

ARTICLES

David Hume's Theory of the State

Henrique Schneider^a

Keywords: emerging order, functionalism, David Hume, theory of the state

<https://doi.org/10.35297/001c.138835>

Journal of Libertarian Studies

Vol. 29, Issue 1, 2025

David Hume, a seminal figure in the Scottish Enlightenment, proposed a functionalist theory of the state that diverges significantly from the reliance of his contemporaries on divine right or social contract theories. Hume posited that the state emerges from practical societal necessities rather than philosophical or divine origins, emphasizing its role in managing complexity and facilitating social and economic interactions. This theory posits that a state's legitimacy and functions are contingent upon its effectiveness in addressing societal needs. This article critically examines Hume's rejection of divine right and social contract theories, highlighting his empirical approach to understanding the state's organic development from human interactions and societal norms. It also explores the strengths and weaknesses of Hume's functionalist perspective, including its pragmatic foundation, alignment with social conventions, and potential inconsistencies in addressing individual agency and state complexity. Ultimately, Hume's theory provides a compelling framework for evaluating political institutions based on their practical outcomes and societal benefits, offering valuable insights into contemporary political thought.

David Hume (1711–76), a prominent Scottish Enlightenment philosopher, applied his empirical philosophy extensively to political theory. Unlike his contemporaries, who often grounded their theories of the state in concepts such as divine rights or social contracts, Hume developed a functionalist theory, asserting that the state or government (as an organization entrusted with the actions and powers necessary for governing), arises from practical necessities rather than contractually or by divine command. Hume's theory posits that the state evolves in response to society's practical needs, particularly the management of complexity and the facilitation of social



This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CCBY-4.0). View this license's legal deed at <http://creativecommons.org/licenses/by/4.0> and legal code at <http://creativecommons.org/licenses/by/4.0/legalcode> for more information.

^a Henrique Schneider (hschneider@gmx.ch) is an independent scholar. The author would like to thank three anonymous referees for helpful suggestions on drafts of this article. Remaining deficiencies in the article are the author's responsibility alone.

and economic interactions. This perspective is grounded in observations of human behavior and the organic development of societal norms rather than in abstract normative principles.

Hume's take on the state or government (terms that will be used synonymously) will be characterized in this article as a functionalist theory, with functionalism meaning that the state exists to assume functions that individual community members cannot. The state exists because of its function, emerging from the needs of a growing, increasingly complex community. The state capitalizes on the return on complexity—that is, its complex organization benefits society, and the state is legitimized by this benefit. However, as with most productive processes, complexity has a diminishing return rate. At some point, the state becomes so complex that it can no longer effectively exercise its functions.

This article reviews Hume's empirical approach to understanding the state, focusing on his critiques of existing theories and his functionalist theory for the emergence and continuation of governmental structures. Hume argues that the legitimacy and functions of the state are contingent on its effectiveness in addressing society's specific needs, which means capitalizing on its own complexity. This functional view shifts the discussion from theoretical justifications of political authority to an analysis based on practical outcomes and societal benefits, examining the utility and disutility of complex organizational structures in societal governance. The first section explains why Hume developed his own theory rather than associating himself with established theories. The second section provides a brief explanation of the term "commercial society" to provide background for Hume's thought. The third section delves deeper into Hume's functionalism, and the fourth assesses its strengths and weaknesses. The conclusion outlines some features of Hume that can be "salvaged."

What Is Hume Against?

David Hume positioned himself against the prevailing theories of his era on the origin and necessity of the state. He found them speculative and lacking empirical foundation. He also thought they led to problematic outcomes. Notably, he criticized the two main types of theories of his time: divine command and social contract. These critiques reflect his broader philosophical commitment to empiricism and his skepticism of speculative reasoning (Milton 1982, 25).

