

**The Coherence of John Locke's
Moral, Political and Religious
Thought:
Historical and Methodological Investigations**

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Abstract

During the last few decades, there have been two dominant approaches to the study of John Locke, the contextualist school and the Straussian school. Both approaches have tended to foreclose fruitful possibilities of understanding and learning from Locke's thought.

Within the dominant approaches, respectively, Locke tends either to be seen as an incoherent thinker or a thinker whose ideas conceal a dependence upon the thought of Thomas Hobbes. The aim of this thesis is to reconsider Locke by using the assumptions of holism, an approach that has been relatively sidelined in recent Locke scholarship. The thesis addresses five specific puzzles in Locke studies – spanning his political philosophy, epistemology, morals, and natural and revealed theology – which relate to and shed light upon two larger puzzles concerning the development and trajectory of Locke's mind: the coherence of the development of his thought and the intellectual relationships in which he stood to his contemporaries, especially Hobbes. The thesis shows via a holistic analysis of these puzzles that, contrary to the estimations offered by the dominant approaches, Locke was in fact a systematic thinker whose thought developed not towards but in structural opposition to the fabric of Hobbesian thought. By re-evaluating the portrait of Locke, this thesis allows us to appreciate the complexity and uniqueness of Locke's ideas. It encourages us not only to take Locke seriously, historically, as a distinctive thinker in his own right, but also, as one who may be helpful in considering and rethinking the foundations of contemporary liberal political philosophy. More generally, the thesis warns us against the negative implications of methodological exclusivity and opens up the possibility for a more pluralistic approach to the history of political thought and intellectual history.

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Author's Declaration

I hereby declare that all the material contained in this thesis is based on my own research.

Abbreviations

Corr. Locke, John. *The Correspondence of John Locke*, 9 vols., ed. E.S. De Beer (Oxford: Clarendon Press, 1976-). Cited by letter, volume, page number.

CU. Locke, John. *Of the Conduct of the Understanding*, ed. Francis W. Garforth (New York: Teachers College Press, 1966). Cited by section.

D. Locke, John. *Drafts for the Essay concerning Human Understanding*, eds. Peter H. Nidditch and G.A.J. Rogers (Oxford: Clarendon Press, 1990). Cited by page number.

DNB. *Oxford Dictionary of National Biography*.

E. Locke, John. *An Essay concerning Human Understanding*, ed. P.H. Nidditch (Oxford: Clarendon Press, 1979). Cited by book, chapter, section.

ELN. Locke, John. *Essays on the Law of Nature*, ed. Wolfgang von Leyden (Oxford: Clarendon Press, 2002). Cited by page number.

ETol. Locke, John. *An Essay concerning Toleration*, eds. J.R. and Philip Milton (Oxford: Clarendon Press, 2006). Cited by page number.

G. Locke, John. *Two Tracts on Government*, ed. Philip Abrams (Cambridge: Cambridge University Press, 1967). Cited by page number.

LcT. Locke, John. *A Letter concerning Toleration*, ed. James Tully (Indianapolis: Hackett, 1983). Cited by page number.

M. Locke, John. *Locke on Money*, 2 vols., ed. Patrick Hyde Kelly (Oxford: Clarendon Press, 1991). Cited by page number.

PaN. Locke, John. *A Paraphrase and Notes on the Epistles of St Paul*, 2 vols., ed. Arthur W. Wainwright (Oxford: Clarendon Press, 1987). Cited by page number.

RCh. Locke, John. *The Reasonableness of Christianity*, ed. John C. Higgins-Biddle (Oxford: Clarendon Press, 1999). Cited by page number.

STE. Locke, John. *Some Thoughts concerning Education*, eds. John W. and Jean S. Yolton (Oxford: Clarendon Press, 1989). Cited by section. 'Introduction' cited by page number.

TTG. Locke, John. *Two Treatise of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988). Cited by treatise, section number. 'Introduction' cited by page number.

W. Locke, John. *The Works of John Locke*, 10 vols. (Aalen: Scientia, 1963). Cited by volume, page number.

INTRODUCTION

*We shall therefore in vain go about to interpret their [sc. the Apostles] Words by the Notions of our Philosophy, and the Doctrines of Men deliver'd in our Schools. This is to explain the Apostles meaning by what they never thought of whilst they were writing, which is not the way to find their Sense in what they deliver'd, but our own, and to take up from their Writings not what they left for us, but what we bring along with us in our selves.*¹

As long as there has been Locke scholarship, there have been debates about the consistency and coherence of Locke's thought.² In recent Locke scholarship, there are two dominant views related to two different approaches to the history of political thought and intellectual history. The first view, which is the Straussian approach, invites us to see a hidden coherence beneath the apparent inconsistencies in Locke's works and sees Locke as a follower of his predecessor Thomas Hobbes.³ The second view, which is the contextualist approach, invites us to see little overall consistency in Locke's works, precisely because he was an ideologue rather than a philosopher, responding to specific problems in specific contexts. Also, because of a lack of direct engagement between the two thinkers, the contextualist approach invites us to believe that Locke had nothing substantial to say about Hobbes.⁴

¹ *PaN*, 'Preface', 114.

² One of the first, and in many ways remains the best, accounts of the coherence of Locke's thought is John Milner's *An Account of Mr Lock's Religion* (London, 1700). For a summary of Locke scholarship from the late nineteenth century, see Richard Ashcraft, 'A Critical Note on Locke Scholarship', in *Locke's Two Treatises of Government* (London: Allen & Unwin, 1987).

³ See especially, Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953); 'Locke's Doctrine of Natural Law', in *What is Political Philosophy? and Other Studies* (Glencoe: Free Press, 1959), 202-51; Richard H. Cox, *Locke on War and Peace* (Oxford: Clarendon Press, 1960); Robert Horwitz, 'Introduction', in *Questions concerning the Law of Nature*, eds. Robert Horwitz, Jenny Strauss Clay, and Diskin Clay (Ithaca: Cornell University Press, 1990); Peter C. Myers, *Our Only Star and Compass: Locke and the Struggle for Political Rationality* (Lanham, Md.: Rowman & Littlefield, 1998); Steven Forde, 'Natural Law, Theology, and Morality in Locke', *American Journal of Political Science* 45 (2001): 396-409; Peter Josephson, *The Great Art of Government: Locke's Use of Consent* (Lawrence: University Press of Kansas, 2002); Michael P. Zuckert, *Launching Liberalism: On Lockean Political Philosophy* (Lawrence: University Press of Kansas, 2002); Samuel Zinaich, *John Locke's Moral Revolution: From Natural Law to Moral Relativism* (Lanham, Md.: University Press of America, 2006); Henrik Syse, *Natural Law, Religion, and Rights* (South Bend, Ind.: St. Augustine's Press, 2007).

⁴ Most notably, Peter Laslett, 'Introduction', in *TTG*; David Wootton, 'John Locke: Socinian or Natural Law Theorist?', in *Religion, Secularization and Political Thought: Thomas Hobbes to J.S. Mill*, ed. James E. Crimmins (London: Routledge, 1989), 39-67; John Marshall, *John Locke: Resistance, Religion and Responsibility* (Cambridge: Cambridge University Press, 1994). One

One general aim of this thesis is to show how the strenuous application of these two approaches places limitations upon the ways that we can explore Locke's mind, and hence, what we can learn from him. This is obviously not what the proponents of the two approaches have intended to do. It is, however, the effect of what they do.⁵ This thesis therefore addresses a concern about the ways in which the history of political thought and intellectual history has been written and the implications that this has had for our understanding of the trajectory of Locke's mind. As a methodological alternative, the thesis reconsiders the holistic approach, adopted most notably by John Dunn and Ian Harris. This has been, to a certain extent, sidelined in recent discussions of Locke. The thesis attempts to demonstrate that this approach can help us to see the coherence of the development of Locke's thought in ways which have often been neglected in the existing literature. More specifically, it will re-examine two large puzzles in relation to Locke's development: its coherence and its relationship with Hobbes. The thesis will be comprised of five smaller puzzles concerning Locke's early political theory and natural jurisprudence, his turn to epistemology, his hedonistic ethics, his views on atheism, and his revealed theology. These smaller puzzles relate to the two larger puzzles, and by using the holistic approach, the thesis will reveal a different portrait of Locke than those of the two dominant approaches. It will show that Locke was in fact a systematic thinker and that his system developed not towards but in direct opposition to Hobbes. Through this reinterpretation, the thesis invites us to reappraise Locke as a distinctive thinker in his own right who can speak to our pressing political problems as well as to his own.

