‘The Dirtiest... Most Insignificant and Unpleasant Branch of Military Operations’: Warfare and civilization in the political thought of Adam Ferguson (1723-1814)¹

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The quotation in the title of this paper comes from a letter dated 9 June 1751, written by a young English officer by the name of James Wolfe. Wolfe was then stationed in the Highlands of Scotland to suppress the last flickering embers of the Jacobite rising of 1745. Wolfe wrote the letter to his friend and brother officer, Captain Rickson, who was then stationed with his regiment in North America. It was North American warfare that Wolfe described as:

the dirtiest as well as the most insignificant branch of military operations; no room for courage and skill to exert itself, no hope of ending it by a decisive blow, and a perpetual danger of assassination.²

Wolfe, who was then engaged in suppressing a kind of irregular warfare fought against Jacobite clans still loyal to the ousted Stuart dynasty, clearly felt that the even more irregular, guerrilla-style warfare in America fought between British and French regulars and their Indigenous American allies, was an even worse form of the military art.

There are many twists of fate that make this letter interesting. Most obviously, one is struck by the fact that just eight years later it would be then Major General Wolfe that would end Britain’s struggle against

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France in North America by a ‘decisive blow’ (that also took his life) at Quebec. More interestingly, Wolfe made a connection between the irregular warfare he was engaged in, in Scotland, and the irregular warfare of the backwoods in America. Specifically, he made the observation that the British might have something to gain by employing loyalist Highlanders against the French and their Indigenous allies in the American war. ‘I should imagine’ Wolfe wrote to Rickson:

...that two or three independent Highland companies might be of use [i.e. in America]; they are hardly, intrepid, accustomed to a rough country, and no great mischief if they fall. How can you better employ a secret enemy than by making his end conducive to the common good?3

We have here in this letter a neat reflection on mid-eighteenth century British notions of warfare from a consummate professional. Not only does Wolfe give voice to the then common assumption that European warfare by professional soldiers under strict command in pitched battle was the height of the military art, but he also recognised that European militaries must be able to fight irregular wars by harnessing irregular means. In this way, Wolfe’s letter frames what I want to say about the place of war in the life and thought one of Wolfe’s contemporaries, Adam Ferguson (1723-1814). At the time Wolfe wrote his letter, Ferguson was a member of one of the very same Highland companies he thought would be so serviceable in American warfare. From September 1745 until 1754, Ferguson served as regimental chaplain to the 43rd Highland Regiment, ‘The Black Watch’. His military career underscores a major theme in his work, that the practice of modern war exemplified the historical processes of civilization culminating in disciplined and limited conflicts between sovereign states. This enthusiasm however, led him to the paradoxical conclusion that sovereign militaries may use indiscriminate violence against domestic challengers to sovereignty. Ferguson’s thought and his military career underscore the significance of and the anxieties over warfare and civilization in European Enlightenment thought.

The fame of Adam Ferguson has today been largely overshadowed by his two great contemporaries and friends, Adam Smith and David Hume. Ferguson is best remembered however, as one of the Scottish Enlightenment’s most prescient social and political theorists. He was a forerunner in theorising the effects of the division of labour, the concept of civil society, and the ambiguous status of civilization. Despite his obvious enthusiasm for European civilization, Ferguson remained concerned that the further progress of civilization would render its obvious benefits, such as politeness, polished manners, and discipline, entirely illusory. Civilisation, he felt, may prove to be an all too shaky façade of politeness masking the corruption of virtue by luxury or indolence. Although Ferguson was an early critic of the comfortable self-assurance of progress and ‘civilisation’ inherent in Scottish Enlightenment political economy, he was only ever an ambivalent critic. The process of civilisation was not to be opposed so much as measured and monitored so that its ill effects could be minimised and its truly beneficial effects maximised. Some have attributed Ferguson’s concerns about civilisation to his upbringing in the foothills of the Highlands. This background, it is argued, gave him both a steady attachment to the modernising and prosperous society of the lowlands, and also a profound appreciation of the archaic communities of Gaelic Scotland.4