Hume feared that both dominant theories of the state were just fictions employed to justify power. In "Of the Original Contract," he characterizes them as retrospective rationalizations of authority rather than accounts of true origins. In his words, "Almost all the governments, which exist at present, or of which there remains any record in story, have been founded originally, either on usurpation or conquest, or both, without any pretence of

a fair consent or voluntary subjection of the people” (Hume 1987, 471). Just as contract theorists retrospectively impose the idea of consent, defenders of divine right retrospectively impose a sacred origin on essentially secular and often violent acts of state formation.

According to Hume, the theory of divine command is not only false but also dangerous. Its main political problem is the conceptual separation between rulers and people, or the independence of the ruler from the people. With this independence comes a lack of accountability. In a passage full of irony, Hume states:

That the DEITY is the ultimate author of all government, will never be denied by any, who admit a general providence, and allow, that all events in the universe are conducted by an uniform plan, and directed to wise purposes. As it is impossible for the human race to subsist, at least in any comfortable or secure state, without the protection of government; this institution must certainly have been intended by that beneficent Being, who means the good of all his creatures: And as it has universally, in fact, taken place, in all countries, and all ages; we may conclude, with still greater certainty, that it was intended by that omniscient Being, who can never be deceived by any event or operation. But since he gave rise to it, not by any particular or miraculous interposition, but by his concealed and universal efficacy; a sovereign cannot, properly speaking, be called his vice-gerent, in any other sense than every power or force, being derived from him, may be said to act by his commission. (Hume 1987, 466–67)

The full logical problem is voiced at the end of the same paragraph: “A constable, therefore, no less than a king, acts by a divine commission, and possesses an indefeasible right” (Hume 1987, 467). Within the same paragraph, Hume observes that if divine command were true, even the rule of usurpers would be legitimized (467). As any status quo seems immediately to be endorsed by the omniscient Being, neither the process of becoming the ruler nor the place or the people ruled seems to be of importance.

Hume criticizes divine command as incompatible with any notion of liberty or civil rights since it places rulers above human judgment. Additionally, Hume found no empirical data to corroborate this theory. Its direct appeal to transcendence made it unempirical and therefore, in Hume's view, a lacking theory. On the other hand, Hume did not think that absolutism was inherently illegitimate. It could have emerged tacitly from social organizations to address some community problems. It could be society's response to singular challenges in organizing complexity. While not agreeing with divine command absolutism on normative grounds, Hume allowed for it to be a social product, a function of society, on analytic grounds (Okie 1985, 14).

Hume was equally critical of the concept of the social contract as popularized by thinkers such as Thomas Hobbes and John Locke. He found these theories speculative because they posited an original contract or agreement that supposedly took place in a mythical presocial past—an event for which Hume saw no historical evidence or practical basis. According to Hume, the notion that society originated from a collective agreement to institute a government did not align with empirical observations of how societies develop and maintain order. He was particularly skeptical of the idea that continued obedience to a government implies tacit consent. He dismissed this view as fiction since most individuals are born into political societies and do not have a meaningful opportunity to choose their allegiance. “Should it be said,” he asks, “that, by living under the dominion of a prince, which one might leave, every individual has given a *tacit* consent to his authority, and promised him obedience; it may be answered, that such an implied consent can only have place, where a man imagines, that the matter depends on his choice. But where he thinks (as all mankind do who are born under established governments) that by his birth he owes allegiance to a certain prince or certain form of government; it would be absurd to infer a consent or choice, which he expressly, in this case, renounces and disclaims” (Hume 1987, 475). For Hume, the conditions necessary for actual consent—voluntariness, choice, and informed agreement—are simply absent in the lives of ordinary people under most political systems.

On empirical grounds, Hume was particularly dismissive of Thomas Hobbes's theory. There are two main arguments against it. First, the precommunity natural state proves unhistorical and, therefore, unempirical. Second, it is incorrect to assume that communities or societies without a state are constantly engaged in internal war: North American Indians prove that several nonstate forms of organization can be conducive to peace (Sagar 2018, 101–29). Both these arguments carry special weight for Hume's preferred approach, functionalism. By implication, the first argument suggests that we examine societies and how they function factually and contemporaneously rather than appealing to a possibly unhistorical past. The best groundwork for a theory of state, which is a derivative of a theory of society, is the actual structures of society. The second offers an important insight: the mode of governance of a society depends on its overall structure; that is, governance mirrors the environment, culture, and mode of living together, including everyday undertakings and exchanges. Searching for the “best” type of state or government is the wrong query; instead, political theory is about looking for the “fitting” structure of governance at a specific time.

