

Joseph Priestley and the Birth of the Politics of Community

Joseph Priestley, *Political Writings*, ed. Peter N. Miller, (Cambridge University Press, 1993)

Joseph Priestley was born in 1733 into a Calvinist family. He graduated from Daventry Academy in 1751, and entered a career in which he was sometimes a minister in dissenting churches, sometimes an educator, and also served as librarian to the Earl of Shelburne. Priestley became a Socinian, and also joined the Club of Honest Whigs. He was elected a Fellow of the Royal Society, and later in America was received into Franklin's Philosophical Society. The author of more than 150 books he wrote on a broad range of philosophical, historical and scientific topics. He is most known for his discovery of oxygen. Because of his support for the French Revolution, life became difficult for him in England and in 1794 he emigrated to the United States, settling in Pennsylvania. On his arrival in New York he was greeted by the Mayor of the City and the Governor of the State of New York. In Philadelphia he was received by President George Washington. He died in 1804.

Almost the whole of this volume consists of *An Essay on the First Principles of Government, and on the Nature of Political, Civil, and Religious Liberty*.

Priestley opens his essay in political philosophy with an expression of his belief in fundamental progress in the past and an extravagant hope for improvement in the future, which marks him as very much a man of the Enlightenment.

But a man of this time, who has been tolerably well educated, in an improved christian country, is a being possessed of much greater power, to be, and to make happy, than a person of the same age, in the same, or any other country, some centuries ago. And, for this reason, I make no doubt, that a person some centuries hence will, at the same age, be as much superior to us.

The great instrument in the hand of divine providence, of this progress of the species towards perfection, is *society*, and consequently *government*. (p. 9)

He then describes how, with the increase of population and the increased interconnectedness of that population, people are able to specialize in all areas of art and science, and as these increase, subdivide the areas of knowledge and activity and specialize even more, so that all are extended and improved.

Thus, whatever was the beginning of this world, the end will be glorious and paradisaical, beyond what our imagination can now conceive. Extravagant as some may suppose these views to be, I think I could show them to be fairly suggested by the true theory of human nature, and to arise from the natural course of human affairs.

This introduction takes him to his real topic, the nature of government and the nature of liberty.

Government being the great instrument of this progress of the human species towards this glorious state, that form of government will have a just claim to our approbation which favours this progress, and that must be condemned in which it is retarded. (p. 10)

He then, “to begin with first principles,” invokes the state of nature of people living “independent and unconnected; who are exposed, without redress, to insults and wrongs of every kind, and are too weak to procure themselves many of the advantages, which they are sensible might easily be compassed by united strength.” They then “for their common good, must voluntarily resign some part of their natural liberty, and submit their conduct to the direction of the community.” But whereas in a small community the whole community might assemble to determine matters that affect the community, in a numerous or geographically extended polity this is impossible. In these cases the power of the community must be placed in the hands of deputies.

For Priestley, whatever form this state takes, even if ruled by a king or dictator, these rulers are deputies, or representatives of the people, if they constitute a government, for that is what government is. If these deputies “consult not the good of the whole society, whose representatives they are” they they are making a wrong judgement or taking wrong measures, in the same sense in which a popular assembly would be said to do the same if they did not take into account their own good when making a decision. (p. 11)

No maxims or rules of policy can be binding upon them, but such as they themselves shall judge to be conducive to the public good. Their own reason and conscience are their only guide, and the people, in whose name they act, their only judge. (pp. 11-12)

After laying out this principle, Priestley immediately defines political and civil liberty.

POLITICAL LIBERTY ... is the power, which the members of the state reserve to themselves, of arriving at the public offices, or, at least, of having votes to the nomination of those who fill them.

CIVIL LIBERTY [is] that power over their own actions, which the members of the state reserve to themselves, and which their officers must not infringe. (p. 12)

It may seem odd to speak of the power of magistrates as liberty, but the reason for it is readily apparent. In the state of nature a person has original liberty, some of which he surrenders in order that a state may be created and that he may become a member. That liberty, which he gives up, does not cease to exist but passes to the magistrate, and to those who participate in the process of selecting the magistrate, and is then named political liberty.

Civil liberty is whatever liberty is left over to all members of the state after they have given up that part of their liberty which makes up the political liberty. A couple of things need to be stressed. First, even civil liberties are something that belong to members of the state. It exists in the context of the state, and is different from natural liberty which was only good as far as an individual had the strength to assert and defend it. As was the case with political liberty, so also with civil liberty, natural liberty has undergone some conversion, taking the forms of these new types of liberty. Second, what people nowadays, at least in the United States, call civil rights does not make this distinction between political and civil liberty. Civil rights is now simply what someone can get the state to force people to confer on him. Our present habits of mind take some adjustment to think in terms of political versus civil liberty.