In fact, Ferguson’s career as well as his thought places him directly on the frontline, as it were, of the spread of Britain’s civilization. He was raised on the borders of Highland Scotland, and learned the ancient Gaelic tongue, the language of the Highland clans, many of whom shared a loyalty to the exiled Stuart dynasty and the old religion of the Catholic Church. But Ferguson was raised a Protestant, his father was a minister in the Presbyterian Church and a member of the Society in Scotland for Propagating Christian Knowledge (SSPCK), which sought to ‘improve’ Highland society by spreading Protestantism and instructing Gaelic

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speakers in the use of English. Ferguson followed his father in studying for the ministry, but in 1745 was given a special dispensation to finish his studies early in order to take up the post as regimental chaplain to the 43rd Highland regiment, the 'Black Watch'. In this capacity, Ferguson served for nearly ten years (1745-1754), and in those early years saw some active battle service in Flanders, and possibly France. Ferguson’s military experience underscores a major theme in his work, that the practice of modern war exemplifies civilisation, but requires the invocation of older less civilized warrior virtues. These two aspects of his thought come together in some curious tales we have of his purported presence at the battle of Fontenoy in 1745. One of these tales in particular, I will argue, reinforces the centrality in Ferguson’s thought of the need for the practice of modern, civilized warfare to be supported by the continuing appeal of old warrior virtues. Although a critic of the comfortable self-assurance of European views of Europe’s superior civilisation, I will conclude that Ferguson’s ultimate commitment to the idea of civilisation resulted in an ambiguous attitude toward Britain’s Empire, and to the question of whether Britain ought always to observe the civilized ‘rules’ of modern war.

The virtues of civilization

Adam Ferguson was an anomalous Enlightenment thinker. His commitment to classical virtues (especially the courage, fortitude and hardness of the warrior) sat awkwardly alongside his awareness of the need for the polished manners of commercial society (especially those based on the primacy of ‘economic self-interest’). In accord with contemporaries such as Smith, Ferguson was convinced that Western European history revealed a progression of the human species from a state of ‘rudeness’ to that of ‘civilisation’ or from ‘barbarism to refinement’. Nevertheless, this development was pregnant with both promise and peril for civilised states and societies.

Characteristically, Ferguson worried that while civilization delivered the benefits of polished manners, commercial prosperity, and social order, it also led to the weakening of virtue. Above all, civilised commercial societies enabled prestige and power to flow to those with the money to purchase it. This effectively sullied the connection made in pre-civil societies between the possession of power and prestige and the display of virtue. His response was to suggest that ways be found to re-integrate the practice of virtue in civilised commercial societies. Above all, he argued that militia service would reinforce public discipline, courage, and the warrior’s skill in individual combat.

Ferguson recognised however, that the practice of virtue in war had been rendered less likely because of broader processes affecting international order. Commerce and the division of labour on which it rested made possible the raising and equipping of large professional armies. Ferguson also saw that commerce itself had altered the very nature of warfare making it subservient to financial rather than dynastic interests:

...what mighty armies may be put in motion from behind the counter; how often human blood is, without any

5 According to Sher, Presbyterian moderates (such as Ferguson) articulated strong rhetorical appeals for Scottish loyalty to the Hanoverian Crown in the face of the ‘45 rebellion that combined a ‘religiously inspired commitment to morality’ with a ‘civic humanist’ appeal to state virtue. Richard Sher, Church and University in the Scottish Enlightenment: the Moderate Literati of Edinburgh (Edinburgh, 1985) pp. 40-41, 63.