These critiques notwithstanding, Hume does concede that social contract theory at least seeks to limit the government's power and empower the governed, even if it is historically implausible: “If we would say any thing to the purpose, we must assert, that every particular government, which is lawful, and which imposes any duty of allegiance on the subject, was, at first,

founded on consent and a voluntary compact. But besides that this supposes the consent of the fathers to bind the children, even to the most remote generations, (which republican writers will never allow) besides this, I say, it is not justified by history or experience, in any age or country of the world” (Hume 1987, 471). Here, Hume suggests that contract theory is politically preferable to divine command theory because it provides a normative basis for resisting tyranny and checking absolute rule.

Rather than resting on consent, Hume argues that political obligation is grounded in utility. People obey governments not because they once agreed to do so but because such institutions serve a practical function: they provide order, security, and stability. As he puts it,

It must here be asserted, that the commerce and intercourse of mankind, which are of such mighty advantage, can have no security where men pay no regard to their engagements. In like manner, may it be said, that men could not live at all in society, at least in a civilized society, without laws and magistrates and judges, to prevent the encroachments of the strong upon the weak, of the violent upon the just and equitable. The obligation to allegiance being of like force and authority with the obligation to fidelity, we gain nothing by resolving the one into the other. The general interests or necessities of society are sufficient to establish both. (Hume 1987, 481)

This emphasis on utility leads Hume to defend the legitimacy of established governments that promote the common good, regardless of their origins. He also stresses the role of custom and social habituation in shaping political allegiance. Individuals learn obedience through education and the force of tradition rather than through rational reflection. Political authority becomes embedded in social life over time, and its legitimacy is reinforced by habit rather than by conscious agreement.

Ultimately, Hume concludes that long-standing governments that effectively serve their populations may be entirely legitimate, even if they arose unjustly or without consent. In his view, political legitimacy rests not on transcendental intervention or hypothetical agreements but on the actual benefits that institutions confer upon society.

Hume and the “Commercial Society”

Clarifying Hume’s background in the development of his political history and political theory is helpful. Like many others in his time, he witnessed the institutional transformation of the state. Using history as empirical data, Hume discerned different types of political organization that accompany different types of societies, including tribes, medieval fiefs, kingships, and states ruled by laws and other constraints. Recalling his insight into political theory as the search for the “fitting” state and mindful of his dismissal of

tales of origin for legitimizing the state, Hume was contemplating which form of governance best suited a commercial society (Berry 2013, 101–46). This type of society is characterized by the exchange of goods and services, with trade and economic interactions at its core, central to its organization and functioning. In such a society, individuals (including people and businesses) engage in exchange, often over a series of transactions—also referred to as a supply chain—and equally often without personal knowledge of each other throughout the entirety of the chain of transactions. In this type of society, personal trust is replaced by a network of conventions and rules, which are guaranteed and ultimately enforceable by a system of governance, the state (Ratnapala 2003).

Hume identified property, markets, and money (which he often referred to as “promises”) as the foundational conventions that facilitate trade and economic transactions. These conventions are not innate but develop as humans engage in commerce, evolving as society becomes more complex (Boyd 2008). The rules and conventions of a commercial society arise from the need to organize and manage the complexities of economic interactions, ensuring that contracts are fulfilled, debts are paid, and disputes are settled. Hume believed that social order in a commercial society emerges naturally through human interactions rather than through deliberate design, as a result of individuals’ pursuing their self-interest within a framework of established conventions (Mitchell 2021).

