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James Dundas and his Concept of Moral Philosophy

Alexander Broadie

I James Dundas, First Lord Arniston

James Dundas (c.1620–1679), the first Lord Arniston,[1] was a Scottish landowner, lawyer, politician and, we should now add, philosopher – though this last aspect of his life could not have been known to the author of the entry on Dundas in the recent *Oxford Dictionary of National Biography*.[2] In his final year Lord Arniston wrote a book on moral philosophy, entitled *Idea philosophiae moralis*. It has never been published and the manuscript has remained in the library of his home, Arniston House on the Arniston estate some miles south of Edinburgh.[3] The book merits close study. In this paper I shall introduce James Dundas, shall then describe his book in broad outline, and finally shall offer an account of his concept of moral philosophy. Reason will be given for judging Dundas's voice to be a significant element in the rich but under-researched field of seventeenth-century Scottish philosophy.

In broad outline his life followed the pattern of his father's, for Sir James Dundas *père* (1570–1628) was the owner of the Arniston estate, had been a member of the College of Justice, and had twice been elected member of parliament for Edinburghshire.[4] He died when his son was about eight years old. Mary, the wife of Sir James Dundas *père*, was deeply committed to the presbyterian cause and, as we shall see, her son closely resembled her in this.

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[1] I owe a debt of gratitude to Althea Dundas-Bekker of Arniston for her generosity both in allowing me to study James Dundas's manuscript *Idea philosophiae moralis*, and also in granting me permission to quote from the book *ad libitum*. I am no less grateful for the hospitality that she has extended to me during my many visits to Arniston House.

[2] My main source of biographical information about James Dundas is George W. T. Omond, *The Arniston Memoirs: Three Centuries of a Scottish House 1571–1838*, (Edinburgh: David Douglas, 1887; hereinafter 'Omond') especially chs 3 and 4.

[3] With the support of the Leverhulme Trust, I am preparing an edition for publication.

[4] Omond, Ch. 2.

In 1635 James Dundas *fils* went up to St Leonard's College in the University of St Andrews (the college which his father had entered half a century earlier), and it was almost certainly the regent James Guthrie who took young Dundas's cohort of students through the full cycle of arts subjects. James Guthrie is an interesting person in his own right, a fully-committed presbyterian who, at an early stage of his career and perhaps throughout his career, was probably much influenced by Samuel Rutherford, author of the work of political philosophy *Lex Rex*. Guthrie's politico-religious stance was directly responsible for his execution in 1661, and indeed Rutherford himself would probably have met the same fate had he too not died in 1661, a year after investigations were initiated into his alleged high-treason. These remarks are of relevance to the task of identifying the influences that shaped James Dundas as a philosopher.

I know of no extant record of Dundas's activities at St Leonard's College. It is recorded in the account books of Arniston that in 1636 a Greek grammar and Mercator's Geography were purchased and that James Dundas's name was inscribed in them, and it might be supposed that these works were for his use at St Andrews.[5] But in the absence of any record of his activities at St Andrews we cannot even say whether he remained there for the full cycle of studies. As regards the grammar book he might reasonably be thought to have studied it, since at the end of his days he displays a considerable knowledge of Greek texts, and quotes from them in a rapid and practised hand.

On 12 December 1639, at the presbytery of Dalkeith, whose jurisdiction included Arniston, Dundas signed the National Covenant, a document composed a year earlier in response to the attempt by Charles I to establish an episcopalian form of ecclesiastical government in Scotland. The Covenant's signatories declared a commitment to presbyterianism and therefore rejected episcopalianism (even if this rejection is not explicit in the document). Within seven months of signing, Dundas had himself become a presbyter, an elder of the Kirk, and there is ample evidence of his activities in the Kirk's government, at least in his local presbytery.

