheson’s psychology, no deliberative grounds for choosing between them. (Darwall 1995: 210)

Strictly speaking, then, there is no duality of practical reason and morality is always the most rational option because it is always also in our interest, when the converse is not the case. Leaving the perspective of practical reason aside and returning to Hutcheson’s focus on the origin of our *idea* of obligation, does this problem persist? In this context the problem would be that we just as necessarily approve of actions as morally good and as naturally good and thus that the meaning of obligation loses its force; obligation no longer truly refers to the *necessity* of an action if the idea of obligation can accompany two different and sometimes opposing actions. This is essentially the version of the objection that Kames offers when he argues that ‘Duty, obligation, ought and should, would be empty sounds unless ... [w]e have the consciousness of necessity, and of being bound and tied to performance, as if under some external compulsion’ (2005: 33), i.e., unless obligation carries with it the idea of either ‘indispensable duty’ or as ‘absolutely *wrong*’. (ibid.: 34)

In answer to this version of the objection, we should consider Hutcheson’s distinction between obligation and constraint. Hutcheson argues that “There is indeed no Difference between Constraint, and the second Sense of the word Obligation, viz. a Constitution which makes an Action eligible from Self-Interest, if we only mean external Interest, distinct from the delightful Consciousness which arises from the moral Sense.’ (Inq: 182) He goes on to say that the difference between constraint and obligation is the following:

The difference is plainly this. When any Sanctions co-operate with our moral Sense, in exciting us to Actions which we count morally good, we say we are oblig’d; but when

Sanctions of Rewards or Punishments oppose our moral Sense, then we say we are brib'd or constrain'd. (Inq: 183)

Hutcheson's point with this distinction therefore seems to be the following: because both benevolence and beneficence are always also in our interest (via the pleasures of the moral sense and by means of the fact that promoting the interest of others is the best way to promote my own interest), moral obligation is always also interested obligation, but not vice versa. Indeed, there are rather many cases where interest approves of an action, but the moral sense does not. Strictly speaking, then, Hutcheson argues that interested 'obligation' that is not also approved by the moral sense is not obligation, but 'constraint'.

That Hutcheson reserves the concept of obligation for *moral* obligation explains why he focuses on being obligated to the same actions, namely beneficent ones, in the *Inquiry*: when interest 'constrains' us to the same actions approved by the moral sense, this is indeed obligation in the true sense of the word rather than constraint. In fact, although Hutcheson makes the distinction between interested and moral obligation throughout his works, in each instance he discusses how the word obligation is used in general, namely by others, not only by himself. In the *Essay*, for instance, he speaks generally about how 'we' (E: 146) use obligation and notes that Barbeyrac primarily has the interested meaning in mind, and in both the *Short Introduction* and the *System* Hutcheson says that obligation is 'sometimes taken', namely by others, in the interested sense (SI: 112; and Sys: 264). There is therefore room to interpret Hutcheson himself as reserving the concept of obligation for moral obligation, and for cases where there is an interested 'obligation' to an action not approved by the moral sense, we are only 'constrained' and not obligated. If this is correct, this means that the idea of obligation, properly speaking, only applies to the context moral obligation, not constraint. Interested 'obligation' properly speaking, then, only refers to cases where interests agree with the moral sense.

Even if this is correct, however, it must be admitted that this only clarifies that the concept of obligation in Hutcheson's works still captures the idea that there are some actions that we necessarily approve as good, all-things-considered. As already discussed, however, that moral obligation is always also interested obligation, but not vice versa, is indeed something we owe to God, on Hutcheson's account. Thus, this does not solve the alleged problem that moral obligation is ultimately grounded in God's goodness and is of hypothetical necessity only. This is a conclusion, however, that Hutcheson must ultimately admit: morally good actions are not internally or

absolutely good, thus there is no truly absolute obligation on Hutcheson's account, in both the epistemological and the metaphysical sense.

Conclusion

My aim in this paper has been to argue that Hutcheson has a theory of obligation. By utilizing a number of important distinctions and concepts used by the figures Hutcheson mentions in his four brief discussions of obligation, I hope to have illustrated that there is more to his account of obligation than first meets the eye. I have argued that not only does Hutcheson have a view on the source, object, and end of obligation, a central feature of his view is his focus on the epistemological question of the origin of our *idea* of obligation, rather than a focus on the metaphysical issue of the efficient cause of obligation that was common to many of Hutcheson predecessors. Furthermore, I have suggested that working in the background of Hutcheson's theory of obligation is a unique kind of necessity, namely the necessity of our perceptions of actions as good and evil, which I have argued is the feature that both interested and moral obligation have in common. In the final section it was my aim to venture a response on Hutcheson's behalf to three important objections. Whether or not his account of obligation is ultimately plausible is a question I leave open. My hope is that engaging with these objections has made his theory of obligation even more clear than it otherwise would have been. In closing it deserves mention that, even though I think Hutcheson must admit that the necessity characteristic of obligation is not absolute or internal, but merely hypothetical or external, he is not alone in thinking that this kind of necessity is sufficient for obligation. Christian Wolff, for example, is happy to admit that this is the kind of necessity possessed by obligation. (see Wolff 2016, §575) Whether Price and others are right in thinking that the idea of the obligatory disappears if there is no *internal* necessity involved is a bigger question, and one which I must leave for another occasion.^{xix}

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ⁱ I cite Hutcheson's works according to the following abbreviations: Inq = *Inquiry* (Hutcheson 2008); E = *Essay* (Hutcheson 2002); Ill = *Illustrations* (Hutcheson 2002); SI = *Short Introduction* (Hutcheson 2007); Sys = *System* (Hutcheson 2014); and Met = *Metaphysics* (Hutcheson 2006).

