

Correspondence

To the Editor of the Journal of British Studies:

Mr. Oakley need not apologize for quoting Arnold's "ignorant armies" as the epigraph for his comment on the argument between Mr. Stanlis and me about Johnson and "natural law" (in view of what Mr. Oakley says, it seems more than ever desirable to use the inverted commas). My article was a frank confession of ignorance as to what was meant when the term was used in connection with Johnson, and a plea for elucidation by those who, like Mr. Stanlis and Mr. Russell Kirk, have so used it. Little elucidation was forthcoming from Mr. Stanlis, but I am extremely grateful for that which Mr. Oakley provides. He of course confirms my main point — that Johnson's "conception of natural law can hardly be equated with the Stoic or Thomistic conception, or, therefore, with the related version ascribed by Stanlis to Burke." I shall be happy to follow Mr. Oakley's guidance in describing it as the Ockhamist or voluntarist conception, to be sharply distinguished from the Thomistic one. Whether Mr. Stanlis and Mr. Kirk will be equally happy to do so remains to be seen.

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December, 1964

To the Editor of the Journal of British Studies:

It is a pleasure to welcome Mr. Oakley as a volunteer in the corps of natural law voluntarists in Matthew Arnold's growing army of scholars. The darkness of the darkling plain has been made more visible by his extension of the area of conflict. But the differences which separate Mr. Greene and me on Johnson and natural law are not primarily matters of historical knowledge or ignorance, nor even perhaps of intellectual insights or understanding, but of our respective convictions regarding God, human nature, and physical nature. A more appropriate prefatory quotation than Arnold's would have been this by Sir Leslie Stephen: "'Nature,' as we know, is a word contrived in order to introduce as many equivocations as possible into all the theories, political, legal, artistic, or literary, into which it enters." (Sir Leslie Stephen, *Hobbes* (London, 1904),

p. 173.) In dealing with natural law in Johnson's thought, Stephen's point would have to be extended to include "reason," "law," "will," and other related concepts. No scholar has yet examined these terms throughout the whole body of Johnson's writings, to see whether and how they relate to each other as an organic whole in his thought, against the background of almost two thousand years of European natural law philosophy. Undoubtedly, even before such a study is made, some tentative general agreement is possible that Johnson believed in *some* normative concept of moral natural law. Parts of Mr. Greene's article cast doubt even upon this point; yet in the end Mr. Greene identified Johnson's natural law as "emphatically 'voluntarist.'" One difficulty is that whereas Mr. Greene knows Johnson's works but is muddled on natural law, Mr. Oakley knows the natural law but not much of Johnson's works. But the greater difficulty is that on the basis of the few passages cited by Mr. Greene, from only a few works, it is wholly premature for Mr. Oakley to say that Johnson's conception of natural law "can hardly be equated" with the rationalist tradition, and therefore must be "in harmony with the voluntarist tradition." On the evidence thus far presented, no conclusion is warranted as to the *precise* conception of natural law Johnson held.

Indeed, both works cited by Mr. Greene, and accepted by Mr. Oakley, as evidence that Johnson's natural law is voluntarist — his criticism of Soame Jenyns and the passage from the first Vinerian Lectures — contain evidence *against* the voluntarist position. Johnson's criticism of Jenyns's treatise included an objection to his "dogmatical limitations of Omnipotence" not, as Mr. Oakley supposes, because Johnson was a voluntarist in his conception of God, but because throughout his life Johnson was vehemently opposed to "presumptuous imagination" and insoluble speculations about religion and morality. This is the opening point and recurrent theme of his criticism: "I am afraid this author's endeavours will not free [him] from the perplexity which has entangled the speculatists of all ages, and which must always continue while *we see but in part.*" (Samuel Johnson, *Works* (London, 1850), II, 485. Johnson's italics.) Johnson was not asserting God's absolute power in rebuttal to Jenyns's "dogmatical limitations" on it. He was objecting to any and all such dogmatic speculations which would "encourage presumption or stimulate curiosity." (Johnson, *Works*, II, 491.) Johnson always disliked the vanity of speculative inquisitiveness, which perplexed the mind and diverted men from the plain duties of re-

vealed religion and practical morality. It was impious, even almost blasphemous, to engage in such speculations. In his *Prayers and Meditations* for August 12, 1784, he hoped that God would free him from falling into this common human folly:

O Lord . . . enable me to drive from me all such unquiet and perplexing thoughts as may mislead or hinder me in the practice of those duties which Thou hast required . . . Teach me by thy Holy Spirit, to withdraw my mind from unprofitable and dangerous inquiries, from difficulties vainly curious, and doubts impossible to be solved. (Johnson, *Works*, II, 282.)