An underlying argument of this thesis is that different assumptions brought to bear upon the evidence produce different views of the coherence of Locke's development. This is a claim about methodology and its implications.

may argue that there is a third view, that of the coherentists. While there are obviously many commentators who claim that Locke was coherent, their focus tends to be only on Locke's 'mature' works, i.e. his published works, which includes the *Two Treatises of Government*, *An Essay concerning Human Understanding*, the *Letters on Toleration*, and the *Reasonableness of Christianity*. See for example, Jeremy Waldron, *God, Locke, and Equality* (Cambridge: Cambridge University Press, 2002), 1.

⁵ As Michel Foucault once said: 'People know what they do; they frequently know why they do what they do; what they don't know is what what they do does'. Hubert Dreyfus and Paul Rainbow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Brighton: Harvester Wheatsheaf, 1982), 187.

Thus, the thesis opens with some reflections upon this issue. It will begin by surveying Straussianism and Cambridge contextualism in turn, considering their advantages and disadvantages, and investigating their methodological implications. After showing the ways in which looking at Locke's thought through the lens of these two perspectives puts limitations on what we can see and learn from it, I will move on to consider the advantages of looking at Locke through the lens of the holistic perspective. I will then outline how the thesis will proceed. Finally, I will conclude with some general reflections on the proper role of methodology more generally.

1. Strauss and Straussianism

One of the dominant approaches to Locke's political philosophy is that of Leo Strauss and his followers, the 'Straussians'.⁶ Leo Strauss was a Jewish German émigré to the United States at the time of Hitler's rise in the early 1930s. He initially settled in New York and eventually found a home at the University of Chicago in 1948 as Robert Maynard Hutchins Distinguished Service Professor in the Department of Political Science. From there, Strauss disseminated his most influential works on the history of political philosophy. We shall see that on the Straussian approach, we are encouraged to see a hidden coherence lying beneath Locke's works, and a portrait of Locke as a covert follower of Hobbes, whether this is stated explicitly or implicitly. To see this clearly, I will start by explaining the conceptual origins of the Straussian approach. I will then move on to examine its advantages and disadvantages. Lastly, I will consider the portrait of Locke which is produced through this approach.

Straussianism is often seen as a non-historical approach to the history of political thought and intellectual history.⁷ However, it is better seen as an historical approach to intellectual history dictated by modern concerns. Strauss's motivation to understand the past was not derived from an antiquarian curiosity

⁶ For excellent introductions to Strauss's approach, see John G. Gunnell, 'The Myth of the Tradition', *The American Political Science Review* 72 (1978): 122-34; Nathan Tarcov and Thomas Pangle, 'Epilogue', in *History of Political Philosophy*, 3rd ed., eds. Leo Strauss and Joseph Cropsey (Chicago: University Press of Chicago, 1987), 907-38; Catherine and Michael Zuckert, *The Truth about Leo Strauss* (Chicago: University Press of Chicago, 2006).

⁷ Quentin Skinner, 'Meaning and Understanding in the History of Ideas', in *Meaning and Context: Quentin Skinner and His Critics*, ed. James Tully (Cambridge: Polity Press, 1988).

but from what he diagnosed as 'the crisis of the West' and of modernity.⁸ This crisis was both intellectual and political. Politically, the West was threatened by 'communism' and an 'Eastern despotism'.⁹ But this threat was complemented by an internal crisis in the West, which, for Strauss, was the true crisis. This crisis, by contrast, was intellectual. The West, in Strauss's view, had lost certainty in its purpose or project, a 'purpose in which all men could be united';¹⁰ this was 'the construction of a universal society of free and equal nations of free and equal men and women enjoying universal affluence, and therefore universal justice and happiness'.¹¹ Modern liberalism, Strauss argued, was abandoning its universal and absolute basis in favour of relativism. It was abandoning any standard of right and wrong above the ideal of a particular society, and thus, any standard of judging legitimate and illegitimate societies.¹² This intellectual crisis created the political situation by which the West became susceptible to the burgeoning influence of the totalitarian regimes. For Strauss, according to Nasser Behnegar, the connection between 'relativism and National Socialism and other mass movements is not so much that relativism leads one to embrace such movements but that it disarms any principled opposition to them'.¹³

For Strauss, the insecurity of modern liberalism was a result of the insecurity of the modern project and modern political philosophy. On Strauss's account, political philosophy in general is 'the attempt truly to know both the nature of political things and the right, or the good, political order'.¹⁴ For Strauss, it was possible to speak of 'classical' and 'modern' solutions to political philosophy. Classical political philosophy was agreed that 'the goal of political life is virtue, and the order most conducive to virtue is the aristocratic republic, or else the mixed regime'. By contrast, modern political philosophy was characterized by its disunity. However, it was unified negatively in its 'rejection

⁸ Leo Strauss, *The City and Man* (Chicago: University of Chicago Press, 1964), 1.

⁹ *Ibid.*, 3-5.

¹⁰ *Ibid.*, 3.

¹¹ Tarcov and Pangle, 'Epilogue', 908.

¹² Strauss, *Natural Right and History*, 2-3.

¹³ Nasser Behnegar, 'The Liberal Politics of Leo Strauss', in *Political Philosophy and the Human Soul*, eds. Michael Palmer and Thomas L. Pangle (Lanham, Md.: Rowan & Littlefield, 1995), 253.

¹⁴ Leo Strauss, 'What is Political Philosophy?', in *What is Political Philosophy? and Other Studies* (Glencoe: Free Press, 1959), 12.

of the classical scheme as unrealistic'.¹⁵ Whereas classical political philosophy stressed 'the development and rule of what is best or highest in mankind', namely human reason, modern political philosophy stressed the passions.¹⁶ Thus, modern political philosophy lowered the aim of political philosophy, making its actualization more attainable.

Modern political philosophy was unfolded in three stages or what Strauss called the 'three waves of modernity'.¹⁷ The first wave included the founders of modern political philosophy, Machiavelli and Hobbes, and others following in their footsteps such as Spinoza and Locke.¹⁸ This wave was characterized as having reduced 'the moral and political problem to a technical problem, and the concept of nature as in need of being overlaid by civilization as mere artefact'.¹⁹ Concerning the former point, whereas the ancients had emphasized the development of virtue through law as the core of politics, moderns emphasized self-preservation and natural rights and the creating of institutions that guaranteed their protection. Concerning the second point, whereas ancients saw politics as natural to man, moderns saw the movement into political society as a movement away from nature and favoured artificial and rational institutions over it.²⁰

The second wave was initiated by Rousseau and followed by Kant, Hegel and Marx. This wave was characterized by its criticism of the first wave and its seeming movement back towards the pre-modern era, emphasizing the role of virtue. But virtue in the modern sense was distinguished from the classical sense where it was man's natural end. Virtue was replaced with freedom.²¹ For the philosophers of the second wave, man was Hobbesian: he did not have an essential nature. Civil society was formed such that it was conducive to man's self-preservation and freedom. Natural man was, as it were, humanized through this historical process. Rousseau rejected a transcendent natural law, and emphasized the general will of the people as positive law. Thus, the rational

¹⁵ Ibid., 40.