In 1641 he married Marion Boyd, daughter of Robert, 7th Lord Boyd of Kilmarnock (1595–1628); and James Dundas thus became related through Marion to two distinguished Scottish men of letters of the early years of

[5] *Atlas, or a geographicke description of the regions, countries and kingdomes of the world*, by Gerhard Mercator (printed by Henry Hondius and Jon Johnson, Amsterdam) was published in 1636, the year in which Mary Dundas bought a copy of Mercator's *Geographia* for her son. Whether the 1636 edition was the one Mary bought is not yet known.

the seventeenth century. For Robert Boyd, Dundas's father-in-law, who had studied at the Protestant college of Saumur in France, was a cousin of Robert Boyd of Trochrig (1578–1627), a distinguished Scottish theologian who taught at the Protestant colleges at Montauban (1599–1604) and Saumur (1604–15) before becoming principal of Glasgow University;[6] indeed Robert Boyd, Dundas's father-in-law, had been a student of Robert Boyd of Trochrig at Saumur. And Dundas's father-in-law was also a cousin of Zachary Boyd, who was a regent professor at Saumur (1611–15), before becoming rector and then vice-chancellor of Glasgow University. Robert Boyd of Trochrig and Zachary Boyd both dedicated their lives to the Presbyterian cause, and Dundas's own commitment to that same cause was unswerving. As well as signing the National Covenant he also signed the Solemn League and Covenant, a document that aimed to further strengthen the place of presbyterianism in Scotland and in England too. Dundas also had several public roles. He twice served on the Committee for War, he became a Member of Parliament for Edinburghshire in 1648, and he was a colonel of foot.[7]

The strength of Dundas's commitment to the Covenants can be measured by the manner in which his legal career, barely started, came to an untimely end. He had never received formal legal training, but nevertheless succeeded in persuading the Scottish legal authorities of his legal competence, and in May 1662 he was nominated an ordinary Lord of Session and in the following month became a member of the College of Justice, with the title Lord Arniston. He was now a judge. But his new status did not last long. In August 1663 an Act of Parliament affirmed that those who had signed the Covenant could not 'exercise any public trust or office within the kingdom' unless they subscribed to a declaration of renunciation of the Covenant. Dundas refused to make any such declaration unless he were permitted at the same time to qualify his renunciation of the Covenant with the words: 'in so far as it [the

[6] At Saumur he taught philosophy, theology, Hebrew and Syriac, and at Montauban philosophy and Greek. For information on Robert Boyd, see Marie-Claude Tucker, 'Les professeurs écossais dans les académies protestantes françaises aux XVIe et XVIIe siècles', in *Les outils de la connaissance, enseignement et formation intellectuelle en Europe entre 1453 et 1715*, eds J.-C. Colbus and B. Hébert (Roanne: Université St. Etienne, 2006).

[7] His regiment of foot was probably raised with money that he himself provided, and recruitment may have been based in the area where he possessed estates. His service was probably fairly notional, if not wholly honorific. His career does not suggest martial accomplishment, though he may have anticipated seeing active service, in which connection we should recall that the Battle of Dunbar took place in 1650. I am grateful to Dr Lionel Glassey for this clarification regarding Dundas's role as colonel of foot.

Covenant] led to deeds of actual rebellion'.[8] Charles II offered Dundas a private audience at which he could affirm his reservation. But Dundas refused, saying: 'If my subscription is to be public, I cannot be satisfied that the salvo should be latent'. In January 1664 his place in the College of Justice was declared vacant. He had been a judge for barely a year and a half.

After vacating his place in the College of Justice in 1664, he played little part in public life. Many years later a local minister, who was probably reliable as a repository of knowledge of the history of the Dundas family, reports that, after Dundas's removal from the College of Justice: 'He retired to the family estate of Arniston where he spent the remainder of his days in domestic bliss – and in cultivating a taste for polite learning'.[9] That he cultivated such a taste cannot be in doubt in view of what appears to be the most significant product of his retirement, to which I now turn.

The product was his book *Idea philosophiae moralis*. It is definitely his, for on it he wrote his signature more than twenty times, as well as writing, and repeating, 'Jacobus Dundas est huius libri legitimus possessor' ('James Dundas is the rightful owner of this book'). Although the title page declares the book to have been begun on 7 April 1679, it may be supposed that that was the date when Dundas began to write what he intended to be the definitive version. He died in October of the same year and the book, written in neo-Latin, is 313 pages long, about 67,000 words. Almost all of it is in a rather neat hand and the probability, merely conjectural at this stage, is that Dundas was writing on the basis of an earlier draft. The book is in fact in two hands. Some 98 per cent of it is in one style of handwriting, and two per cent is in another (certainly the first is Dundas's hand and almost certainly the second is also). One can only conjecture about the reason for the two styles.