8 Ferguson, Essay, p. 241.
9 Ferguson, Essay, pp. 256. His arguments here were drawn from his earlier, Reflections Previous to the Establishment of a Militia, London, MDCCCLVI, esp. pp. 6-15.
national animosity, bought and sold for bills of exchange...\(^{10}\)

Ferguson’s point was not simply that commerce had provided the financial means for raising and provisioning larger armies, but that commerce itself had become a kind of warfare between nations competing for access to resources and markets in the scramble for imperial expansion. The state’s increased capacity to make war was attributed to the division of labour, enabling “the practitioner in every profession...” including that of warfare, to specialise their skills and practice them at an ever higher level of sophistication.\(^{11}\) Although vital in the development of commerce, Ferguson supposed the division of labour also had deleterious effects on the military, in particular doing nothing to improve the character of soldiers or the wisdom of commanders, and he lamented the loss in modern armies of old martial virtues.\(^{12}\)

It is here that Ferguson’s role as Presbyterian clergyman and regimental chaplain complements his theory of civilization. The 43rd regiment had been raised specifically to guard and keep watch on the Highlands of Scotland. For many English and lowland Scots, the Highlands represented a relatively untamed and uncivilized land whose inhabitants, though in close proximity to the civilization of England and lowland Scotland, were thought as dangerous as the supposedly ‘savage’ inhabitants of the colonial frontiers in America and elsewhere.\(^{13}\) Among the particular duties of the 43rd was to confront Jacobite clans whose leaders maintained a more or less public adherence to the Church of

\(^{10}\) Ferguson, Essay, p. 145.

Rome, and devotion to the last heirs of the deposed Stuart dynasty.\(^{14}\) In 1715 and again in 1745 the Jacobite clans had risen in revolt against the Hanoverian crown, and on both occasions had achieved early successes against supine opposition from loyalist and Presbyterian Highland and Lowland Scots. The militancy of both Jacobite and Hanoverian Highland troops was embodied in a complex and evolving Gaelic oral tradition centred on the public recitation of fable, poetry, and song that has been described as the ‘Panegyric Code’.\(^{15}\) This Code consisted in a relatively stable set of mythological, political, social, and moral categories that gave structure to Highland Gaelic verse and song, and which in turn served as the vehicle for the recitation, elaboration and mobilization of the social and moral verities of clan society.\(^{16}\) One important part of the Panegyric Code concerned the appropriate standards of warrior virtue and the rights of leadership. Above all, the ‘Code’ called for the exertion of traditional virtues of loyalty to one’s chief, courage in the face of danger, and the unflinching defence of one’s kin.

Sher suggests that the effort to reconstitute the ancient and unruly martial traditions of Gaelic, Highland Scotland as a valuable store of courage and loyalty to the British Crown, prompted moderate Presbyterian intellectuals such as Adam Ferguson to throw their weight behind the apparent ‘discovery’ of the poems of the supposedly ancient (but actually fake) Gaelic bard, Ossian.\(^{17}\) Although Ferguson’s role in the Ossian controversy is difficult to establish he did have some involvement. And in doing so made it clear that his own birth on the


\(^{17}\) Sher, Church and University, p. 259.
fringes of the Highlands in Atholl gave him some fluency in Gaelic, and a familiarity with the structure of old Gaelic martial verse. Ferguson's nebulous involvement in the Ossian controversy is one expression of his interest in what has been called 'moral revitalization' in Scottish society, spurred in part by the Lowland's supine surrender to the Jacobites. In the wake of this open show of rebellion and surrender, Ferguson and many other Scots evidently saw conspicuous military service as one way of demonstrating Scots loyalty to the British state.

In his double role as both soldier and chaplain, Ferguson was in the unusual position of having to sustain the loyalty and morale of loyalist Highland troops, at least in part through his knowledge of ancient Gaelic fables. When Lord John Murray took command of the 43rd regiment in the wake of mutiny among its soldiers, Murray took the first opportunity to appoint a Gaelic speaking chaplain, the young Adam Ferguson. In making the appointment, Murray made special mention not only of Ferguson's moral suitability for the post, but also his command of the 'Irish language'.

He was duly commissioned on 30 April 1746. By that time however, he was already with the regiment in the field and had been since September 1745 (almost five months after the battle of Fontenoy).