Priestley next takes up a more detailed exposition of political liberty. The perfect political liberty exists where every member of society has an equal chance at the offices that exercise the political liberty. This has never actually existed, for “all governments whatever have been, in some measure,

compulsory, tyrannical, and oppressive in their origin.” Compulsory, *n.b.*, in origin. The objection is not to a government that is compulsory in its subsequent conduct, as that is what political liberty is. But compulsion in origin interferes with the perfect operation of the social contract to give everyone and equal chance at power.

His next claim seems discordant.

And since every man retains, and can never be deprived of his natural right (founded on a regard to the general good) of relieving himself of all oppression, that is, from every thing that has been imposed upon him without his own consent; this must be the only true and proper foundation of all the governments subsisting in the world, and that to which people who compose them have an unalienable right to bring them back. (p. 13)

Immediately we want to know: 1) What is a natural *right*, as distinct from that natural *liberty* which was converted to either political or civil liberty? 2) How can a right, whose existence precedes the community, be *founded* on the good of the community? 3) If everyone has the right of relieving himself of *all* oppression, and *all* governments are oppressive, is everyone put in opposition to all governments? Oppression is here defined as that which is imposed without consent, which is the sense in which he said all government were formed to some degree. 4) Why is this right unalienable, unlike a natural liberty, which is?

In his next paragraph he seems to redefine this natural right, saying “that all people live in society for their mutual advantage; so that the good and happiness of the members, that is the majority of the members of any state, is the great standard of which every thing relating to that state must finally be determined.” (p 13) This seems to be his official position, with the way of speaking in the previous paragraph, and the problems arising, being the remnants of earlier political philosophies he had not yet expunged from his thinking. But he retains the habit of moving between the individual perspective and that of the group without taking into account how this affects the perspective and the nature of natural rights.

The natural right is the right of the community, or of the individual in the community, depending on how he looks at it. But this is not the standard idea of a natural right in social contract theory. The community is the product of the social contract, and so it is *constructed*, not *natural*. Priestley speaks of his surprise about how previous writers on the topic have missed this idea of the formation of government based on the good of the general community, but he does not notice that his idea embodies a contradiction.

But he plunges ahead to even more radical, but essential points for his position. “Virtue and right conduct consist in those affections and actions which terminate in the public good; justice and veracity, for instance, having nothing intrinsically excellent in them, separate from their relation to the happiness of mankind; and the whole system of right to power, property, and every thing else in society, must be regulated by the same consideration: the decisive question, when any of these subjects are examined, being, What is it that the good of the community requires?” (p. 14) This is the key principle that makes Priestley’s political philosophy a *liberal* one, in our contemporary sense, and distinguishes it from *conservatism*. The function of government is not to act on the basis of truth or justice. The function of government is to pursue what the good of the community requires. The “right to power, property and everything else” is subordinated to the good of the community as determined by government. This is not some hidden implication. Priestley is explicit about this.

After a long discussion of the practical problems of setting up a fair enduring government, he takes up the argument often advanced by those who benefit from a corrupt government, “pleading for its support by those abominable perversions of scripture, which have been too common on this occasion; as by urging in its favor that passage of St. Paul, *The powers which be are ordained of God*, and others of a similar import. It is a sufficient answer to such an absurd quotation as this, that for the same reason, the powers which *will be* will be ordained of God also.” (p. 19) In other words, as soon as a revolution or other overthrow of the state succeeds, it becomes what is ordained of God.

Something, indeed, might have been said in favor of the doctrines of *passive obedience* and *non-resistance*, at the time when they were first started; but a man must be infatuated who will not renounce them now. The Jesuits, about two centuries ago, in order to vindicate their king-killing principles, happened, among other arguments, to make use of this great and just principle, that *all civil power is ultimately derived from the people*; and their adversaries, in England, and elsewhere, instead of showing how they abused and perverted that fundamental principle of all government in the case in question, did, what disputants warmed with controversy are very apt to do; they denied the principle itself, and maintained that *all civil power is derived from God*, as if the Jewish theocracy had been established throughout the whole world. From this maxim it was a clear consequence, that the governments, which at any time subsist, being *the ordinance of God*, and the kings which are at any time upon the throne, being the *viceregents of God*, must not be opposed. (pp. 19-20)

This leads to a discussion of what to do with oppressive rulers once a rebellion against them succeeds. Here Priestley involves himself once more in his confusion about the relation of nature to community.