¹⁶ Zuckert, *The Truth about Leo Strauss*, 62.

¹⁷ Leo Strauss, 'The Three Waves of Modernity', in *An Introduction to Political Philosophy*, ed. Hilail Gildin (Detroit: Wayne State University Press, 1989).

¹⁸ Strauss speaks of Machiavelli as the founder, but in other places, Hobbes as the founder of modern political philosophy.

¹⁹ Strauss, 'The Three Waves of Modernity', 89.

²⁰ Zuckert, *The Truth about Leo Strauss*, 62.

²¹ Strauss, 'What is Political Philosophy?', 53.

society was reached by a historical process which was not teleological. For the German philosophers following Rousseau, the actualization of the right order was the 'unintended by-product' of 'blind selfish passions' which were 'in no way directed toward the right order'.²² By making natural law superfluous and emphasizing the non-teleological nature of the historical process of actualizing the rational society, the second wave philosophers paved the way to relativism.

The third wave was initiated by Nietzsche. In short, Nietzsche confirmed that man was 'essentially historical'.²³ The historical process, for Nietzsche, did not have its own rules for development but was the product of human agency and human creativity. The emphasis on human agency undermined any appeal to a trans-human source of authority. Values in history were man-made, the product of the 'highest will to power'. The concept of eternity was hereby denied. In Nietzsche, the route to relativism was opened, and with it, the crisis of modernity.

Strauss believed that the end process of modern political philosophy was unfolding in his time with the rise and triumphing of 'positivism' and 'historicism'. The rise of these 'isms' put a question mark against the very possibility of political *philosophy*.²⁴ For Strauss, positivism and historicism created the conditions leading on to 'nihilism' and 'fanatical obscurantism'. Strauss took positivism to be the basic stance of social sciences since the nineteenth century. On Strauss's account, positivism decreed that there was a 'fundamental difference between facts and values'. Positivism maintained that 'only factual judgments' were 'within the competence of science'.²⁵ That is to say, 'only facts or alleged facts can be true or not'. Value judgments were beyond the scope of 'rational inquiry, discourse, or validation'.²⁶ Therefore, positivism had to 'avoid value judgments altogether'.²⁷

Historicism was more radical than positivism in that it denied the fact/value distinction itself. It sees 'all claims to knowledge as relative to particular modes of culturally and historically conditioned experience and

²² Ibid., 54.

²³ Leo Strauss, *Spinoza's Critique of Religion* (New York: Schocken Books, 1965), 12.

²⁴ Strauss, 'What is Political Philosophy?', 17.

²⁵ Ibid., 18.

²⁶ Zuckert, *The Truth about Leo Strauss*, 72.

²⁷ Strauss, 'What is Political Philosophy?', 18.

incapable of ultimate justification'.²⁸ Historicist social science rules out the question about *the* good society because of 'the essentially historical character of society and of human thought'. The value of a given society depends contingently on particular cultural and historical standards. Historicism was thus the 'serious antagonist' of political philosophy.²⁹ Historicism then culminated into nihilism, and the West thereby lost a grip on its purpose.³⁰ To sum up, Strauss believed that the decline of the West could be attributed to the decline of political philosophy, that is, the quest for the *truth*, the truth about the nature of political things.³¹

Strauss's response to the crisis of modernity was to turn to the history of political philosophy. The purpose of historical research was to look for the origins of the modern ills and to recover the character of political philosophy in its original form. There are two things to be said here. First, for Strauss, historical studies were of philosophic significance only in times of intellectual crises.³² This distinctive agenda shaped the characteristics of Strauss's historical approach. Strauss took history seriously, but this was only insofar as it was useful to political philosophy. Thus he maintained: 'however important historical knowledge may be for political philosophy, it is only preliminary and auxiliary to political philosophy; it does not form an integral part of it'.³³ So in principle, once the task of history was completed, it could be 'eliminated and replaced by political philosophy itself'.³⁴

Secondly, as we have just seen, the modern solutions to politics were reductionist. The identification of the modern project as one leading to the decline of political philosophy was crucial for Strauss because it helped him to see the superiority of the ancients and justified his return to classical political philosophy to resuscitate political philosophy. Thus, we see here that Strauss needed an 'organic' history, that is, an evolving dramatic sequence in which the

²⁸ Gunnell, 'The Myth of the Tradition', 124.

²⁹ Strauss, 'What is Political Philosophy?', 126.

³⁰ Strauss, *Natural Right and History*, 18.

³¹ Leo Strauss, 'Political Philosophy and History', in *What is Political Philosophy? and Other Studies* (Glencoe: Free Press, 1959), 56-77.

³² Strauss, *The City and Man*, 1; 'On Collingwood's Philosophy of History', in *The History of Ideas: An Introduction to Method*, ed. Preston King (London: Croom Helm, 1983), 153-76, esp. 175-6; Tarcov and Pangle, 'Epilogue', 911-12.

³³ Strauss, 'Political Philosophy and History', 57.

³⁴ Gunnell, 'The Myth of the Tradition', 126.

modern period developed out of the classical period by the agency of certain key figures. He needed to show that there was *a* modern project in contradistinction to a classical one, and that the former was essentially unified by its reductionist movement. As we shall see below, this *a priori* assumption had profound implications for Strauss's portrait of Locke.

Notwithstanding the non-historical elements in his approach, Strauss stressed that we must try to understand past thinkers exactly as they understood themselves.³⁵ This involved the historian taking seriously the truth claims of a past thinker. Against the historicists, Strauss argued: 'we cannot exclude the possibility that a political philosophy which emerged many centuries ago is *the* true political philosophy, as true today as it was when it was first expounded'.³⁶

Strauss left open the possibility that past thinkers were addressing timeless problems, and thus the possibility of learning from the past. It is in response to the historicists that Strauss developed his most controversial thesis of 'exoteric' and 'esoteric' writing.³⁷ Strauss observed that 'most historicists consider decisive the fact, which can be established by historical studies, that a close relation exists between each political philosophy and the historical situation in which it emerged'. But Strauss maintained that 'the historical evidence invoked in favour of historicism has a much more limited bearing than seems to be assumed'. For one, 'historicists do not make sufficient allowance for the deliberate adaptation, on the part of the political philosophers of the past, of their views to the prejudices of their contemporaries'. Many political philosophers of the past 'did not limit themselves to expounding what they considered the political truth':

they combined with that exposition and exposition of what they considered desirable or feasible in the circumstances, or intelligible on the basis of the generally received opinions; they communicated their views in a manner which was not purely 'philosophical', but at the same time 'civil'.

³⁵ Leo Strauss, *On Tyranny* (Ithaca: Cornell University Press, 1968), 24; Strauss, 'Political Philosophy and History', 66. Cf. Gunnell, 'The Myth of the Tradition', 130. Gunnell observes that Strauss's emphasis on understanding the past authors remains 'at a level of a maxim or an enunciation of an attitude'. Apart from the esoteric and exoteric distinction, of which we shall see below, he has 'little to say about criteria of interpretation'.

³⁶ Strauss, 'Political Philosophy and History', 64.

³⁷ Zuckert, *The Truth about Leo Strauss*, 123.