As a chaplain to a Highland regiment, Ferguson occupied a crucial position akin to a morale officer. Under the King's Articles of War, all officers and soldiers in British regiments were enjoined, under penalty, to attend divine worship. As contemporary critics noted, this stipulation was often more honoured in the breach than in the observance. Nonetheless, contemporaries also strongly recommended prayer and the appointment of chaplains with specific duties to lead regular prayer, maintain the moral character of the army (and navy), and to tend in battle to the needs of the wounded and dying. In the Scottish Highland regiments in particular however, chaplains appear to have performed an additional function of administering Protestant rites to soldiers who spoke little or no English, but who may well have been raised as Catholics. In doing so, Highland chaplains were vital to maintaining the morale of the troops by conversing with them in their own tongue, Gaelic. More than that, the chaplains were expected to use the idioms of Gaelic fabes, verse and song.

This brings us to the tales of Ferguson's purported presence at the battle of Fontenoy, on the 11th of May, 1745.

28 For details of Ferguson's movements in this period, see: James Fagg's 'Biographical Introduction', in Morere (ed.), Correspondence Vol I, pp. lxlv-7.
30 Rules and articles for the better government of His Majesty's horse and foot guards, and all other his forces in Great Britain and Ireland... (London, 1749) pp. 3-4.
31 J. Baildon, The army's regulator; or, the British monitor. Discovering I. The frequent infringements upon his Majesty's articles of war... (London, 1758) pp. 39-40, 45-46.
33 Ferguson's one published sermon was preached in Gaelic to his regiment on their brief return to England in December 1746 when it seemed likely they would face their Jacobite army. See, David Kottler, 'History the Theory in Ferguson's Essay on the History of Civil
Adam Ferguson and the Battle of Fontenoy

The battle of Fontenoy is remembered today as the archetypal engagement of Enlightened warfare – each side contending in pitched battle in tightly disciplined ranks. Its chief claim to fame however, rests on a story popularised (if not invented) by Voltaire. Voltaire’s story is set at the climactic moment of the battle as the British (and Hanoverian and Dutch-Austrian) infantry advanced toward the French line *en masse*. In anticipation of the importance of this attack, the French commander, Marshal de Saxe, had called up his elite troops of the *Garde Française*. At this point, according to Voltaire, Captain Lord Charles Hay and other officers of the British Grenadier Guards are supposed to have stepped out in front of their men and:

...saluted the French by taking off their hats. The Count de Chabannes and the Duke de Biron advanced forward, and returned the compliment. My Lord Charles Hay, captain of the English guards, cried out, “Gentlemen of the French guards, give fire.” The Count d’Artouste, then lieutenant and since captain of grenadiers, made answer with a loud voice, “Gentlemen, we never fire first; fire you first.” Then the captain said to his men, in English, *Fire*. The English made a running fire; that is, they fired in divisions... when the front of a battalion, four deep, had fired, another battalion made its discharge, and then a third, while the first were loading again. 29

No other mention seems to have been made in primary accounts of the battle of this curious exchange of battlefield civilities between the British and French officers. 30 Voltaire’s motives for (apparently) inventing the story of battlefield civilities at Fontenoy must be the subject of another study. My chief interest here lies in another, at least partly fictional story of the battle, namely, that relating to the presence of the battle of Adam Ferguson.

We can be certain that Ferguson was never at Fontenoy but his regiment was, and it fought with distinction in its first major battle. Ferguson probably did fight with his regiment in a series of minor engagements throughout the remaining three years of war following Fontenoy, but details are sketchy. What we do have are two tales from two sources as to his presence at Fontenoy. The first is the dubious story derived from one of Ferguson’s most celebrated former pupils at the University of Edinburgh, Sir Walter Scott. Scott’s story has Ferguson, sword in hand and standing at the head of the 43rd regiment in its advance on Fontenoy. When Lieutenant Colonel Munro bade Ferguson remember that his chaplain’s commission did not entitle him to take such a position, Ferguson is supposed to have flung his commission at his commanding officer and exclaimed: “Damn my commission!” 31 The other more plausible, but still erroneous account comes from David Stewart’s two volume history of the Highland regiments published in 1822. Stewart errs with Scott in placing Ferguson on the field of Fontenoy, but unlike Scott, Stewart adds some more interesting detail. Stewart’s story has Colonel Munro see Ferguson ‘in the ranks’, and utter ‘a friendly caution’, that:


29 See for example, ‘An Account of the action between the allied army and that of France, near Tournay, the 11th of May, N.S. 1745...’, The Gentleman’s Magazine, 15 May 1745; The Journal of the Battle of Fontenoy; as it was Drawn up and Published by Order of His most Christian Majesty (London, 1745); John Lindsay, Earl of Crawford, Memoirs of the life of the late Right Honourable John Earl of Crawford: Describing many of the highest military achievements in the late wars... (London, 1769) p. 303.