In the last couple of pages the hand deteriorates markedly; it is probable that Dundas was by then a dying man. Indeed the ending, written in a severely distorted hand, could hardly be more abrupt. Dundas makes a brief comment about the moral relation between parent and child and adds 'James Dundas &c &c &c &c'; at which point the narrative closes. There are thereafter some thirty blank pages. On the inside back cover Dundas twice inscribed a line by Virgil: 'O mihi praeteritos referat si Jupiter annos' ('If only Jupiter would

[8] See 'James Dundas' in *Oxford Dictionary of National Biography*. On the other hand, from Sir Alexander Hume (in a letter to Dundas) we learn that Dundas's intention was to 'disclaim all ordinances that may lead to the disturbances of the public peace' – a rather broader qualification. See Omond, 28–9.

[9] 'Parish of Borthwick', by The Rev. Thomas Wright, in *New Statistical Account of Scotland*, 1845, Vol. 1, 170. The entry is dated 1839.

return to me my past years').[10] We have no means of knowing at what stage in the composition of the book he penned the verse. Though no evidence has yet come to light concerning the motive for writing the book, it might well have been that he wanted to get clear on some important matters in light of a Virgilian sense he had that he was running out of years in which to achieve this.

Dundas and his book ended together. He died after writing fifteen pages about death, in particular on suicide, war and duelling, though the last few lines of the book, on the relation between parent and child, were implicitly on the idea of life, of continuity through one's family. To complete my biographical narrative it should therefore be added that James Dundas's son Robert (d. 1726), second Lord Arniston, was a distinguished Scottish judge; James Dundas's grandson Robert (1685–1753) was Lord President of the Court of Session, Solicitor-General for Scotland and Lord Advocate; and James Dundas's great-grandson Henry Dundas (1742–1811), Viscount Melville, was Solicitor-General and Lord Advocate, and for three decades (1775–1805) Scotland's political manager. James Dundas's ambitions in the Scottish legal world, unfulfilled in his own lifetime, were more than fulfilled through the lives of his direct descendants during the following century.

In the next section I shall describe the book in general terms and shall then offer a more detailed account of its opening few pages. I aim to convey a sense of the philosophical character of the work rather than to offer a sustained analysis of his wider moral philosophical vision. As regards that character I shall provide evidence that it can fairly be described as scholastic, a continuation in the New Order of a kind of philosophising characteristic of the Old. I shall also point to evidence that there is an autobiographical dimension to the book.

II *Idea philosophiae moralis*: A general description

The book is based on a wide knowledge of the philosophical literature, especially that of Greece and Rome; a few medieval philosophers are also referred to; and so also are many from the sixteenth and seventeenth centuries. As regards ancient sources Dundas makes explicit reference to over fifty figures, including Socrates, Plato, Aristotle, Zeno, Cicero, Democritus, Epictetus,

[10] *Aeneid*, VIII, 560.

Epicurus, Lucretius, Seneca, Sextus Empiricus, Tertullian and Lactantius. The medieval thinkers invoked include Augustine, Boethius, Anselm, Aquinas, Henry of Ghent, and Duns Scotus. And about forty post-medieval thinkers are quoted or referred to, including Ramus, Amyraut, Bacon, Bellarmino, Beza, Bramhall, Buchanan, Burgersdijck, Cajetan, Fonseca, Molina, Scaliger, Descartes, Gassendi, Grevinhovius, Grotius, Heerebord, Hobbes, Hornebeck, Keckermann, Lipsius, Maccovy, Culverwell, Henry More and Samuel Rutherford. This formidable list provides strong evidence for the claim, made in the *Statistical Account for Scotland*, that during his retirement Dundas 'cultivated a taste for polite learning'.