If it be asked how far a people may lawfully go in punishing their chief magistrates, I answer that, if the enormity of the offence (which is of the same extent as the injury done to the public) be considered, any punishment is justifiable that a man can incur in human society. It may be said, there are no laws to punish those governors, and we must not condemn persons by laws made *ex post facto*; for this conduct will vindicate the most obnoxious measures of the most tyrannical administration. But I answer, that this is a case, in its own nature, prior to the establishment of any laws whatever; as it affects the very being of society, and defeats the principle ends for which recourse was originally had to it. (p. 23)

This begins to throw more light on his idea of the natural right to rebel. An unjust government somehow undermines or destroys the social contract that made the community (“the very being of society”) because it nullifies the end for which this society came into being. This somehow resurrects the prior natural liberty. The logic seems to be: oppression dissolves the social contract, and with it political liberty, bringing on a revolutionary situation that operates under natural liberty. But if the revolution punishes the magistrates of the previous state, any punishment that “a man can incur in human society” may be applied because we are in a pre-society condition once again. See the contradiction when the punishment is in the context of society? Priestley also never explains the process by which the revolution passes once more from a state of nature to a state of society, for he was always of half a mind that the society never ended in the first place.

He next tells us: “The sum of what hath been advanced upon this head, is a maxim, than which nothing is more true, that *every government, it is original principles, and antecedent to its present form, is an equal republic*; and consequently, that every man, when he comes to be sensible of his

natural rights, and to feel his own importance, will consider himself as fully equal to any other person whatever.” (pp. 24-25) He has already admitted that no such equal republic ever existed in the world. But it somehow exists “in principles” and also natural rights, and here Priestley speaks of individuals, who can still become aware of their natural rights.

These natural rights, whatever they are, do not include the right to property. For in the same paragraph he tells us: “The consideration of riches and power, however acquired, must be entirely set aside, when we come to these first principles. The very idea of property, or right of any kind, is founded upon the regard to the general good of the society, under whose protection it is enjoyed; and nothing is properly *a man’s own*, but what general rules, which have for their object the good of the whole, give to him.” (p 25) So any entitlement to property only comes from what is good for society as a whole, and in fact this is the case for a “right of any kind”. The community precedes, and is the source of, all rights. And this in spite what he was just telling us about the natural right to overthrow the social order, on the basis of an *individual* feeling of *individual* equality.

He continues: “Whoever enjoys property, or riches in the state, enjoys them for the good of the state, as well as for himself; and whenever those powers, riches, or rights of any kind, are abused, to the injury of a whole, that awful and ultimate tribunal, in which every citizen had an equal voice, may demand the resignation of them”. (p. 25) This is exactly where we are today, with the insistence by liberals that rights are relative, that the rights acknowledged in the amendments of the Bill of Rights are subject to the good of society, as determined by the government, and so on. These are not ideas that the liberals just invented but have been around since the first years of the republic.

Priestley can easily revert to the individualist, natural rights, social contract view. “No man can be supposed to resign his natural liberty, but on conditions. These conditions, whether they are expressed or not, must be violated, whenever the plain and obvious ends of government are not answered; and a delegated power, perverted from the intention for which it was bestowed, expires of course. Magistrates therefore, who consult not the good of the public, and who employ their power to oppress the people, are a public nuisance, and their power is abrogated *ipso facto*.” (p. 26)

In the section of Civil Liberty he first considers the degree to which conduct should be regulated by law versus what should be left to individual decisions. Then he discusses what is best done by groups and what is best done by individuals. Discovering truth, as in science, is best done by individuals as society could never be brought to a consensus. But he says “there is a real difficulty in determining what general rules, respecting the extent of the power of government, or of governors, are most conducive to the public good.”(p. 31) The only way to find out, he suggests, is by experiment.

Priestley’s chapter on education is amazing. He is responding to a suggestion by a Dr. Brown for “a proposed code of education” by which he meant “a system of principles, religious, moral and political, whose tendency may be the preservation of society, as they are enjoyed in a free state, to be instilled effectually into the infant and growing minds of the community.” (p. 40) To this proposal Priestley opposes a catalogue of objections.