ⁱⁱ See e.g., Darwall 1993: 420f. and 1995: 134 and 219.

ⁱⁱⁱ See Darwall 1993: 443 and 1995: 235.

^{iv} See Edwards 2008: 88 and 94.

^v I discuss a selection of the most important objections in section III of this paper.

^{vi} For an account see Schneewind 1996.

^{vii} The account of the Early Modern background that I have sketched in this section could be enriched in at least two ways: by discussing 1. Hobbes, whom Hutcheson does not mention only because his view was so well-known it likely did not need to be mentioned (see Edwards 2008: 99n), and 2. Gerschom Carmichael, who was Hutcheson's teacher and wrote a commentary on Pufendorf. For reasons of space, I focus solely on the figures Hutcheson mentions explicitly. Thanks to Thomas Pink and an anonymous referee for this journal for their remarks on these matters.

^{viii} I therefore depart from the suggestion by Luigi Turco that the accounts of obligation in the *Short Introduction* and the *System* are 'in some details different' (see SI:113n).

^{ix} See Inq: 177-9; E: 146; SI: 112-13; and Sys: 264.

^x See Darwall 1993: 443 and 1995: 235.

^{xi} In both the *Inquiry* and the *Short Introduction*, for example, Hutcheson refers to internal senses as determinations (see pg. 67 and pg. 6 respectively), and therefore refers the moral sense as a determination (Inq: 90). Hutcheson also uses the term in the sense of an 'intention' and as similar to the Latin term *consilium* (see Met: 127), but this meaning is different from the one Hutcheson is using in the context of obligation.

^{xii} Henning Jensen has proposed three options: 1) that we are obligated to perform acts from a benevolent motive; 2) that we are obligated to do good to others, i.e., to beneficence; and 3) that we ought to perform *virtuous* acts, i.e., we ought to act from a desire to act virtuously, a desire presumably distinct from benevolence. (see Jensen 1971: 94) Jensen includes the third option because he takes it to be the view that H.A. Prichard attributes to Hutcheson. I do not take 3 to be a plausible interpretive option and, if one looks closely at Prichard, neither does he. Rather, Prichard's claim is that Hutcheson is a proponent of the view that virtue involves possessing a certain character, which in turn involves consistently acting from a certain motive, which in Hutcheson's case is benevolence, not a distinct desire to act virtuously. (see Prichard 2002: 216) It is worth noting that although Jensen at times suggests the same conclusion that I do here, namely that what we are obligated to do is *action* (see Jensen 1971: 91, 92), Jensen's ultimate conclusion is that Hutcheson's view is confused and it is unclear whether we are obligated merely to act or to act from a certain motive. (ibid.: 101-2)

^{xiii} The majority of the secondary literature discussing Hutcheson's understanding of obligation takes place in the context of determining whether or not he is an 'internalist' or an 'externalist' with respect to motivation. (see above all Jensen 1971 and Darwall 1995) In that context, however, obligation refers to 'morality's normativity' (Darwall 1995: 218), i.e., the relationship between the moral sense and motivation and thus how judgements of moral goodness move human beings to act. My aim in this paper is to clarify something more abstract, namely how Hutcheson understands the concept of obligation more generally. As mentioned, Darwall, for example, admits that this is not clear. (see 1993: 443 and 1995: 235) Although my project of explaining how Hutcheson understands obligation is relevant to the question of the way in which the moral sense is normative or motivates us, I take these to be distinct questions. In fact, I consider it

important to clarify how Hutcheson understands obligation more generally *before* going on to answer the question about motivation.

- ^{xiv} This is of course just another way of saying that Hutcheson is not an intellectualist about moral motivation.
- ^{xv} Hutcheson also discusses the necessity of judgement and of being/existence, but these are not relevant to my purposes here.
- ^{xvi} It is of course the type of pleasure that accompanies such perceptions that determines whether the idea is natural or moral goodness. For a critical discussion of whether Hutcheson is a qualitative or quantitative hedonist, see Dorsey 2010.
- ^{xvii} This is why the opinions of spectators are so important: Hutcheson believes that human nature is uniform enough that, when confronted with the same object, we would all receive the same simple idea. (see Inq: 22) And so if our own moral sense is weakened or corrupted, we are still necessarily confronted with relatively reliable ideas of goodness through the judgements of other people.
- ^{xviii} If my characterization of Hutcheson's theory of obligation is correct, there are further issues that could be explored. One might further explain the way in which obligation is a complex idea in the Lockean sense, for instance, especially since Hutcheson seems to adopt much of Locke's theory of ideas. One might also explore whether there is a parallel concept to obligation in the aesthetic case, which might simply be the idea of aesthetic normativity as opposed to practical normativity (obligation). In the interests of space, I leave the discussion of such issues for another occasion.
- ^{xix} Earlier versions of this paper were presented at the online workshop 'New Perspectives on Hutcheson's Moral Philosophy', which formed the basis of this special issue, as well as to audiences at the University of Würzburg and Martin Luther University, Halle Wittenberg. Thanks to those in attendance at those events as well as to Stephen Darwall, Jeffrey Edwards, Sonja Schierbaum, John Walsh, and an anonymous reviewer for this journal for their helpful feedback.