The book is composed of approximately fifty-six sections. These can be seen as falling into several groups which are sequenced in an orderly way. In the first half-a-dozen sections Dundas gives a general account of what moral philosophy is. He begins by establishing the existence of moral philosophy and then works towards a definition of it *per genus et differentiam*. This discussion is conducted within a largely Aristotelian framework. Secondly, a long sequence of sections deals with the nature of good and evil and especially with what may be thought to be the highest good, happiness. Thirdly, about eight sections focus on free will, on what it is and what the scope of its power is; here Dundas demonstrates a good knowledge of Jesuit writings in the field, and especially in the area of Molina's exploration of the idea of *scientia media*, God's knowledge, not of what does occur, but of what would occur if something else were to. Fourthly there are about fourteen sections on moral virtue and vice, considered in general and then considered at the level of particular virtues such as prudence, sincerity and fortitude. Then there are four sections on moral issues relating to people killing people – here the topics are suicide, war and duelling. And the last section, which was unfinished, is on justice, a topic which is closely connected to the immediately preceding sections on killing, since in each of these latter Dundas is attentive to issues of legality.

III *Idea philosophiae moralis* on what moral philosophy is

Dundas begins his exploration of moral philosophy not by asking what moral philosophy is, but by arguing that there is such a thing as moral philosophy; and only after establishing that it exists does he raise the scientific question of what its nature or essence is. First he shows 'quod est' – *that* it is – and then he asks 'Quid est?' – 'What is it?'

We are in a position to know that moral philosophy exists because we know enough to recognise it when we see it, whatever it may be in its essence. In particular we know that there are doctrines about how we should live, doctrines that direct us towards goodness according to the dictates of practical right reason. Not only are there in fact such doctrines, but, as Dundas indicates, this is not at all surprising, because moral philosophy is so useful; for when we get into certain kinds of practical difficulty that arise in the light of our felt need to gain happiness and to live well, it is important to have a doctrine that will help us to resolve those difficulties. The concept of the practical intellect is central to this account for, as Dundas puts the point, moral philosophy, by its precepts, directs the practical intellect regarding the way in which it should judge what is to be done, so that it should tame and rectify the passions and moderate them. He sums up the practicality of moral philosophy: 'The moral philosopher, having this admirable skill, teaches us the sounder ways by which the quicksands of [the corrupt affections] can be avoided and teaches us also the means by which the brute passions can be tamed'.[11]

Since it is the practical intellect that is doing the work of moral philosophical thinking, it is to be classed as the 'subject' of moral philosophy—not the 'subject matter', but the subject *qua* agent of the moral thinking. As regards moral philosophy's immediate object this is dual—there is both a material object and a formal one. The material object (*obiectum materiale*) is human action, and the formal object, which informs a human action, is what Dundas terms the 'producible honesty (*honestas*)' of a human act, or the act's rightness with respect to its honesty. The complex that is formed from these two objects, the material and the formal, is a human act informed by honesty and, we are told, all things in the field of morality are ordered in relation to such acts.

On the basis of these thoughts, all of them familiar from classical and medieval sources, Dundas approaches the definition of moral philosophy where, by 'definition', he means 'definition *per genus et differentiam*'. First, what is the genus, the general category to which moral philosophy belongs, and then what differentiates moral philosophy from other species that fall under that same genus? His method is to set up five candidates for the title of 'genus', and eliminate each in turn, leaving the field to a sixth. The five are intuitive reason (*intelligentia*), philosophical wisdom (*sapientia*), scientific knowledge

[11] 'Moralis philosophus tanquam peritus palmaris docet quibus sanioribus effugiendae sint istius modi syrtes quibus etiam mediis domandae sint bruti passiones' (*Idea*, 3).

(*scientia*), art (*ars*) and practical wisdom (*prudentia*), all of these being technical concepts that play a prominent role in Aristotle's *Nicomachean Ethics*.[12]

First, the genus of moral philosophy is not intuitive reason, for intuitive reason is a disposition by which we have cognitions of first principles of the intellect. Even if we deploy such cognitions on behalf of practical ends, intuitive reason cannot be the genus of moral philosophy, for intuitive reason cognises objects, whereas moral philosophy is about *making* objects, that is, producing in the real world what had only existed in the mind as an object of thought.

Secondly, moral philosophy is not philosophical wisdom, and this for the same reason as the one just invoked. Aristotle describes philosophical wisdom as a conjunction of intuitive reason and scientific knowledge,[13] and since the latter two consist in a kind of cognition of their object and not in a making of their object, whereas moral philosophy is a disposition to produce things in the real world, moral philosophy cannot fall under philosophical wisdom.