1) Education is an art, which he compares to husbandry, architecture, and ship-building. As such it must be improved by experiment and trial. The art of education is still in its infancy. An establishment of a government scheme of education would freeze the state of education in its infancy and deprive it of a needed and lengthy development.

2) “Education ... is properly that which *makes the man*. One method of education, therefore, would only produce one kind of men; but the great excellence of human nature consists in the variety of which it is capable.” (p. 45) A government establishment of education would only create one type of man, to the great detriment of the nation.

3) An establishment of education would be “prejudicial to the great ends of civil society, ... the happiness of the members of it.” (p. 46) Domestic relations are the greatest source of happiness, and by taking children away from their parents and putting them under the control of the agents of the state this domestic happiness is destroyed. He is not arguing for the protection of the domestic sphere due to some status or integrity of the family institution which must be respected, but only for the happiness of the individual adult members.

4) So great is his horror of a state establishment of education that he forgets his guiding principle that “no maxims or rules of policy can be binding upon them [the magistrates], but such as they themselves shall judge to be conducive to the public good,” and he brings God into the matter. “If any trust can be said to be of God, and such as ought not to be relinquished at the command of man, it is that which we have of the education of our children, whom the divine being seems to have put under our immediate care; that we may instruct them in such principles, form them to such manners, and give them such habits of thinking and acting, as we shall judge to be the greatest importance to their present and future well being.” (p. 47) He cites the case of what the “poor Jews in Portugal suffered; many of whom cut the throats of their children, or threw them into wells, and down precipices, rather than suffer them to be dragged away to be educated under the direction of a popish inquisition.” (p. 48)

5) The difficulty of setting up a system of education is greater than any expected good result. “Whatever be the *religious, moral, and political principles*, which are thought conducive to the good of society, if they must be *effectually instilled into the infant and growing minds of the community*, it can never be done without taking the children very early from their parents, and cutting off all communication with them, till they be arrived to maturity, and their judgments be absolutely fixed.” (p. 49)

6) Such an establishment of education would alter the constitution and destroy its freedom. “This education would have to be universal and uniform and ... must, therefore, be conducted by *one set of men*.” This set of men would train the youth to favor that aspect of government which supported the interests of this set of men, and which would thereby gain the ascendancy in society.

Considering the whole of what hath been advanced in this section, I think it sufficiently appears, that education is a branch of civil liberty, which ought by no means to be surrendered into the hands of the magistrate; and that the best interests of society require, that the right of conducting it should be inviolably preserved to individuals. (p. 52)

Lately the greatest objection to the measures taken by governments on account of the China CCP virus is that the state schools were closed and the children were *not* taken and placed in those institutions. How did we reach this situation where the greatest horror is considered to be the greatest service that the state provides to the family?

From education he turns to religious establishment, which takes up the remainder and larger part of his book. Most of the discussion is about the peculiar situation of the Church of England or particular arguments made by some defenders of church establishment. Priestley advances and refutes many specific arguments, many of them of the slippery slope type, also called the camel’s

nose in the tent type of argument. A second large class of arguments are about the advantages of church establishment which he seeks to debunk, or the advantages of no such establishment. What we will look at are his ideas of what religion is and therefore the social meaning of its establishment.

Basic to Priestley's whole approach to religious establishment is his extremely minimalist idea of what religion is.

It is, indeed, impossible to name any two things, about which men are concerned, so remote in their nature, but that they have some connections and mutual influences; but were I asked what two things I should think to be in the *least danger* of being confounded, and which even the ingenuity of man could find the *least pretence* for involving together, I should say the things that relate to *this life*, and those that relate to the *life to come*. Defining the object of civil government, in the most extensive sense, to be the making provision for the secure and comfortable enjoyment of this life, by preventing one man from injuring another in his person or property; I should think that office of the civil magistrate to be in no great danger of being inchoached upon, by the methods that men might think proper to take, to provide for the happiness after death. (p. 53)

His concept of religion is very like a mystery religion, something to manage the prospects for the soul in the afterlife. Because the impact of religion on this life is so nearly nil, arguments for making it the interest of the civil magistrate have little purchase.

Priestley had no idea at all of a Christian society. To the extent that the advocates of religious establishment employed in their arguments any ideas that verged on the idea of the Christian society, Priestley is satisfied with denying the social idea and therefore the cogency of the argument. Nobody that Priestley addresses in his replies, and perhaps nobody at all, defined a Christian society beyond the idea of a state with a church establishment and certain legal disadvantages to those who were not members. There was one argument that he took on that asserted the advantage of a religiously unified society, but Priestley merely pointed out that the argument, doubtful in itself, could just as well serve for the establishment of a papist, Mohammedan or pagan society, such as would persecute the advocates of the Church of England establishment themselves.