Thus, for Strauss, ‘by proving that their political teaching as a whole is “historically conditioned”, we do not at all prove that their political philosophy proper is “historically conditioned”’.³⁸

Strauss observed that past thinkers often lived in times of persecution. This, he argued, gave birth to ‘a peculiar technique of writing, and therewith to a peculiar type of literature, in which the truth about all crucial things is presented exclusively between the lines’. This literature is ‘addressed, not to all readers, but to trustworthy and intelligent readers only’.³⁹ Strauss argued that thinkers living under persecution were often forced to distinguish between their ‘exoteric’ teaching, i.e. their political teachings which were appropriate in their given circumstances, and their ‘esoteric’ teaching, i.e. their teachings which they considered to be universal truths. On this assumption, ‘blunders’ in a classical text can be seen as an indication of esoteric writing, in effect the concealment of the text’s true teachings. The role of the historian (or more precisely, the political philosopher, who, for the time being, is a historian of political philosophy) is to decode the hidden doctrine from the clues contained in a text.⁴⁰

Strauss and subsequent Straussians realized that their approach opened the door to potentially arbitrary readings. To deal with this problem, Strauss set down some general criteria as to when an esoteric reading (or ‘reading between the lines’) is justified.⁴¹ He stressed that one should first consider ‘all reasonable possibilities’ of understanding a particular utterance ‘as it stands’. Here, contrary to what is often supposed, Strauss emphasized that knowledge of the relevant linguistic and historical context may be helpful in understanding a particular utterance.⁴² Critics, however, have responded that Strauss’s criteria for legitimizing esoteric readings are circular and have very little, if any, value as guidelines.⁴³ Quentin Skinner asks for example: ‘when should we *stop* trying to

³⁸ Strauss, ‘Political Philosophy and History’, 63-4.

³⁹ Leo Strauss, *Persecution and the Art of Writing* (Westport, Conn.: Greenwood Press, 1973), 25.

⁴⁰ *Ibid.*, *passim*.

⁴¹ *Ibid.*, 30.

⁴² Thus, the charge of textualism (one who postulates the self-sufficiency of the text) against Strauss may need revision. For Strauss’s textualism, see Skinner, ‘Meaning and Understanding in the History of Ideas’.

⁴³ Hans Aarsleff, ‘Some Observations on Recent Locke Scholarship’, in *John Locke: Problems and Perspectives*, ed. John W. Yolton (Cambridge: Cambridge University Press, 1969), 262-71;

read between the lines?' He notes that the only criterion Strauss gives us is this: 'Reading between the lines is strictly prohibited in all cases where it would be less exact than not doing so'.⁴⁴ Skinner asks further: 'what *constitutes* an era of persecution, such that we should expect to have to read between the lines?'. Strauss's response is this: 'that the book in question must have been composed in an era of persecution, that is, at a time when some political or other orthodoxy was enforced by law or custom'. Persecution, however, is defined more broadly as a period that compels 'all writers who hold heterodox views' to develop the techniques of esoteric writing.⁴⁵ Yet Strauss does not tell us how we can know *a priori* whether a given writer is heterodox or not. Thus, in the end, as the critics show, we can say that Strauss's criteria for legitimatizing the practice of reading between the lines comes down to a crude claim that one who sees the esoteric teaching is a 'thoughtful' and 'careful reader', and one who does not is an 'untrustworthy' and 'careless reader'.⁴⁶

The more specific criterion that Strauss laid out may be more helpful: 'If a master of the art of writing commits such blunders as would shame an intelligent high school boy', then 'it is reasonable to assume that they are intentional'. This is particularly interesting when applied to Locke. The standard view of Locke before Strauss was that he was a confused thinker.⁴⁷ However, once we are given grounds to think that we are looking for Locke's esoteric teaching, we can argue for a hidden coherence underneath the superficial incoherence. In terms of the historiography of Locke, we may say that this was a significant contribution. But this approach is justified in purely pragmatic terms. Let us consider what Peter Josephson, a recent Straussian says: 'When faced with Locke's apparent contradiction', he states, 'we can make two hypotheses'. We can either suppose that Locke was 'a somewhat muddleheaded relic of the seventeenth century', or that he was 'a subtle, cautious, and timeless philosopher'; in other words, either Locke was confused or we are confused.

John W. Yolton, 'Locke on the Law of Nature', *Philosophical Review* 67 (1958): 477-98; Skinner, 'Meaning and Understanding in the History of Ideas', 42-3.

⁴⁴ Strauss, *Persecution and the Art of Writing*, 30; Skinner, 'Meaning and Understanding in the History of Ideas', 43.

⁴⁵ Strauss, *Persecution and the Art of Writing*, 32, 24; Mark Bevir, *The Logic of the History of Ideas* (Cambridge: Cambridge University Press, 1999), 146.

⁴⁶ Strauss, *Persecution and the Art of Writing*, 25.

⁴⁷ Ashcraft, 'A Critical Note on Locke Scholarship', 300.

The former leads to the ‘unhappy conclusion’ that we are wasting our time, and so, we are ‘better off’, as readers, supposing the latter.⁴⁸

We may observe that both Strauss and Josephson are making two controversial assumptions. First, they make an *a priori* assumption that Locke was a ‘master of writing’ or a ‘great thinker’ rather than letting the evidence tell us whether this was so. As John Gunnell suggests, this was perhaps a necessary assumption given Strauss’s project to search for the origins of the modern ills from a single ‘organic’ history of which Locke was a part (we shall see this in further detail below).⁴⁹ Secondly, they make an assumption that there were embarrassing contradictions in Locke. They do not entertain the possibility that this may simply be an indication of our own failure to see things exactly as Locke did, which does not necessarily commit us to read between the lines. What seems to us as an obvious logical contradiction may not have been one for Locke.⁵⁰

Having looked at the conceptual origin of Straussianism and the basic methodological claims that Straussians make, I will now look at some of the advantages and the disadvantages of this approach. It is worth noting that I will be discussing the advantages of the Straussian approach. Since the rise of the Cambridge School, it has become standard practice for historically-minded commentators to dismiss of the Straussian approach in its entirety.⁵¹ But I would suggest that there is always something we can learn from other approaches. Let us begin with the advantages of Straussianism. I will highlight three.

The first advantage of Straussian approach is that it leaves open the possibility that past thinkers could have had long-term *foci* and the possibility that texts could carry ‘genuinely philosophic significance, transcending the proximate circumstances of their production’.⁵² In its strongest version, this assumption commits us to a thesis that all of the (so-called) great thinkers in the

⁴⁸ Josephson, *The Great Art of Government*, 19.

⁴⁹ Gunnell, ‘The Myth of the Tradition’, 131.

⁵⁰ Ruth Grant, *John Locke’s Liberalism* (Chicago: University Press of Chicago, 1987), 9; Greg Forster, *John Locke’s Politics of Moral Consensus* (Cambridge: Cambridge University Press, 2005), 39.

⁵¹ See for example Greg Forster’s comments in ‘A Glorious Revolution: Restoring Locke’s Relevance’, *Political Theory* 32 (2003): 709-12. For non-Straussian scholars, the Straussian interpretative method is ‘supremely irritating’ and ‘grates like fingernails on a blackboard’, 709, 710.

⁵² Myers, *Our Only Star and Compass*, 15-16.

canon of political philosophy were addressing the same set of philosophical questions. As I will point out below, this is a thesis perhaps difficult to maintain without invoking the controversial method of esoteric reading. In its weaker version, however, this assumption simply leaves open the possibility that thinkers could have had a wider philosophical project and a wider audience in mind that transcended the local context. This encourages us to be open to the possibility that the intentions of ‘ambitious’ authors ‘may carry quite broad significance, perhaps even for humankind as such, in addition to their local and immediate significance’.⁵³ This is especially significant in the context of the recent historiography of intellectual history where the Cambridge contextualists, as we shall see in the next section, have encouraged us to see thinkers as responding to particular political and polemical contexts.