...there was no necessity to expose himself to unnecessary danger... Mr Ferguson thanked Sir Robert for his friendly advice, but added... he had a duty which he was imperiously called upon to perform. Accordingly, he continued with the regiment during the whole of the action, in the hottest of the fire, praying with the dying, attending to the wounded, and directing them to be carried to a place of safety. By his fearless zeal, his intrepidity, and his friendship towards the soldiers... his amiable and cheerful manners, checking with severity where necessary, mixing among them with ease and familiarity, and being as ready as any of them with a poem or heroic tale, he acquired an unbounded ascendancy over them.  

What makes Stewart’s account so interesting is that despite the obvious error of placing the incident at Fontenoy, the rest of the account remains plausible in picturing Ferguson carrying out his duties on the field. In particular, Stewart’s tale pictures Ferguson carrying out his two crucial functions as chaplain: tending to the wounded and dying, and invoking Gaelic tales to sustain the troops’ morale. The martial qualities of Highland verse were employed by chaplains to bolster the courage and morale of Highland troops, and thereby to preserve their order and amenability to command. In doing so, chaplains required not only a command of Gaelic, but also an ability to inspire respect and affection from the troops.

It is therefore interesting that Stewart’s tale about Ferguson at Fontenoy (despite the error of placing him at the battle) provides a basically sound picture of Ferguson maintaining the civilized discipline and order of Highland troops in modern, conventional warfare by means of invoking ancient warrior fables preserved from less ‘civilized’ times. What also makes Stewart’s tale interesting is that it seems to have been gathered not from regimental records (which he wrongly supposed had been destroyed), but from regimental veterans in retirement at Chelsea Hospital. It is therefore possible that Stewart’s tale is based on actual events embellished or bahwa by the hazy memories of aging veterans who had indeed served with Ferguson in the last years of the Flanders campaign (1746-48).

In the service of empire: Ferguson and the ‘rules of war’

Though we can be sure that Ferguson did not participate in the battle of Fontenoy, it is hard to read his work without thinking of the connection between the fiction of battlefield civility and Ferguson’s own troubled appreciation of the knife-edge distinction between civility and barbarity in modern war. Ferguson’s barely disguised admiration for the ‘modern’ laws of war was premised upon the highly disciplined manner with which the nations of Western Europe were then attempting to ‘carry the civilities of peace into the practice of war’, enabling them to mingle... politeness with the use of the sword... Elsewhere he argued that warfare was now waged ‘with little national animosity’ and combatants were ‘almost in the very heat of a contest, ready to listen to the dictates of humanity or reason...’ Ferguson argued that ordered and rule-bound warfare was the hallmark of civilization:

Glory is more successfully obtained by saving and protecting, than by destroying the vanquished... This is, perhaps, the principal characteristic, on which among modern nations, we bestow the epithets of civilized or polished.

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29 McCulloch, Sone of the Mountains, Vol. I. p. xvi. Of his sources, Stewart refers to ‘several old officers’, an officer’s wife, and ‘several Highland gentlemen’ who had formerly served as soldiers in the 43rd ‘when first organized.’ Stewart, Sketches, Vol I. p. viii. McCulloch also suggests that Stewart lived in London when compiling his information and drew on the memories of veterans at Chelsea Hospital.

30 Nonetheless, one of Ferguson’s brothers, Alexander, did fight at Fontenoy, was wounded and taken prisoner. Letter 15, ‘Ferguson to Gilbert Elliot, 19 March 1758’, in Mereille, Correspondence, Vol. I. pp. 26-7.