As a commercial society grows and becomes more complex, mechanisms are needed to manage this complexity. A growing commercial society—expanding in terms of individuals engaged in business and the scope of commercial ties—leads to growing complexities and tensions that cannot be resolved, for example, by virtues alone or through informal mechanisms within that society. Instead, the state or government emerges to fulfill the function of alleviating complexity, making it manageable for individual members of commercial society by mitigating tension, resolving conflicts, providing organization, and reducing transaction costs (Schabas and Wennerlind 2011). To translate Hume’s insights into more contemporary terms, the state’s role in managing complexity enhances the positive externalities of commercial society and exacerbates same-side and cross-side network effects. Additionally, by potentially and factually resolving disputes, the state acts as insurance against disruptions to commerce. In its best interpretation, the insurance established by the state provides safety, incentivizes insured entities to act in alignment with the broader societal goal, and enhances resilience when disruptions arise. Naturally, the state is accompanied by many collateral problems, but this best interpretation is key to understanding how the state fits commercial society within the Humean explanation.

Hume's Functionalist Theory of the State

As has been reviewed, Hume sought a theory of the state that explains how certain forms of government are best suited for a commercial society. He dismissed divine command and social contract theories as flawed. His explanation was functionalist.

Hume did not develop a specific or separate theory of the state. Instead, he had a theory of human interaction. Christopher J. Finlay (2004) refers to it as a theory of civil society. In Hume's analysis, the contemporary—his contemporary—society was commercial (i.e., marked by agents exchanging goods and services). Such a society, as any, has rules, or, in Hume's language, conventions. These rules emerge from society's organizational mode. In the *Treatise of Human Nature*, Hume (2007, bk. 3, pt. 2, secs. 2–4, 5j) argues for three fundamental rules emerging from such a commercial society: property, markets, and “promises” (which Wennerlind 2002 interprets as money). Hume calls these conventions “secondary virtues,” where “secondary” means they are not in human nature but evolve as humans do.

The rules or conventions of society arise from the bottom up, stemming from the need of the society to self-organize. Hume saw most social rules as an emerging order. He believed that societies are not typically designed or planned by any central authority but rather evolve naturally over time through the interactions and behaviors of individuals. As people engage in trade, exchange goods and services, and pursue their self-interest, behavior patterns and social norms gradually develop. These patterns and norms can lead to an “order” in society, even though it arises without a deliberate design (Hume 2007, bk. 3, pt. 2, sec. 3).

For Hume, a commercial society is bound to face challenges. For one thing, he did not believe that the incentives humans face to keep their promises are vital. Therefore, a commercial society requires conventions to ensure that people fulfill their contracts and pay their debts. Hume also believed there are many cases of conflict in which the involved parties cannot settle their differences. In such cases, commercial society requires a dispute settlement scheme. Therefore, in addition to the aforementioned conventions, commercial society also develops procedural conventions (i.e., methods for resolving conflicts) (Hume 2007, bk. 3, pt. 2, sec. 5).

In Hume's view, commercial society can become so complex that a new function is called into being as a standing organization to carry out a procedural convention. Commercial society developed the organization of the magistrate to operate the process (convention) of settling disputes. From this organization on, the government arose, enabling scalable collective action (Hume 2007, bk. 3, pt. 2, sec. 8). In other words, the growth of a society, its economic development, and the competition within it (e.g., between groups) facilitate the establishment of a government (Wennerlind 2002).

A growing society is beneficial for its members. Hume was referencing a commercial society's positive externalities or network effects without using these terms. Positive externalities occur when, in addition to the parties directly involved in a transaction, third parties benefit from the transaction. A network effect occurs when the addition of new users to a network benefits other users of the same network. Hume alluded to the increase in supply and diversity of goods in a commercial society, as well as to the possibilities for price differentiation, innovation, and the increased number of opportunities for individual agents (Wennerlind 2002).

On the other hand, governing a large society or network can be demanding. Potential pitfalls and transaction costs are significant in such a web of interactions. One way to prevent pitfalls and lower transaction costs is to manage complexity through effective organizations and processes, which is why the state plays a role. Through the state, the scale, positive externalities, and network effects can be harvested while their costs are minimized. In this way, there is an increasing return on complexity.