To Johnson, religion was a practical matter to be lived, not a theoretical subject for endless speculation and debate. "Morality," he said, ". . . is comprehended in practical divinity." (Johnson, *Works*, I, 98.) And again: "Religion may regulate the life of him to whom the Scotists and Thomists are alike unknown; and the asserters of fate and free will, however different in their talk, agree to act in the same manner." (Johnson, *Works*, I, 40.) These are hardly the words of a man strongly committed to either a voluntarist or a rationalist conception of God.

Yet, of course, Johnson did have his own convictions regarding the claims of will and reason in religion and morality. Johnson's later criticism of Jenyns points out that it is not a question of limiting God's omnipotence, but of not limiting God's attributes to omnipotence alone. God is not only all powerful, but all wise, benevolent, and just. In Johnson's comments on Jenyns's fourth letter in his treatise, he adheres strictly to the ordained power of God, to the actually established moral order of revelation. Consequently, he considers the voluntarist theory of the hypothetical unlimited and undefined power of God, apart from what He has actually ordained, as speculatively dangerous to practical morality. To illustrate this point, Johnson quoted a passage from Jenyns on the attributes of God:

They who would persuade us, that Good and Evil are things indifferent, depending wholly on the will of God, do but confound the nature of things, as well as all our notions of God himself, by representing him capable of willing contradictions; that is, that we should be, and be happy; and at the same time that we should torment and destroy each other; for injuries cannot be made benefits, pain cannot be made pleasure, and consequently vice cannot be made virtue, by any power whatever. (Johnson, *Works*, II, 493.)

Johnson had introduced the passage which includes these words with this approval: "He offers a criterion of action, an account of virtue and vice, for which I have often contended, and which must be embraced by all who are willing to *know why they act.*" (Johnson, *Works*, II, 493. My italics.) Johnson clearly believed that God's justice has ordained the nature of good and evil, that His Will is not capricious or arbitrary, but conforms to the law His wisdom has ordained. In light of Johnson's habitual adherence to the ordained power of God, Ockham's argument, as quoted by Mr. Oakley – "that hate of God, adultery, robbery – all such vices – could be stripped of their evil and rendered meritorious 'if they were to agree with the divine precept'" – is precisely the kind of speculation Johnson always condemned. It inverted God's revelation; it posited an evil hypothesis that could be converted into a thesis; it diverted men's thoughts from their duties; and it was based on a wholly human assumption that God is ultimately *only* a Being of power.

Is the long passage from the Vinerian Lectures centered in a voluntarist conception of God, and therefore in a voluntarist natural law? Mr. Oakley thinks it is. But the first sentence refutes the voluntarist view:

Law if taken in its largest Sense, for any kind of Rule or Canon whereby Actions are directed, is common to Man with that Being who hath created and governs all Things, not arbitrarily, not according to his Will only but according to the Counsel of his Will, according to that Rule of acting which unlimited Wisdom hath prescribed to unlimited Power. ("Samuel Johnson and 'Natural Law,'" *J.B.S.*, II (1963), 65.)

Johnson does not conceive of God as self-sufficient power or will. The phrase "according to the Counsel of his Will" reveals that God's Counsel (wisdom and reason) precedes and directs His Will; that *Counsel* is normative and *Will* conforms to it. The last phrase restates this idea (Wisdom prescribes to Power), and adds that God's "unlimited Wisdom" is *co-extensive* with His "unlimited Power." To Johnson the nature of God is a fusion of reason and will; as a spirit infinitely perfect, there was no separation of the divine mind and the divine will. In not according supremacy to the will, Johnson is in perfect accord with the position of the judicious Richard Hooker, the greatest rationalist natural law theologian in Anglicanism, who answered the voluntarists of his time: "They err therefore who think of the will of God to do this or that, there is no

reason besides His will.” (Richard Hooker, *Of the Laws of Ecclesiastical Polity*, I, ii, 5.) God did not act by His will alone, so that His moral laws were reasonable and just to men.

In view of these philosophical complexities involving “reason” and “will” in Johnson’s moral and legal thought, Mr. Greene is wholly premature, on the basis of the few passages in his article, to claim that Johnson’s natural law is “emphatically ‘voluntarist.’” It is naive to assume the phrase “the will of God” necessarily means that God’s Reason is subordinated to His Power, when it can mean that God’s Will conforms to His Reason, or is co-extensive with it. Mr. Oakley is also premature in hoping that through his medieval postscript “what seems to be the chief reason for dissension disappears.” The dissension between Mr. Greene and me has barely opened up the subject of Johnson and natural law. Mr. Oakley has quite rightly indicated the need to enlarge the historical area and take in conflicting views before Johnson’s time. But to conclude at this point that Johnson is a natural law voluntarist is plainly to beg the whole question at issue.