31 Ferguson, Essay, p. 130, 139.

32 Ferguson, Principles, II. p. 205.

33 Ferguson, Essay, p. 190.
This style of warfare, however, pertained to conflicts between opponents who chose to abide by the rules of battle between civilised belligerents, and while it may have been seen on the fields of Dettingen or Fontenoy, it most certainly was not at Culloden (16 April 1746). Here, a British government army under Cumberland's command defeated the Jacobite army under Prince Charles Edward Stuart. In the hours and days following the battle the Duke earned the epithet 'Butcher' Cumberland by ordering the killing of an unknown number of wounded Jacobites, and capturing over 3,000 sympathisers, of whom 120 were executed by drawing lots, 88 died in appalling prison conditions, and over 900 transported to the colonies.

Though he never addressed himself to the Jacobite rising, or to the brutal manner of its suppression, Ferguson seems to have taken a hard line on the question of rebellion and civil war. For him, 'civilised' war consisted in warfare limited by powerful conventions designed to mollify its terrible effects (such as not targeting non-combatants, or sparing prisoners or war). These conventions however, simply did not apply in cases of rebellion or civil war. The issue was not one of simple hypocrisy or inconsistency. Rather, Ferguson's position was shaped by the importance he attached to the development of modern military practices. For an increasing number of Enlightenment writers, including Ferguson, the development of modern military discipline and tactics was an index of civilisation. The process of civilisation culminated in and its polished accomplishments were secured by the creation of sovereign states. The sovereignty of these states rested on their control and use of supreme military force. Civil war or rebellion was thus seen as an assault on the process of civilisation, as threatening the very disciplines and forms of self-control that made life in civil society possible. Consequently, the rules of engagement for a civil as opposed to a foreign war could be construed rather differently.

In the years after his resignation from the chaplaincy of the 43rd, Ferguson successfully pursued an academic career at the University of Edinburgh achieving some fame as the author of a number of scholarly publications, the most well-known of which was his much celebrated Essay on the History of Civil Society in 1767. In 1776, as Britain's American colonies erupted into open and armed rebellion, Ferguson produced a pamphlet that was highly critical of one by Richard Price which had sympathised with the cause of the American rebels. Ferguson's pamphlet appears to have pleased the government in London who agreed to circulate it. His argument was that the legitimacy of the American colonies was premised on the extension of British law and the sovereignty of the British parliament throughout its Empire. As British subjects, the American colonists had no right to contest that sovereignty, or to 'withdraw their allegiance because their settlements were made in America, any more than if they had been on Hounslow-Heath or on Finchley-Common'. What was more, their armed rebellion not only threatened the stability of Britain's Empire, but also incurred the likelihood of a violent armed response from Britain. For Ferguson, the rebellion of an as yet undeveloped colonial America against the highly developed and civilised imperial Britain endangered the very process of civilisation. Defeat in America he suggested, would herald the collapse of Britain's Empire and its commercial civilisation (just as surely as barbarian invasion heralded Rome's fall), while American victory would sow the seeds for the development of a corrupt and corrupting military government there.

In 1777 Ferguson was selected to accompany and was subsequently employed as secretary to the Carlisle Commission, sent to Philadelphia to negotiate a return of the colonies to the imperial fold. The Commission ended in farce as the Americans refused to recognise the Commission because the Commissioners refused to acknowledge the legitimacy of the Continental Congress. What was worse, a manifesto
produced by the Commission and bearing Ferguson's signature, seemed to threaten the imposition of severe military penalties on the Americans. The manifesto sparked parliamentary debate in Britain, and the House of Lords censured it for declaring that the 'extremes of war' would be unleashed on fellow British subjects in the colonies in direct contravention of 'the maxims which have been established among Christian and civilised communities...'. Whatever the exact nature of the public threats emanating from the Commission, it would seem that Ferguson was himself singled out as the author. This was later denied by one of the Commissioners, William Eden, but Ferguson did make the tenor of his own views clearer in some private comments on the rules of war later solicited by Eden. In these comments, Ferguson observed that:

It is not easily conceived how Subjects in Arms against Their Sovereign & in Alliance with his enemies, should be entitled to more favour than the Subjects of a Foreign Prince at War upon some problematical Questions of State. The Subjects of a Foreign Prince involved in a War by their Sovereign may not have incurred any personal Guilt.