Note that, for Hume, the process of societal development is natural, but its path and outcomes are not predetermined. The state as we know it is a contingent outcome of commercial society. It is a way to manage complexity while minimizing transaction costs. It is neither a natural element nor a requirement. It is just helpful because it performs a function—hence his “functionalist” theory of the state.

In this view, because the government emerges from the needs of society and fulfills the function of organizing society and benefiting its members, additional consent is not required. On the contrary, members of society ought to follow the state because doing so benefits them and all others. As the organizer of network effects, the state enfolds such effects. The more people follow its laws, the better off all people are. While there is a clear appeal to self-interest, there is also the normative appeal to follow the state. The self-interested agent does so to benefit himself, but moral obligation arises from following the laws that benefit everyone else (Hardin 2009, 56–101; Harris 2010).

This system, however, imposes two limits on the government (the state). The first relates to laws. Should the state's laws interfere with the unfolding of commercial society or put people at a disadvantage, people would stop following them. When the state fails to fulfill its function, it becomes an obsolete organization and will lose its following. Note that this is not a claim about legitimacy. Nevertheless, as people disregard some rules, if they find them outdated or detrimental, they stop following the government. The same social convention that creates the state can dismantle it.

The second limit comes from the positive returns on complexity. The government is helpful because it enables complex societies to navigate complexity by reducing transaction costs. Should the government itself become too complex, its positive returns turn negative. The reason is that there is a diminishing marginal product to complexity. Should the state or government turn out to be too complex, this product amounts to zero or turns negative. Should the state contribute to this zero or negative product, it creates disutility of scale, thereby losing its “social glue” (Hardin 2009, 56–101). Naturally, Hume did not explain these signs of the state’s decay in these terms, which are grounded in modern social science. Nevertheless, the terms are a bona fide analytical systematization of Hume’s thoughts.

Regarding a question of great importance in his time, Hume even asserted the right to revolution in cases where either of these limits to the state was violated by the state—although he disapproved of revolution (Sabl 2002), instead proposing that governments and laws evolve organically through human interaction and the gradual accumulation of social customs. Such evolution is not the result of a deliberate contract but a natural consequence of humans living together and needing to solve everyday problems. Hume’s critique extended to the normative implications of contract theory; he disputed that political obligations could be derived solely from such an uncertain historical event (Whelan 1994).

David Hume’s theory of the state in “Of the Original Contract” and the *Treatise of Human Nature* shares significant intellectual affinities with the argument developed over two centuries later in *The Calculus of Consent*, by James M. Buchanan and Gordon Tullock (1962). Though working in very different historical contexts, both Hume and the public choice theorists offer a pragmatic, secular, and utility-based account of political legitimacy. They reject traditional foundations of government—such as divine right or a literal social contract—and instead view political authority as a product of human conventions formed and sustained by their usefulness in promoting order, cooperation, and mutual benefit. Hume as well as Buchanan and Tullock emphasize the functional and instrumental nature of political institutions. Hume insists that institutions evolve through experience and people gradually come to accept them because they work. He writes that individuals “willingly consent, because they think that, from long possession, [a prince] has acquired a title, independent of their choice or inclination” (Hume 1987, 475). Buchanan and Tullock (1962), while more formal and mathematical in their approach, share this insight: political arrangements are accepted and sustained because they coordinate expectations and produce better outcomes than the absence of government. Like Hume, they argue that the justification for any political arrangement lies not in tradition, theology, or abstract rights but in its capacity to solve problems of social coordination.

Another shared feature is the hypothetical nature of consent. Hume ridicules the notion that any actual “original contract” ever took place: “By such arts as these, many governments have been established; and this is all the *original contract*, which they have to boast of” (Hume 1987, 470). Nonetheless, he allows that popular consent is a helpful idea when it reflects actual utility and peace. Buchanan and Tullock (1962, 43–62) similarly reject the need for historical consent, replacing it with a model of hypothetical agreement: what rational individuals would have agreed to under fair conditions. Thus, both approaches treat consent as a normative benchmark, not a historical fact.