The second advantage of the Straussian approach is that it encourages us to make sense of silences. It is obviously a moot point as to what counts as a silence, but it is reasonable to assume that past thinkers do not always make their commitments explicit.⁵⁴ In the absence of further explicit evidence, we can either choose to reconstruct a plausible story from the available evidence or choose to suppress all curiosity for the lack of further explicit evidence. For practical reasons, many philosophically-minded historians will opt for the former. But the trouble, of course, with filling in the gap is that what seems to be ‘logically compelling (or even merely *obvious*) at one time and place is often not so at another’.⁵⁵

The third and last advantage of the Straussian approach I take note of is that it encourages us to make an effort to think about incoherence more seriously. It helps us to realize that thinking is not an easy task: perhaps, as Michael Zuckert speculates, ‘the great thinkers are more given to incoherence than most

⁵³ *Ibid.*, 16.

⁵⁴ This explains my discomfort with the way that David Wootton, who believes that Locke was an incoherent thinker, approaches Locke’s manuscripts. Wootton seems to think that once Locke has stopped writing about certain things in his manuscripts, it indicates that he is no longer committed to these views. See Wootton, ‘John Locke: Socinian or Natural Law Theorist?’.

⁵⁵ Iain Hampsher-Monk, ‘Evidence and Inference in the History of Political Thought: The Case of Locke’s Theory of Property, in *Evidence and Inference in History and Law: Interdisciplinary Dialogues*, eds. William Twining and Iain Hampsher-Monk (Evanston, Ill.: Northwestern University Press, 2003), 348.

men precisely because they push hardest at the boundaries of thought'.⁵⁶ Straussian scholarship encourages us to try to understand why there is incoherence. There is no reason why we should limit ourselves to conclude, as the Straussians do, that there must be a hidden coherence or an inherent incoherence in the structure of thought. But thinking about incoherence seriously, as the Straussians do, can help us to reappraise a given thinker who we may have dismissed on account of his incoherence. A thinker may well have been incoherent, but it does not mean that we cannot learn from his incoherence. Incoherence may be a sign of a thinker's deeper intellectual struggles and his efforts to strive to render a coherent body of thought.

Perhaps the biggest disadvantage of the Straussian approach is that it leads to arbitrary reading practices, notwithstanding any stated intention to do otherwise. This problem arises because the approach is dependent upon a modern analysis of the problem of political philosophy that in turn licenses a certain form of reading of the history of political philosophy. Straussians are committed to showing that there are connections between the great philosophers which add up to a grand narrative about the crisis of modernity. To demonstrate this narrative and to demonstrate that the historicists are blind to these essential connections, Straussians appeal to esoteric readings of classical texts. To be sure, Strauss, *pace* some of his critics, does not say that esoteric reading is justified on every occasion. However, because Strauss and Straussians are preoccupied with showing that Hobbes was a founder of modern political philosophy, and that all subsequent political philosophy is based or derived from his thought, their illustration of the development of modern political philosophy tends to have a fixed pattern, notably, that Locke was a follower of Hobbes.⁵⁷ This *a priori* assumption compromises Strauss's stated intention to avoid arbitrary esoteric readings. The only test against which one can measure the soundness of an esoteric reading is whether it demonstrates the story of political philosophy's decline. Whether the evidence suggests otherwise is irrelevant. One who sees

⁵⁶ Michael P. Zuckert, 'Appropriation and Understanding in the History of Political Philosophy: On Quentin Skinner's Method', *Interpretation* 13 (1985): 410.

⁵⁷ Leo Strauss, *The Political Philosophy of Hobbes* (Chicago: University of Chicago Press, 1963), 1. For Strauss, Hobbes 'was the first who felt the necessity of seeking, and succeeded in finding, a *nuova scienza* of man and State', upon which 'all later moral and political thought is expressly of tacitly based'.

the esoteric teaching is thoughtful, one who does not is not.⁵⁸ Applied like this, Straussianism can easily lead to a form of foundationless academic authoritarianism.

We have looked at the advantages and disadvantages of Straussianism. We are now in a better position to consider, lastly, what kind of implications Straussianism has for the portrait of Locke. In general, explicitly or implicitly, Locke tends to be depicted as follower of Hobbes. On Strauss's account, according to the narrative of three waves of modernity, we are first encouraged to see Machiavelli and Hobbes as innovators of modern political philosophy.⁵⁹ As it had been Hobbes's role to mitigate the revolting character of Machiavelli's teachings, so it was Locke's role to appropriate the structure of Hobbes's thought and mitigate it in order to guarantee a wider acceptance. Locke, however, was a very cautious man and he was well aware of the dangers and penalties of embracing Hobbism.⁶⁰ A cautious writer, for Strauss, 'would state the case for the good cause in a manner which could be expected to create general good will toward the good cause': while he would 'scorn the appeal to prejudices', he would 'try to enlist all respectable prejudices in the service of the good cause'.⁶¹ In other words, Locke engaged in exoteric and esoteric writing. For example, Locke appealed to the authority of Richard Hooker, a respectable theologian and natural law theorist, 'as frequently as he could'. Yet, what comes out of Strauss's analysis is the suggestion that Locke's apparent faith in God and natural law were best seen as a part of his exoteric teaching. At heart, Locke was a Hobbist. For Strauss, God played no effective role in Locke's natural law doctrine. Following Hobbes, Locke shifted the emphasis of natural law from the duty to the right of self-preservation. The desire for self-preservation turned into a desire for property and acquisition. Thus the right of self-preservation implied a natural right to property. This was the only point at which Locke diverged

⁵⁸ Strauss, *Persecution and the Art of Writing*, 30-1. Strauss seems to have been aware of such a criticism and defends his thesis by remarking that no other methodology has led to universal agreement. But the point at stake here is surely how historians can do their best to prevent historical writing from degenerating into an activity of mere guesswork.

⁵⁹ Strauss, 'The Three Waves of Modernity', 84.

⁶⁰ Strauss, *Natural Right and History*, 206. See especially, Richard H. Cox, *Locke on War and Peace* (Oxford: Clarendon Press, 1960), 1-44; Horwitz, 'Introduction', 1-28. For the reception of Hobbes in general, see Jon Parkin, *Taming the Leviathan* (Cambridge: Cambridge University Press, 2007).

⁶¹ Strauss, *Natural Right and History*, 206-7.

from Hobbes's political philosophy.⁶² But the implications were enormous. By offering an economic solution to a political question, Locke elegantly instituted the Hobbesian structure without its shocking implications: we have 'an utterly selfish passion whose satisfaction does not require the spilling of any blood and whose effect is the improvement of the lot of all'.⁶³

Taking Hobbes's hedonism further, the Straussian Locke argued that man was emancipated from the wretchedness of the state of nature by the emancipation of his 'productive acquisitiveness'.⁶⁴ The 'rational and industrious' induced the 'lazy and inconsiderate' to work harder for the common good of mankind. The role of the state or the 'mighty leviathan' was to protect and preserve property – the property of the rational and industrious from the lazy and quarrelsome. The state thereby offered a guarantee of the individual's self-preservation and helped increase the common stock of mankind. Life in a Lockean society was characterized by utilitarianism or political hedonism: the painful effort to obtain that which produced the greatest pleasures. Because the good life involved the quest for freedom from the miseries of the state of nature, there was no necessary tension with this quest and civil society as the mighty leviathan or 'coercive society'.⁶⁵ We are thus encouraged to see little difference between Locke's state and the Hobbesian state.

Despite the criticism levelled at Strauss, Straussianism still comprises a major interpretative school in Locke scholarship today in the United States.⁶⁶ Straussianism in general is popular in the United States because it concerns the identity and status of modernity and liberal democracy in America. In this context, we can see why Straussianism remains a major industry in Locke scholarship in the United States. For Straussians, Locke is a pivotal figure in the development of American liberalism.⁶⁷

It is perhaps worth noting that subsequent Straussian interpreters of Locke are not in unison over the evaluation of Locke's achievements. Strauss's

⁶² Strauss, 'What is Political Philosophy?', 49.