Thirdly, moral philosophy does not fall under the genus 'scientific knowledge', since the objects of scientific knowledge are necessary, that is, are necessary principles, and are therefore not in our power, whereas moral philosophy is aimed at human actions and therefore at what is in our power. Fourthly, moral philosophy is not an art. Dundas's explanation is that someone is not described as skillful through having moral philosophy but is described only as morally good through having it.[14] The underlying issue here concerns teachability. Arts are teachable, and those who have learned how to practice an art are skillful at it; if therefore moral philosophy is not a matter of being skillful at being moral, and it surely isn't, then moral philosophy is not a kind of art.

Fifthly, moral philosophy does not fall under the genus of practical wisdom. Practical wisdom is defined as: 'an active disposition with right reason concerning the things that are good or evil for man'. This account of practical wisdom seems in the right territory for moral philosophy; but it is, if anything, too close, since practical wisdom is generally acknowledged to be one of the cardinal virtues of morality. However, the crucial point for Dundas is that a person can be practically wise yet fall short of being a moral philosopher, and here he has in mind the different sorts of behaviour of the two agents:

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[12] See especially *Nicomachean Ethics,* III, 6.

[13] *Nicomachean Ethics*, VI, 3.

[14] 'Non est habitus effectivus, eius obiectum non est ποιητον 'ακριβως; nec hinc denominatur quis peritus, ut ab arte, sed duntaxat moraliter bonus.' (*Idea*, 5).

'though there are practically wise people with a natural experiential practical wisdom, they are not so certain and prompt without moral philosophy, especially with respect to elicited acts, but if not, then with respect to commanded acts'.[15]

The distinction here deployed between elicited acts (*actus eliciti*) and commanded acts (*actus imperati*), a common distinction in medieval philosophy of action, is based on the doctrine that when, by an act of will, we do something in the natural world, then there are in fact two acts, first the act of will, conceived of as a command to the relevant bit of the body over which the will has power, and secondly the act that is the bodily movement that occurs in obedience to the will's command. The first act is the will's, the *actus elicitus*, and the second is the body's, the *actus imperatus*. So Dundas is here allowing that someone who is more practically wise than he is moral philosophical might be less prompt with his *actus elicitus* than the moral philosopher would be, and that even if he is as prompt with the *actus elicitus* he might then be less so with the *actus imperatus*.

It should be added that Dundas immediately opens up this picture for scrutiny by noting that being well versed in moral doctrines is in fact compatible with being less practically wise with respect to actions; to which end he quotes a famous line by Medea where she declares: 'I see the better and approve of it, and I follow the worse'. Dundas suggests that Medea here has two judgments in mind, an absolute moral judgment and also a judgment concerning the here-and-now, where the judgment is based on what seems agreeable or useful, without the motive of honesty being considered with sufficient seriousness.[16] To this Dundas adds that: 'seemingly Descartes should be understood in this sense when he says in the *Meditations* that the cause of every error and iniquity is that the will extends beyond the practical intellect, with an absolute judgment being made that does not weigh everything with sufficient seriousness, especially in relation to intellectual and practical principals and rules of morality'.[17] Dundas appears to be saying that even if Medea has seen

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[15] 'Licet dentur prudentes prudentia naturali experimentali, non tamen tam certi et prompti sine philosophia morali praesertim quoad actus elicitos, si non autem quoad imperatos' (*Idea*, 6).

[16] 'Video meliora proboque, sc. judicio absoluto et in thesi, sed deteriora sequor, sc. judicio comparato pro hic et nunc in hypothesi, ex motivo apparentis jucunditatis vel utilitatis, non considerato saltem satis serio, motivo honestatis' (*Idea*, 6, and Ovid, *Metamorphosis*, VII, 20)..