Moreover, Hume and Buchanan and Tullock both favor rule-based, impersonal forms of government. Hume’s emphasis on conventions, laws, and the slow accretion of political order through custom parallels Buchanan and Tullock’s focus on rule formation at the constitutional level. In both cases, political legitimacy arises not from the identity of rulers but from the stability and acceptability of the rules under which authority is exercised.

Finally, both Hume and the public choice theorists adopt an evolutionary lens: they view political institutions as the result of human adaptation to the needs of cooperation rather than as the product of divine will or conscious, one-time agreements. Hume observes that political authority often begins with force but becomes accepted over time and through its utility. Buchanan and Tullock describe the formation of constitutional rules as an ongoing process of negotiation, learning, and revision, guided by the aim of minimizing the costs associated with collective decision-making.

Functionalism Evaluated

Hume’s conception of the state has several strengths. First, he views the state as an emergent order that provides a foundation for people’s actions. As a result of human agency, the state is not necessary but merely a contingency. It follows from this conception that the state is not above the people but merely a human institution, like any other. Second, conceiving the state as an outcome of human conventions aligns the laws of the state with the conventions, or rules, already shared by people and followed by them. Hume is read here as understanding that this alignment extends beyond custom and convention, encompassing natural law. Third, Hume’s theory of the state dispenses with speculation about divine command or the natural state of humankind. It expressly accommodates nongovernment natural states. Without such speculation, Hume’s theory proves to be falsifiable by empirical tests, which is a marker of a good theory. Fourth, Hume links the state to its function, particularly the tasks it must fulfill in a commercial society. The functionalist view of the state sees the government as an organization and its laws as service providers to commercial society. It exists as a function of this society and has no other task than to lower the society’s transaction costs. Fifth, functionalism also acknowledges that any law enacted by the government is only valid if it serves the interests of commercial society—or,

in a less radical interpretation, laws will be disregarded by society if they fail to serve those interests, thereby losing their normative power. Finally, a functionalist theory is careful not to set up positions of power, treating all members of the relevant society as equals.

There are, however, many objections to and weaknesses in Hume's theory. Objections can be voiced from the outside (i.e., taking Hume's conception to be mistaken). One such objection is that most democratic states are based on contracts. Otherwise, they would not need a constitution whose theory is based on the social contract and would not use continuous voting—that is, its citizens certifying its legitimacy. Another objection is that there are structures of power outside of the government. Many societies, such as tribes and confederations, have established relationships of subservience. If states emerge from societies, states emerging from these types of societies emulate and codify these practices. If this is the case, however, there is no way to change the state by altering the social practice, because the social practice is bound to the relationships of subservience. Not even a commercial society is free from structures of power. When this society forms a government, these structures are established within it.

Just as interesting as the objections voiced “from the outside” are the Humean theory's intrinsic weaknesses (i.e., parts that seem inconsistent or fall prey to logical errors). The foremost difficulty is the mix of positive and normative theory. On the one hand, the positive functionalist theory of how the state emerges from societal practice is observable and falsifiable. On the other hand, Hume's claim that the people ought to follow the state does not follow the positive theory. Not every order that emerges spontaneously has normative legitimacy. Also, not every order arising from social interaction is shared by the individual agents, even if they partake in that order. It might be argued that Hume makes two mistakes. First, he transitions from a normative statement to a factual one. Second, within the normative statement, he fails to distinguish between the societal level and the individual agent's level.

This second mistake appears consistently in his theory of the state. For example, he argues that it is in the self-interest of individuals to follow social conventions and laws. This claim begs the question. After all, Hume admits that commercial society needs incentives for individuals to follow the secondary virtues because if left alone, not everyone would pay their debts. If this is the case, it stands to reason that there are instances where self-interest conflicts with following conventions. Therefore, there are cases in which following the law is not beneficial to the individual. Hume also asserts that when the individual follows the law, it benefits everyone else. He similarly assumes that all agents share the same motivations, aims, and preferences. These abstractions from individual agency require better explanation. Ultimately, they will fail, at least in their absoluteness.