⁶³ *Ibid.*, 49.

⁶⁴ This view is compatible with the C.B. Macpherson's Marxist reading of Locke. Macpherson portrays Locke as an exponent of the rising bourgeoisie. See C.B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford: Clarendon Press, 1962).

⁶⁵ Strauss, *Natural Right and History*, 202-51.

⁶⁶ For an extensive list of names of Straussian scholars, see Zuckert, *The Truth about Leo Strauss*, 29.

⁶⁷ Zuckert, *Launching Liberalism*.

assessment of Locke can be read as an indictment. Locke was a follower of Hobbes and a part of the modern project. Given that the modern project was bad, Locke must be bad as well. Indeed, this is Behnegar's assessment of Strauss's Locke: 'By exposing the Hobbesian and hedonistic foundations of Locke's thought, Strauss's study may undermine the respectability of Locke and consequently put in question the status of the American founding fathers'.⁶⁸ Others Straussians, however, have maintained that Locke was the 'king' of philosophers and hold him in high respect as the founder of liberalism and liberal America.⁶⁹ This too is compatible with Strauss's own assessment of Locke. Although America was modern, Strauss had expressed his support for it. This can be explained by the fact that for Strauss, America was a derivative political society of the first wave, whereas the totalitarian Soviet regime was a derivative of the second wave. For Strauss, the superiority of liberal democracy over totalitarianism was clear. Given this backdrop, Locke *qua* the founder of liberalism can be seen as a good philosopher relative to those of the second and third wave.⁷⁰

Yet despite the differences and disagreements in the Straussian schools,⁷¹ as a general conclusion, we may say that they see an organic history of political philosophy. This overwhelming preoccupation makes the Straussians susceptible to the interpretative problems observed in this section.

2. Cambridge Contextualism

In this section, I will consider Cambridge contextualism.⁷² This approach has become the dominant approach of historically-oriented studies of the history of

⁶⁸ Behnegar, 'The Liberal Politics of Leo Strauss', 258.

⁶⁹ See for example, R.A. Goldwin, 'John Locke 1632-1704, in *History of Political Philosophy*, 3rd ed., eds. Leo Strauss and Joseph Cropsey (Chicago: University Press of Chicago, 1987), 510; Nathan Tarcov, *Locke's Education for Liberty* (Chicago: University Press of Chicago, 1984), 1.

⁷⁰ Zuckert, *The Truth about Leo Strauss*, 74-9.

⁷¹ *Ibid.*, ch.7. There are 'West Coast', 'Midwest', and 'East Coast' Straussians. Respectively, they reject the positions that America is modern, that modernity is bad, and that American is good, 21-2.

⁷² For useful introductions, see David Boucher, *Texts in Context: Revisionist Methods for Studying the History of Ideas* (Dordrecht: Kluwer Academic Publishers, 1985); Conal Condren, *The Status and Appraisal of Classic Texts* (Princeton: Princeton University Press, 1985); John G. Gunnell, *Political Theory: Tradition and Interpretation* (Cambridge, Mass.: Winthrop Publishers, 1979); James Tully, 'The Pen is a Mighty Sword: Quentin Skinner's Analysis of Politics', in *Meaning and Context: Quentin Skinner and His Critics* (Cambridge: Polity Press, 1988), 7-25; Iain Hampsher-Monk, 'The History of Political Thought and the Political History of Thought', in *The History of Political Thought in National Context*, eds. Dario Castiglione and

political thought. We shall see that on this approach Locke is often portrayed as a political ideologue with little overall consistency. The purpose of this section is to show how such a portrait can be a consequence of applying this approach too rigorously. But first, to help us to see this clearly, I will start by identifying the general methodological direction and claims of the contextualist approach, and then moving on to examine its advantages and disadvantages.

It is a familiar story that in the 1960s, a number of intellectual historians, coincidentally associated with Cambridge, published their reflections on methodology or studies with methodological significance, which, despite individual differences, were united by their emphasis on the historical identity of the study of the history of political thought.⁷³ Their emphasis was on situating a past thinker within his appropriate intellectual context or contexts. Cambridge contextualism primarily came out as a reaction to the non-historical writing of intellectual history, among those associated with this type of writing was Leo Strauss, of whom we have just seen. The Cambridge tradition is rich and diverse. But amongst others, there is no doubt that Quentin Skinner has attracted the most attention, not least because he has written extensively on methodology with incredible force and clarity.

The central assumption that Skinner makes is that works of political theory are political acts. For Skinner, the central question an intellectual historian asks is thus: 'What was an author doing in writing what he did'? Here, Skinner distinguishes between an author's intention *to do* something and an author's intention *in doing* something.⁷⁴ The former refers to the author's 'plans or design to create a certain type of work'.⁷⁵ Like an author's motives *for*

Iain Hampsher-Monk (Cambridge: Cambridge University Press, 2001), 159-74; Quentin Skinner, 'The Rise of, Challenge to and Prospects for a Collingwoodian Approach to the History of Political Thought', in *The History of Political Thought in National Context*, eds. Dario Castiglione and Iain Hampsher-Monk (Cambridge: Cambridge University Press, 2001), 175-88; Richard Tuck, 'The Contribution of History', in *A Companion to Contemporary Political Philosophy*, eds. Robert E. Goodin and Philip Petit (Oxford: Blackwell, 1993), 72-89; 'History of Political Thought', in *New Perspectives on Historical Writing*, 2nd ed., ed. Peter Burke (Cambridge: Polity Press, 2001), 218-32.

⁷³ Peter Laslett, 'Introduction'; J.G.A. Pocock, 'The History of Political Thought: A Methodological Enquiry', in *Philosophy, Politics and Society*, 2nd series, eds. Peter Laslett and W.G. Runciman (Oxford: Blackwell, 1962), 183-202; John Dunn, 'The Identity of the History of Ideas', *Philosophy* 43 (1968): 85-104; Skinner, 'Meaning and Understanding in the History of Ideas'.

⁷⁴ Skinner, 'Meaning and Understanding in the History of Ideas', 60-1.

⁷⁵ Quentin Skinner, 'Motives, Intentions and the Interpretation of Texts', in *Meaning and Context: Quentin Skinner and His Critics* (Cambridge: Polity Press, 1988), 73.

writing something, it refers to a 'contingent antecedent condition of the appearance of the work'. An author may have various motives for writing a given work, and indeed, some may never successfully issue in an action.⁷⁶ If that is the case, we can never hope to re-enter an author's mind and re-enact every thought that he has had. Moreover, an author's intention to do something may be irrelevant for the understanding of the meaning of the work, it being in a contingent relationship to the work, or, as it were, 'outside' it. By contrast, the author's intention *in* doing something presupposes that the relevant action has occurred, and thus, that it is 'inside' the work in the form of a statement:

We may wish, that is, to ask not just about whether a given writer achieved what he intended and intended to achieve what he achieved, but rather about just *what* he may have been intending to do *in* writing what he wrote.⁷⁷

Skinner refers to the author's intention in writing something as the author's 'illocutionary' intentions. This tells us what an author was doing and through this what he may have meant by making a given statement. For Skinner, understanding a text meant not only understanding the literal meaning of a statement but also the illocutionary force of it.

The next question an intellectual historian asks is then: 'How can we identify what an author was doing in writing or saying what he did'? Skinner claims that the crucial step is to reconstruct the 'linguistic' or 'ideological' context of the text.⁷⁸ By doing so, we can make sense of what kind of significance a certain utterance had in a certain linguistic context:

We can begin to see not merely what arguments [authors] were presenting, but also what questions they were addressing and trying to answer, and how far they were accepting and endorsing, or questioning and repudiating, or perhaps even polemically ignoring, the prevailing assumptions and conventions of political debate.⁷⁹

⁷⁶ Skinner, 'Meaning and Understanding in the History of Ideas', 60.