See for example, Collection of papers that have been published at different times, relating to the proceedings of His Majesty's Commissioners..., (New York, 1778), pp. 1-43. This manifesto (the Castle Commission and Ferguson himself) were roundly condemned by Thomas Paine in letter 6 (20 October 1778) of The Crisis, (New York, 1900), pp. 154-163. See also, D.I. Fagerstrom, 'Scottish Opinion and the American Revolution', The William and Mary Quarterly, 112 (1954) pp. 25-75.

# Protest of the Lords, Dec 7, 1778, Annual Register, or a view of the history, politics and literature for the years 1778 (London, 1781) pp. 300-303.

Fagg, 'Biographical Introduction' in Morillo, Correspondence, Vol. I, pp. III-IV. In private correspondence, Ferguson's views appear complicated but tending toward severity. In 1778 for example, he professed his views on the proper conduct of the war, noting that the objective of military campaign was to 'Induce' the 'Rebels' to 'prefer accommodation to the Continuance of Such A War. But Lord have mercy on those who expect: Any Good in this business without Sufficient Instruments of Terror in one hand & of Moderation and Justice in the Other.' Letter 105, 'Ferguson to John Macpherson, 15 January 1778', in Morillo, Correspondence, Vol. I, p. 160. In 1780 he wrote to Eden that there 'never was a National Cause more just than ours... against France & Spain & all their Abettors'. Indeed, he suggested that '[every] well meaning Clergyman ought to stuff his Sermon' with righteous indignation, telling the Americans that they have been 'spared by Providence' alone and that they were 'Travestis to their King.' Letter 170, 'Ferguson to William Eden, 2 January 1780', Morillo, Correspondence, Vol. I, p. 227.

by that Circumstance And it is not Lawfull to Distress them except so far as that is allowed in order to Distress the State to which they belong. But Subjects in Rebellion incur a Personal Guilt & may be distressed not only in order to distress their Community but likewise in order to Punish Their Crime.

The 'Rules of War' were designed to protect 'Innocent Subjects' and to limit warfare to the 'just measure of Hostilities' needed to 'force an Enemy to Justice', and thus not to cause harm 'wantonly'. As he made clear in his Institutes of Moral Philosophy however, the 'laws of war' limiting the use of indiscriminate violence pertained to conflicts between sovereign nations.

Conclusion

Ferguson's seemingly paradoxical advice that British troops may put aside the rules of war in America was shaped by the importance he attached to the development of civilized war. The civilization of war was a reflection not only of greater discipline and order in war-making, but also of the effort to contain the violence of war by powerful rules and conventions. Many among Ferguson's contemporaries came to see these rules and conventions as a sign of a Europe-wide (or at least a western European) civilization. Ferguson's advice that the civilized 'rules of war' in Europe may be put aside in order to defend the interests of Empire, rested on his commitment to sustaining and defending the historical process of civilization within Europe and beyond. It was a

defence that early on in his career he exemplified as regimental chaplain in buttressing modern civilized war-making by appeals to ancient martial virtues. Later in his career however, Ferguson appears to have conceded, though not without prevanication, that civilization was simply too precious an advantage to risk, without using the appropriate means (no matter how uncivilized) to defend it. In this sense, Ferguson's career and his political thought provides us with a unique window into the eighteenth century history of ideas and history of warfare. It also opens a window into the early origins of a dilemma that has continued to bedevil what some have called the distinctively 'Western way of war', namely, the ease with which the presumed normative superiority of civilized, Western conventions about war-making can so easily be put aside. As Ferguson's political thought and career illustrates, the presumption that war between sovereign states (such as those in Europe) represented 'civilized war', may also be used to justify the use of less scrupulous military means when subduing rebels, savages or even terrorists who are deemed threats to 'civilized' sovereign states.