As his idea of the Christian religion is so restricted he gives little weight to the problem of the freedom to practice that religion when it is not the source of the ruling principles of society. In one place Priestley does bring up what freedom he needs to practice his religion, supposing it to be the same for Christianity in general.

Religion is sometimes considered as of a *personal*, and sometimes as of a *political* nature. In some measure, indeed, everything that concerns individuals must affect the societies which they compose; but it by no means follows, that it is, therefore, *right*, or *wise* for societies (*i.e.* mankind collectively taken) to intermeddle with every thing....

These, and many other reasons, lead me to consider the business of religion, and every thing fairly connected with it, as intirely a personal concern, and altogether foreign to the nature, object, and use of civil magistracy.

.... The duties of religion, properly understood, seem to be, in some measure, incompatible with the interference of the civil power. For the purpose and object of religion necessarily suppose *the powers of individuals*, and a *responsibility*, which is the consequence of those

powers; so that the civil magistrate, by taking any of those powers from individuals, and assuming them to himself, does so far incapacitate them for the duties of religion. If, for instance, I be commanded by divine authority to *search for scriptures*, and the magistrate forbid me the use of them, how can I discharge my duty? ...

As a being capable of immortal life ... I must endeavour to render myself acceptable to God, by such dispositions and such conduct, as he has required, in order to fit me for future happiness. For this purpose, it is evidently requisite, that I diligently use my reason, in order to make myself acquainted with the will of God; and also that I have liberty to do whatever I believe he requires, provided I do not molest my fellow creatures by such assumed liberty. (pp. 64-65)

The requirements of Christianity, then, are mainly about investigations into the truth, and have little impact on relations with others, certainly do not bring harm to others, so the state has no excuse to get involved.

There is one place where he allows the possibility of the demands of religion to go further into the civil sphere, and his response to this is strange. Suppose that a Mohammedan ruler converted to Christianity, and noticing the command of Christ against polygamy the ruler made polygamy illegal.

I answer, that, whatever regulations the civil magistrate may adopt, yet, in his adopting of them, and enforcing them by civil penalties makes them, confessedly, to be of a civil nature, he is not intitled to obedience with respect to them, so far as they are of a religious nature. (p. 72)

So whereas in his general theory of state power he thought the state had a right to legislate without regard to any transcendent norm, but only with a view to the good of the community, here the magistrate's law is void, just in case the magistrate passed it with a religious intention!

Priestley does have a general argument for religious freedom.

All civil societies, and the whole science of civil government, on which they are founded, are yet in their infancy. Like other arts and sciences, this is gradually improving; but it improves more slowly, because opportunities for making experiments are fewer. ... Taking it for granted, therefore, that our constitution and laws have not escaped the imperfections which we see to be incident to every thing human; by all means, let the closest attention be given to them, and let their excellencies and defects be thoroughly laid open, and let improvements of every kind be made; but not such as would prevent all farther improvements.... (p. 109)

He goes on to argue that a religious establishment is just what shuts down further improvements.

Priestley's political philosophy, because it was based on appeal to the general good of the community, as perceived by the state, and explicitly not based on truth, justice or transcendent authority, is clearly an early form of what in contemporary usage is called liberalism, and is in opposition to conservatism. That the author of these ideas was personally welcomed to America by President George Washington shows us the ease with which such ideas could attain respectability, and influence. How far Washington understood their implications might be questioned, but he must have had some general idea of the thinking that established Priestley's reputation.

Despite this fundamental political philosophy, Priestley was intensely opposed to education in the hands of the state and also to censorship. Priestley was a political critic of the state, a religious dissenter, and even a heretic. Censorship was directed against him and the views he championed and so also would have been a government education establishment. Now that education is controlled by the ideological heirs of Priestley and censorship is enthusiastically deployed by them, in the name of the good of the community, would Priestley change his position in these circumstances? Also new is the mass media of real time broadcasting, and the invention of modern propaganda techniques. Could Priestley's individualistic outlook survive? Priestley had no grasp of what would now be called sociology. There is a weakness throughout his arguments against religious establishment because his opponents seem to have a better grasp of how society functions. Would not Priestley's Enlightenment faith have to die and take his ideals of individual freedom with it? Without a foundation on transcendent values does it make sense to stand against the politics of community?