⁷⁷ Skinner, 'Motives, Intentions and the Interpretation of Texts', 75.

⁷⁸ Skinner, 'Meaning and Understanding in the History of Ideas', 64.

⁷⁹ Quentin Skinner, *The Foundations of Modern Political Thought*, 2 vols. (Cambridge: Cambridge University Press, 1978), I, xiii.

Skinner argues that focusing our attention on the linguistic context can help us first to bypass the problem involved in postulating the self-sufficiency of the text. The problem with the textualist approach, as Skinner has suggested, is that it runs the risk of producing various ‘mythologies’, that is, the risk of attributing to a past thinkers views which they could not have reasonably been expected to hold.⁸⁰ For example, in what Skinner calls the ‘mythology of prolepsis’, an historian is more interested in ‘the retrospective significance of a given historical work or action than its meaning for the agent himself’.⁸¹ So while it is correct to say that Locke was ‘one of the founders of the modern empirical and liberal school of political philosophy’, this argument can be elided into the claim that Locke himself was a ‘liberal’. For Skinner, ‘this only serves to turn a remark about Locke’s significance which might be true into a remark about the content of his works which could not be true’.⁸²

Examining the linguistic context also helps us to bypass the problem involved in focusing on the social or historical context. Skinner concedes that the knowledge of the social and historical context can help in understanding a given text. Indeed, he believes that a ‘knowledge of the social context of a given text seems at least to offer considerable help in avoiding the anachronistic mythologies’ of the textualists.⁸³ However, the problem with the (social) contextualist approach is that the social and historical context may be mistakenly treated as the determinant of what the author said rather than serving as an ‘ultimate framework’ for ‘helping to decide what conventionally recognizable meanings, in a society of *that* kind, it might in principle have been possible for someone to have intended to communicate’.⁸⁴ For Skinner, the assumption that the ideas of a given text should be understood *in terms of* its social context is mistaken.⁸⁵ In its Namierite version, social contextualists see

⁸⁰ Skinner, ‘Meaning and Understanding in the History of Ideas’, 36–49. However, Skinner has been criticized for misrepresenting his opponents as contextualists and textualists. See Boucher, *Texts in Context*, 231f; Preston King, ‘The Theory of Context and the Case of Hobbes’, in *The History of Ideas: An Introduction to Method* (London: Croom Helm, 1983), 285–315, esp. 290–5; Kenneth Minogue, ‘Method in Intellectual History: Quentin Skinner’s *Foundations*’, in *Meaning and Context: Quentin Skinner and His Critics*, ed. James Tully (Cambridge: Polity Press, 1988), 181.

⁸¹ Skinner, ‘Meaning and Understanding in the History of Ideas’, 44.

⁸² *Ibid.*, 44.

⁸³ *Ibid.*, 57.

⁸⁴ *Ibid.*, 64.

⁸⁵ *Ibid.*, 59.

political theorizing as mere *ex post facto* rationalizations of political behaviour.⁸⁶ For example, one is faced with Machiavelli's statement, 'a prince must learn how not to be virtuous'. Say a study of the social context reveals that virtue in princes had in fact led to their ruin at the time. We can say that Machiavelli, who saw that virtue does not guarantee a prince's success, theorized that a prince must learn not to be virtuous in order to maintain power. Thus, the meaning of the sentence is made clear by the social context. But such a task, Skinner claims, is insufficient to identify Machiavelli's illocutionary intentions, which may be twofold. He may have been endorsing or emphasizing a moral commonplace or, by contrast, he may have been rejecting or repudiating a moral commonplace. While for Skinner the social context may help to *explain* Machiavelli's utterance, it does not mean that one has *understood* it. Understanding a text requires one to understand the meaning of the text and also what it was doing.⁸⁷

Skinner's approach has had a significant impact on the subsequent writing of intellectual history. Let us then examine the advantages and disadvantages of the Cambridge contextualist approach. I will start with the advantages. I will focus upon two. The first advantage of contextualism is that by encouraging us to momentarily take our eyes off a given past thinker and investigate the specific intellectual context of his utterance, it helps us to set historically sensitive expectations of what a past thinker could be expected to say. It enables us to identify the extent to which a past thinker was following a certain convention, and also, when and how he departed from it. It also enables us to recognize the specific problem or problems a past thinker was addressing and through this, get a deeper sense of what he was doing. To sum up, contextualism helps us to ask historically sensitive questions thereby obtaining historically sensitive answers.

A second advantage of the Cambridge contextualist approach is that it helps us to make sense of silences effectively. Again, by inducing us to survey the historical context and conventions surrounding a certain political debate, it helps us not only to see the conventionality or originality of a past thinker's

⁸⁶ Quentin Skinner, 'Some Problems in the Analysis of Political Thought and Action', in *Meaning and Context: Quentin Skinner and His Critics* (Cambridge: Polity Press, 1988), 109; and *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998), 104.

⁸⁷ Skinner, 'Meaning and Understanding in the History of Ideas', 61-2.

utterance, but also, what he failed to say. We might conjecture that a past thinker was, so to speak, stating his attitude towards a certain assumption ‘in the form of his silence’, perhaps ‘polemically ignoring’ prevailing assumptions.⁸⁸ For example, noting that Locke made ‘no appeal to the prescriptive force of the ancient English constitution’ in the *Two Treatises of Government*, Skinner suggests that Locke may have been intentionally subverting ‘one of the most widespread and prestigious forms of political argument at the time’ with the mind to ‘shift the discussion of political obligation onto a more abstract level at this point, by ignoring the claims of prescription and arguing entirely in terms of the concepts of natural law and natural rights’.⁸⁹ Thus, on the contextualist approach, we are encouraged to look for the illocutionary intentions of silences. This is perhaps more plausible than the Straussian approach. For some critics, however, this approach is still problematic. For example, Kenneth Minogue asks: ‘how does one even detect *a* silence, since all of us are silent about an infinite number of things’? For Minogue, the discovery of a silence often comes down to a matter of ‘instinct’.⁹⁰ While this may certainly be true, we can defend the Cambridge approach by noting that it offers a historically sensitive criterion to detect a silence, which is precisely what is missing from the Straussian approach. It may not guarantee a discovery, but it will surely help us to sharpen our historical instinct.

We have looked at some of the advantages of Cambridge contextualism. Let us now turn to its disadvantages. Ironically, its main disadvantage stems from its central assumption that writing a text can be a political act. The strenuous emphasis on this assumption has had the side effect of narrowing the scope of intellectual history. By encouraging us to focus on the illocutionary action of a past thinker’s utterance, it has directed our attention to the polemical aspect of the text. As a result, it has encouraged us to see past thinkers less as philosophers than political actors.⁹¹ The contributions of past thinkers are seen as struggles to rewrite or take over the dominant language in a given language game. The history of political thought is portrayed as a series of contingent

⁸⁸ Skinner, *The Foundations of Modern Political Thought*, xiii-xiv.

⁸⁹ Skinner, ‘Some Problems in the Analysis of Political Thought and Action’, 105; see also, Skinner, *The Foundations of Modern Political Thought*, xiv.

⁹⁰ Minogue, ‘Method in Intellectual History’, 182.