The architecture of Hume's state poses additional challenges. He submits that the state was created to address the need of commercial society to resolve disputes. However, agents of commercial society often find themselves in disputes with the state, so the state is at odds with itself. If its function is to ease commercial society, it could never be involved in a dispute with it. However, if that is the case, it would follow that it would consequently decide in favor of commercial society and against itself. Hume's empiricism suggests that the state tends to settle disputes in its favor.

Furthermore, Hume appears to understand the concepts of increasing and diminishing returns. The state increases returns on complexity by lowering transaction costs. It decreases returns by creating more transaction costs. However, the impact of the state on complexity is left out of the equation. The law of diminishing marginal returns suggests that even if the state lowers complexity, the more it intervenes, the less complexity is reduced. The point at which state action becomes overbearing is reached much sooner than Hume's second limit on the state suggests. Also, since the state has instruments such as armies, police, and the judicial system, individuals cannot simply abandon or change social practices, as Hume suggests. In other words, the Humean "limits" to the state prove much less effective—if effective at all—than he considers them.

In a final weakness, Hume himself recognizes that states do not mirror only commercial societies; after all, the city originated as a military camp (Ross 2008, 34). Tying the state to commercial society alone is an error in abstraction. Even if the state emerged as a spontaneous order, it did not evolve from a single aspect of society—commerce—alone but rather amalgamated several, including instruments of force. It follows that no state is divided from its forceful components.

Conclusion

David Hume's functionalist theory of the state presents a pragmatic alternative to the normative and often speculative theories of his time. By grounding the state's legitimacy in its practical utility rather than in divine right or an idealized social contract, Hume provides a framework for understanding the state rooted in the observable realities of human social and economic interaction. This approach not only marks a significant departure from the philosophical norms of the eighteenth century but continues to influence contemporary political thought.

Hume's analysis reveals a state that evolves naturally out of human necessity rather than through divine ordinance or human design. His skepticism toward absolute or divinely sanctioned authority challenges the foundational assumptions of political legitimacy and governance. By insisting that the

state's legitimacy is contingent upon its ability to manage complexity and enhance the welfare of its citizens effectively, Hume anticipates modern discussions about the role and scope of government in liberal democracies.

Moreover, Hume's insights into the emergent properties of social orders offer valuable lessons for contemporary political theory. His emphasis on the practical origins of political institutions suggests that the effectiveness of a state should be measured by its responsiveness to the needs of its society, its adaptability to changing circumstances, and its capacity to maintain social order and promote economic well-being. These criteria remain relevant as modern states navigate the complexities of globalization, technological change, and diverse, multicultural populations.

In the contemporary context, Hume's skepticism about the rationalist foundations of political order challenges us to reconsider the basis of our political commitments. His perspective encourages a critical examination of the principles and values that underpin our political institutions, urging a pragmatic approach to evaluating their effectiveness. This is particularly pertinent in an era when political ideologies often polarize societies, leading to gridlock and inefficiency.

Furthermore, Hume's theory addresses the limitations of the state, acknowledging that as societies become more complex, the risks of overreach and inefficiency in governance also increase. This insight is crucial in today's political environment, where debates about the size and role of government are central to policy discussions. Hume's recognition of the diminishing returns on complexity encourages policymakers to consider more streamlined and decentralized approaches to governance, which can better handle the intricacies of modern societies.

David Hume's functionalist theory of the state, with its robust empirical foundation and its focus on the practical aspects of governance, continues to offer a compelling framework for understanding and assessing political institutions. It serves as a reminder of the importance of grounding political theory in the realities of human behavior and societal needs, providing a critical lens through which to evaluate the effectiveness and legitimacy of governmental structures. As we navigate the challenges of the twenty-first century, Hume's pragmatic and skeptical approach to political authority remains as relevant as ever, offering insights that can help foster more responsive, effective, and just governments.