Concerning the “prominent secondary motif” between Mr. Greene and me, contrary to Mr. Oakley, I was *not* concerned with drawing “the relationship between the juridical idea of *natural law* and the scientific concept of *laws of nature*.” Quite the reverse. I was concerned with *not* drawing this relationship, in order to avoid entanglement with Mr. Greene’s confusion of *moral* natural law with the *physical* laws of nature, a confusion which runs all through his article and replies. My chief concern was to distinguish between these two types of laws and to bring the discussion to bear wholly upon the *moral* natural law in Johnson’s thought. Johnson’s views toward physical science were not at issue. This is the true meaning of my statement that Classical and Christian conceptions of moral natural law “from Aristotle to the time of Johnson and beyond” have “nothing to do with the physical laws that apply to the material universe, nor vice versa.” I am not “mistaken” in this, because *moral* natural laws apply only to *human nature*, not to the movement of the planets; and, conversely, the very different “laws” that govern physics, chemistry, and quantitative “nature” have no bearing on the *moral* nature of man, though they apply to his *physiological* character. How these two distinct types of “laws” are related to each other is another question entirely. Since 1941-42 I have been increasingly aware of the dynamic interaction between Christianity and seventeenth-century science. But this historical

development, which revolutionized religious, ethical, and scientific thought, did not nullify the traditional religious and philosophical distinction between moral natural law and the physical laws of nature.

Therefore, it is no answer to my criticism that the two *types* of laws should not be confounded by Mr. Greene for Mr. Oakley to say that God is the *source* of both moral and physical laws. Of course God is the source of both. Of course the ethical laws that apply only to human nature and the scientific laws that govern physical nature are alike "impregnated with the divine will." Mr. Oakley is so concerned with asserting the voluntarist doctrine of God's omnipotence in all things that he fails to note that what is really at issue is not theological voluntarism regarding both man and nature, but scientific materialism regarding human nature. In my criticism of Mr. Greene's failure to distinguish sharply between Dr. Johnson's moral natural law and Newtonian laws of gravity, I was making the same point that Sir Leslie Stephen made regarding Hobbes:

Morality has nothing to do one way or the other with the motions of the planets or the 'laws of gravitation.' The physical system of the universe is morally neutral. Morality can only begin with the conscious and sentient being. The assumption, however, that the 'law of nature' means the same in both cases becomes very important in Hobbes' theory of the State. (Stephen, *Hobbes*, p. 170.)

Mr. Greene has identified Johnson's politics with Hobbes. But, in fact, his whole approach to natural law in Johnson is also Hobbist, and is based upon a scientific materialism and mechanistic conception of human nature. This is very evident in Mr. Greene's vehement denial of the distinction I made between "law for man, and law for thing," which is quite a different matter from Mr. Oakley's point that God is the *source* of both laws. For Mr. Greene, as for Hobbes, the law for thing applies equally to human nature.

Mr. Greene's Hobbist approach to natural law is also clearly evident in his conviction that the mind of man does not possess the spark of divinity which enables uncorrupted men to apprehend moral natural law through moral intuition or "Right Reason." Mr. Greene thinks that the only approach to natural law is through scientific or discursive reasoning. It is remarkable that my criticism of Mr. Greene on this vital point is identical with a scholar's recent description of Hobbes's conception of "reason":

Nor is reason the 'Right Reason' of the Cambridge Platonists, or of Puritan thinkers such as Milton and John Owen. It is not an inward illumination, 'the candle of the Lord,' an intuitive apprehension of external reality. 'Reason' for Hobbes means 'reasoning'; it means the processes of logical thinking. . . . What then becomes of the doctrine of natural law, of an eternal and immutable morality antecedent to political institutions and implanted by God in the hearts of men? Hobbes retained the name of this doctrine, but little else; . . . for Hobbes the laws of nature are not really laws at all; rather they are theorems of conduct for the ordering of men's lives in a commonwealth so as to ensure civil peace. (Samuel I. Mintz, *The Hunting of Leviathan* (Cambridge, 1962), pp. 25-26 and *passim*.)

Mr. Fleischauer has shown that contrary to Mr. Greene's denial, Johnson did believe man uncorrupted possessed "Right Reason," not merely discursive reasoning, and that "in his moral writings" he accorded "the very highest respect" for it, second only to Divine revelation. (*J.B.S.*, III (1963), 156-57.) There is nothing in Johnson's normative reason contrary to his empirical observations, descriptions, and analyses of actual human behavior, his close and thorough scrutiny of "things as they are," but the basic assumptions and general value principles of his ethical system are not founded upon materialism, as they are in Hobbes. (Unlike Johnson's ethical philosophy, his aesthetic theory stresses the senses, induction, and pleasure, as well as "general nature.")