[17] 'Quo sensu intelligendus videtur Cartesius ubi in *Meditationibus* ait, causam omnis erroris et iniquitatis esse quod voluntas ulterius extendatur quam intellectus sc.

the better and approved of it, she has not looked at the better long enough or hard enough. She may have seen something that could serve as a basis for a sound moral judgment but she has not, in Descartes's terms, 'weighed everything with sufficient seriousness'. And as regards Descartes's account of the will going further than the intellect has gone on matters of theory and of practice, Dundas draws this conclusion: 'Though such people are versed in theory they will not merit being called moral philosophers unless they are moral philosophers in practice; for a cognition, especially a practical cognition, is in vain if it does not lead to action'.[18] Thus the term 'moral philosopher' does not apply to anyone merely on account of their being well versed in the writings of moral philosophers; a moral philosopher must also be a philosopher who is moral. Dundas's commitment to moral philosophy as a way of life could hardly be clearer.

So having rejected five candidates for the title 'proximate genus of moral philosophy' Dundas accepts a sixth: 'It is a practical disposition or (if you wish) practical knowledge tending towards a proximate object in the practical mode of object as regards its production, a practical mode directed by honesty and moral goodness, in conformity with moral rules … '[19] The proximate object should be thought of as something that the agent proposes to do or make. It is not just the thought of an action but instead is the thought of an action that I intend to make my own in a special way by performing it. And the action will have moral value. Dundas uses the phrase 'directivo secundum honestatem et bonitatem moralem' to describe the practical mode of the object. By this Latin phrase he can be indicating either that the agent is being directed *by* the values of honesty and moral goodness or is being directed *to* them, that is, is being directed to the performance of an act that embodies those values. Earlier we noted Dundas's deployment of the distinction between the material object and the formal object of moral philosophy, the material object being the action itself that is to be performed and the formal object being a moral quality, the honesty or rightness of the act. There is a certain ordering

practicus, judicio absoluto omnia non perpendente satis serio, praesertim quoad principia intellectiva et practica vel regulas morum' (*Idea*, 6). For Descartes on error in its relation to will and intellect, see *Meditation* IV.

[18] 'Licet tales versati sint in theoria morales stabunt philosophi non merentur denominari nisi tales sint in praxi; nam frustra est illa cognitio praesertim practica, quae non reducitur in praxin' (*Idea*, 6).

[19] 'est habitus practicus vel (si vis) scientia practica, tendens in objectum proximum modo practico obiecti quoad productionem directivo secundum honestatem et bonitatem moralem, nempe conformitatem cum regulis morum … ' (*Idea*, 6).

here. The action is for the sake of its moral quality, not vice versa, and can be thought of as having instrumental value in so far as the action is a delivery vehicle for the moral worth of what is done. The moral philosopher seeks to deliver moral value to the real world.

Now that Dundas has identified the proximate genus of moral philosophy he has only to add the specific difference, that which differentiates moral philosophy from other species under that same genus, and he will have arrived at his definition. The definition he gives of moral philosophy is this: 'It is a practical disposition to perform human actions with respect to honesty and is directed by the laws of nature'.[20] To which he adds: 'It comes to the same thing as the common definition, that it is an effective disposition with right reason, concerning things which are good or bad for a human being, that is, concerning human actions which would be in conformity with rules of morals'. Here the proximate genus appears to be: 'a practical disposition to perform human actions' and the specific difference seems to be: 'having regard to honesty and being directed by the laws of nature'. However, the proximate genus, the sixth one, that Dundas had earlier identified, flowered so richly while he was expounding it, that it is hard to see the difference between it and the definition that eventually emerges. No doubt had Dundas lived to revise the text, this problem would have been resolved.

I turn now to a last point, that concerning the utility of moral philosophy. It is already clear that Dundas thinks the world would be a better place if everyone were a moral philosopher, since being one implies living a morally good life. For we learn from it how to be a judge of what is honest and what is base, what is useful, what is not; we learn also what the specific means are by which our unbridled desires and passions can be tamed and calmed; and we learn how tranquillity of mind and true happiness are to be acquired.[21] Nevertheless as well as thinking that everyone would be better for being a moral philosopher, he also identifies three classes of people whose status or role picks them out as in need of moral philosophy. The classes are theologians (and Christians more generally), lawyers and orators.

Moral philosophy is useful to Christian theologians, and indeed to Christians whether theologians or not, because it teaches us the laws that

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[20] 'Est habitus practicus actionum humanarum quoad honestatem directivus legibus naturae' (*Idea*, 7).