Submitted: October 26, 2024 CDT. Accepted: April 14, 2025 CDT. Published: June 04, 2025 CDT.

REFERENCES

- Berry, Christopher J. 2013. *The Idea of Commercial Society in the Scottish Enlightenment*. Edinburgh: Edinburgh University Press. <https://doi.org/10.3366/edinburgh/9780748645329.001.0001>.
- Boyd, Richard. 2008. "Manners and Morals: David Hume on Civility, Commerce, and the Social Construction of Difference." In *David Hume's Political Economy*, edited by Carl Wennerlind and Margaret Schabas, 65–85. Abingdon, U.K.: Routledge.
- Buchanan, James M., and Gordon Tullock. 1962. *The Calculus of Consent: Logical Foundations of Constitutional Democracy*. Ann Arbor: University of Michigan Press.
- Finlay, Christopher J. 2004. "Hume's Theory of Civil Society." *European Journal of Political Theory* 3 (4): 369–91. <https://doi.org/10.1177/1474885104045911>.
- Hardin, Russell. 2009. *David Hume: Moral and Political Theorist*. Oxford: Oxford University Press.
- Harris, James A. 2010. "Hume on the Moral Obligation to Justice." *Hume Studies* 36 (1): 25–50. <https://doi.org/10.1353/hms.2010.0005>.
- Hume, David. 1987. "Of the Original Contract." In *Essays Moral, Political, and Literary*, rev. ed., edited by Eugene F. Miller. Indianapolis, Ind.: Liberty Fund.
- . 2007. *A Treatise of Human Nature*. Edited by David Fate Norton and Mary J. Norton. Vol. 1. Oxford: Clarendon Press. <https://doi.org/10.1093/oseo/instance.00032872>.
- Milton, Philip. 1982. "David Hume and the Eighteenth-Century Conception of Natural Law." *Legal Studies* 2 (1): 14–33. <https://doi.org/10.1111/j.1748-121X.1982.tb00278.x>.
- Mitchell, Robert. 2021. "Life, Self-Regulation, and the Liberal Imagination." In *Infectious Liberty: Biopolitics between Romanticism and Liberalism*, 186–230. New York: Fordham University Press. <https://doi.org/10.2307/j.ctv1qwwhgf.10>.
- Okie, Laird. 1985. "Ideology and Partiality in David Hume's History of England." *Hume Studies* 11 (1): 1–32. <https://doi.org/10.1353/hms.2011.0052>.
- Ratnapala, Suri. 2003. "Moral Capital and Commercial Society." *Independent Review* 8 (2): 213–33.
- Ross, Ian S. 2008. "The Emergence of David Hume as a Political Economist: A Biographical Sketch." In *David Hume's Political Economy*, edited by Carl Wennerlind and Margaret Schabas, 31–48. Abingdon, U.K.: Routledge.
- Sabl, Andrew. 2002. "When Bad Things Happen from Suitable People (and Vice-Versa): Hume's Political Ethics of Revolution." *Polity* 35 (1): 73–92. <https://doi.org/10.1086/POLv35n1ms3235471>.
- Sagar, Paul. 2018. *The Opinion of Mankind: Sociability and the State Theory from Hobbes to Smith*. Princeton: Princeton University Press. <https://doi.org/10.23943/princeton/9780691178882.001.0001>.
- Schabas, Margaret, and Carl Wennerlind. 2011. "Retrospectives: Hume on Money, Commerce, and the Science of Economics." *Journal of Economic Perspectives* 25 (3): 217–29. <https://doi.org/10.1257/jep.25.3.217>.
- Wennerlind, Carl. 2002. "David Hume's Political Philosophy: A Theory of Commercial Modernization." *Hume Studies* 28 (2): 247–70. <https://doi.org/10.1353/hms.2002.a385865>.
- Whelan, Frederick G. 1994. "Hume and Contractarianism." *Polity* 27 (2): 201–24. <https://doi.org/10.2307/3235173>.