In this connection it is important to note Johnson's position regarding Hobbes on spirit and matter. Johnson was well aware that Hobbes's philosophical materialism extended beyond physical "nature" and included not only human nature but even God. Hobbes was a complete materialist who denied the separate existence of spirit. In Johnson's life of Boerhaave, he noted that in 1690 Boerhaave "discussed the important and arduous subject of the distinct natures of the soul and body, with such accuracy, perspicuity, and subtlety, that he entirely confuted all the sophistry of Epicurus, Hobbes, and Spinoza, and equally raised the character of piety and erudition." (Johnson, *Works*, II, 112-13.) Johnson made it clear that by "sophistry" he meant "atheistical opinions," and he praised Boerhaave's "unanswerable confutation . . . in his discourse of the distinction between soul and body." (Johnson, *Works*, II, 114. Johnson's criticism of Hobbes's materialism rests on the same philosophical dualism as that of Henry More, Ralph Cudworth, and many other late seventeenth-century critics of Hobbes.) The meta-

physical foundations of Johnson's moral thought included a clear distinction between spirit and matter. God was pure spirit, whereas man was in an ambiguous state, a being of both soul and body. This meant that man is at once involved in material "nature" and related with God. Johnson believed that man's rational nature remained obscured in mystery, that his power of mind and will were deeply hurt by the Fall, that he often fell prey to his basest passions. Yet for all this, Johnson wrote: "Reason is the great distinction of human nature, the faculty by which we approach to some degree of association with celestial intelligences." (Johnson, *Works*, I, 279.) It was through this spark of divinity that constituted "Right Reason" that human nature apprehended moral natural law.

Mr. Oakley's emphasis on the voluntarist tradition fails to take into account yet another great problem that resulted from Mr. Greene's not distinguishing between Newtonian laws of gravity and moral natural law. Historically, Mr. Greene had many predecessors. The "New Philosophy" of seventeenth-century science gradually replaced the old theory of the decay of nature and man with the idea that "the world represents not the disorder of original sin but the order of divine law." (Michael Macklem, *The Anatomy of the World* (Minneapolis, 1958), p. 18.) After Newton's *Philosophiæ naturalis principia mathematica* (1687), the mechanical principles of heavenly law in *physical nature* were more and more commonly applied to *human nature* and human affairs, through analogies which conceived of law "as a description of effects rather than a statement of obligation." (Macklem, *The Anatomy of the World*, p. 64.) Macklem has described what happened:

The development of an indicative conception of moral law during the half-century after 1687 is illustrated . . . by the use . . . of the metaphor of moral gravitation. This metaphor was at once contained in and justified by the growing belief that the principles of descriptive law could legitimately be applied not only to physical but also to moral phenomena. Gravitation, in post-Newtonian theory . . . became a metaphor of moral order . . . Moral law, it would appear, is not normative but descriptive. (Macklem, *The Anatomy of the World*, pp. 100-01.)

Like his seventeenth-century predecessors, Mr. Greene believes it is sound procedure (followed by Johnson) to begin "*a posteriori*," by sensory observations of "the consequences of human activity," to apply scientific reasoning, and finally arrive at natural law. (Greene, "Samuel Johnson and 'Natural Law,'" *J.B.S.*, II (1963), 70.) Ap-

parently, Mr. Greene means *moral* natural law. This assumes that men can translate the indicative empirical facts of descriptive science into the imperative values of normative ethics, and can move with ease from what *is* to what *ought to be*. But the language of science is in the indicative, not the imperative mood. The thorny question of values has long divided scientists, and it has been noted recently that scientists themselves doubt that the scientific method of reasoning, following empiricism, can establish moral values:

To the . . . question, 'Can science establish moral values?', scientists themselves give sometimes a 'Yes' and sometimes a 'No' answer . . . So far as I myself can see, science as such cannot by its very definition establish values. I rest my case on a very simple statement made . . . by an official scientist of great repute, namely, Dr. Vannevar Bush. 'A Value,' he said, 'cannot be deduced from a statement of fact.' That seems to me to be conclusive: Science is concerned only with facts, and statements of facts cannot define a value. (Joseph Wood Krutch, "The Uses of Literature in an Age of Science," *Saturday Review*, Dec. 5, 1964, p. 80.)

Johnson understood this vital distinction and admired the intellectual achievements of scientists without making science the basis of morality.

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February, 1965