[21] '… docens honesti et turpis discrimen, quod rectum, quod utile, quod non, et quibus speciatim mediis, domandae et sedandae sint effrenes libidines et passiones, et sic acquirenda animae tranquillitas et vera felicitas …' (*Idea*, 8).

are engraved in the hearts of all human beings and thereby teaches us the things that are honest in the sight of all people. Secondly, moral philosophy is useful to those who study law, because moral philosophy teaches us the first practical principles, the moral principles that we know by the light of nature and whose violation or neglect is inexcusable. These principles are the foundation of all other good laws. And finally, moral philosophy is useful to students of eloquence or oratory, because without moral philosophy what the faculty of speech delivers up is not eloquence but stupid chatter – *non est eloquentia sed inanis loquentia* (*Idea*, 8). He adds a further point about the relation between moral philosophy and oratory: 'From the "commonplaces" of moral philosophy, namely the equal, the good, the honest, the agreeable, the useful, the glorious and their contraries the dishonest, the useless, the shameful, etc., there is a very rich foundation of reasons and arguments, whether you are praising, blaming, persuading, dissuading, accusing, condemning, or defending'.[22] All these speech acts are characteristic of politicians and lawyers and the nine commonplaces are concepts introduced by Aristotle in the course of his analyses of oratory in his *Ars rhetorica*.

However, Dundas does not at this stage articulate in detail the relation between moral philosophy and the disciplines of theology, law and eloquence, for which moral philosophy is said to be useful. But he does say that where the moral philosopher stops, the theologian and the lawyer start. To which he could equally have added that the rhetorician also then starts. It may be supposed that Dundas means by this, not that at the point where the theologian, lawyer and rhetorician start, the moral philosopher vanishes, but instead that the theologian, lawyer and rhetorician each take up moral philosophy into their own discipline. Each of the specific disciplines brings something to moral philosophy, whether what it brings be divine revelation, or positive law, or commonplaces and forms of argument useful for someone arguing a case before a jury or a political assembly.

Dundas was a deeply religious man, widely read in Christian theology; he was also a politician and a judge, and therefore had a lively interest in oratory of both the political variety and the forensic. The opening part of his *Idea philosophiae moralis*, which I have been considering here, provides reason therefore to expect that there will be an autobiographical dimension to the book

[22] '…ex huius topicis aequo bono honesto jucundo utili glorioso et contrariis inhonesto inutili turpi etc, uberrima motivorum et argumentorum seges sive laudes sive vituperes suadeas dissuadeas accuses damnes vel defendes' (*Idea*, 8). These nine 'topics' or 'commonplaces' (in Greek, τοποι) are invoked in Aristotle's *On Rhetoric*.

and, in fact, as the book progresses religious and legal materials become quite abundant.

More important in terms of our understanding of the history of Scottish thought in the seventeenth century is Dundas's scholasticism. The author is a presbyterian scholar who manifestly operates within a linguistic and conceptual framework familiar to the medieval world. Thus Dundas's book illustrates a feature of seventeenth-century Scotland that merits closer study than it has yet received – namely the fact that with the arrival of the Protestant Reformation in Scotland, a significant element of the Old Order, and, in particular, its scholasticism, was taken up into the New Order,[23] where it continued to flourish.[24]

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[23] Some material is to be found in Richard Muller, *After Calvin: Studies in the Development of a Theological Tradition* (Oxford, 2003); and David Bagchi and David Steinmetz (eds), *The Cambridge Companion to Reformation Theology* (Cambridge, 2004).

[24] This paper was written as part of the Leverhulme International Network Project 'Scottish philosophers in seventeenth-century Scotland and France', which will be active from 2010 to 2013 and of which I am the Principal Investigator. I am grateful to the Leverhulme Trust for facilitating my work on James Dundas, first Lord Arniston. Giovanni Gellera, Laurent Jaffro, Roger Mason, Christian Maurer, Steven Reid and Marie-Claude Tucker attended a Leverhulme-funded workshop at Glasgow University in November 2010 at which a version of this paper was delivered. I thank them for their comments. I am grateful to Patricia S. Martin for her invaluable help with the James Dundas manuscript.