⁹¹ Bhikhu Parekh and R.N. Berki, ‘The History of Political Ideas: A Critique of Q. Skinner’s Methodology’, *Journal of the History of Ideas* 34 (1973): 163-184.

political moves.⁹² Indeed, in his most recent book on Hobbes, *Hobbes and Republican Liberty*, Skinner writes:

My governing assumption is that even the most abstract works of political theory are never above the battle; they are always part of the battle itself. With this in mind, I try to bring Hobbes down from the philosophical heights, to spell out his allusions, to identify his allies and adversaries, to indicate where he stands on the spectrum of political debate.⁹³

To be clear, I am not suggesting here that Skinner himself believes or suggests that identifying the political action constitutes a full understanding of a text. Skinner is careful to insist that ‘*amongst* the interpreter’s tasks must be the recovery of the writer’s intention *in* writing what he writes’, rather than insisting that this *is* the interpreter’s sole *task*.⁹⁴ Furthermore, I am not making an *a priori* assumption here that past thinkers (especially those in the canon of political philosophy) cannot be political actors. Rather I am suggesting that one effect of this approach is that we become *vulnerable* to seeing texts solely in terms of *political* actions. Once we begin to focus upon illocutionary intentions, it becomes difficult to see past thinkers as anything other than political actors. Let me expand on this.

On a linguistic contextualist account, past thinkers are seen as players in a ‘language game’. ‘Languages’ are ‘ways of talking’ or ‘modes of discourse’ within natural languages, such as English and French, and they are games governed by ‘certain rules and conventions’.⁹⁵ Past thinkers work within the boundaries of these rules, sometimes following a certain convention or sometimes repudiating or subverting it. By identifying these language games,

⁹² Takamaro Hanzawa, ‘The Western Concept of Liberty and Republicanism: A Historical Overview from Outside’, *The Cambridge Moment* (International Symposium at Chiba University, 11-13 December 2005), 233.

⁹³ Quentin Skinner, *Hobbes and Republican Liberty* (Cambridge: Cambridge University Press, 2008), xvi.

⁹⁴ Skinner, ‘Motives, Intentions and the Interpretation of Texts’, 76; ‘Some Problems in the Analysis of Political Thought and Action’, 102. The sentences that immediately follow the above quote from Skinner’s *Hobbes and Republican Liberty* confirms his commitment: ‘I do my best, of course, to provide a careful exegesis of [Hobbes’s] changing views about liberty. But I am at least as much interested in the seething polemics underlying the deceptively smooth surface of his argument’.

⁹⁵ Annabel Brett, ‘What is Intellectual History Now?’, in *What is History Now?*, ed. David Cannadine (Basingstoke: Palgrave, 2002), 115-9.

the contextualist approach does tremendous service identifying ‘when’ and ‘how’ past agents achieved their ‘polemical purposes’. However, there is also a drawback. We may narrow our historical vision by focusing exclusively upon the ways in which past agents were ‘reworking meanings’ and reducing their purposes to these moves.⁹⁶ To avoid reducing intellectual history to a historiography of the struggles in a language game, contextualists such as Mark Goldie (amongst others) stress the importance of locating not only the particular linguistic convention of an utterance but also its historical context(s).⁹⁷ In other words, asking the ‘why’: ‘Why did a past thinker do what he did’? However, in answering this question, contextualists have developed a habit of looking for what a historical agent was trying to do in *politics* (whether in looking for one context or multiple contexts of a text).⁹⁸ This again leads to the problem of narrowing: seeing past thinkers merely as political actors.⁹⁹

To summarize the discussion about the disadvantages of the Cambridge approach, the strenuous application of contextualist analysis tends to result in a narrowing of our historical vision. We are encouraged to focus upon the senses in which past thinkers were responding to particular problems arising from highly specific historical situations. Through this lens, a thinker’s contribution becomes little more than a series of disconnected ideological manoeuvres.

The contextualist approach does not encourage us to look internally for a deeper philosophical structure or the developing mind of a thinker. Of course, this is not a necessary consequence of the former method, and we should not close our eyes to the crucial developments in Skinner’s later works on methodology. Amongst other things, he argues that we should focus on the writer’s ‘mental world’, or ‘the world of his beliefs’ when we try to recover the writer’s intentions.¹⁰⁰ It is significant, as Ken Tsutsumibayashi notes, that Skinner invokes John Dunn here, and even more so in relation to this thesis, because in the next section and the thesis as a whole, I will be arguing that this

⁹⁶ Mark Goldie, ‘Historiographical Review: Obligations, Utopias, and their Historical Context’, *Historical Journal* 26 (1983): 733.

⁹⁷ See also Brett, ‘What is Intellectual History Now?’, 123; James Tully, *An Approach to Political Philosophy: Locke in Contexts* (Cambridge: Cambridge University Press, 1993), 1-6.

⁹⁸ Goldie, ‘Historiographical Review’, 733.

⁹⁹ *Ibid.*, 732f. Goldie tries to distinguish Cambridge contextualists from Richard Ashcraft, who he accuses of reducing Locke’s *Two Treatises* to a polemical pamphlet, but nonetheless resists seeking for the significance of the text at a higher level of abstraction.

¹⁰⁰ Skinner, ‘Motives, Intentions and the Interpretation of Texts’, 78.

focus on the agent's mental world, which Dunn pioneered, will help us to see the development of Locke's thought in a different light.¹⁰¹

Having examined the main claims of the contextualist approach and its advantages and disadvantages, we are in a better position to see why on this approach Locke is often portrayed as little more than an ideologue. A classic, indeed the original, example of a portrait of Locke from the contextualist camp is that of Peter Laslett.¹⁰² Laslett, of course, pre-dates Skinner, but the former's influence on the latter has been widely acknowledged, most notably by Skinner himself.¹⁰³ Before Laslett, it was commonly supposed that Locke's *Two Treatises* was written shortly after the Glorious Revolution as an *ex post facto* defence and that his main adversary was Hobbes. Through a close examination of Locke's manuscripts and a contextualist analysis of Locke, Laslett identified firstly that Locke's target was not Hobbes but Sir Robert Filmer, and secondly, that the *Two Treatises* was written before the Revolution as a contribution to the Exclusion crisis in the early 1680s (Laslett does not dispute the fact that the *Two Treatises* was used as an *ex post facto* defence of the Revolution). Laslett also argued that Locke as a political polemicist was distinct from Locke the philosopher. As a philosopher, Locke had realized that he had failed to demonstrate the existence of a normative law of nature. But as a political polemicist, he needed a strong conceptual foundation for his political theory, which natural law could provide. Therefore, contrary to what he believed as a philosopher, he based his arguments in the *Two Treatises* on natural law. Locke is thus portrayed as having little consistency between his political theory and philosophy. From this view, it is intimated that Locke's overall development lacked coherence. Scholars after Laslett in the contextualist camp disagree over certain details about the precise occasion of the *Two Treatises*, but they tend to

¹⁰¹ Ken Tsutsumibayashi, 'A Dialogic Critique of the Cambridge School Methodology', *Keio Law Review* 72-3 (1999-2000): 41-102 and 33-67, at (1999): 79. Although this point has attracted attention in Japan, it has not been the case in the Anglophone community. For Skinner's self-appraisal of his reception, see Quentin Skinner, *Visions of Politics*, 3 vols. (Cambridge, Cambridge University Press, 2002), I, 5n. Skinner complains that he feels he has 'lived in vain' when Mark Bevir failed to notice the impact of his holistic approach. Mark Bevir, 'Taking Holism Seriously: A Reply to Critics', *Philosophical Books* 42 (2001): 188.

¹⁰² Peter Laslett, 'Introduction'.

¹⁰³ Quentin Skinner, 'A Reply to My Critics', in *Meaning and Context: Quentin Skinner and His Critics* (Cambridge: Polity Press, 1988), 233; see also, 'An Interview with Quentin Skinner', *Cogito* 11 (1997): 69-76.

agree over the general portrait of Locke as a philosophically inconsistent polemical thinker.¹⁰⁴

Let us see where the Cambridge approach leads to when taken to its extremes. Here, I believe that John Marshall's book *John Locke: Resistance, Religion and Responsibility* is a good example.¹⁰⁵ Marshall is not a Skinnerite contextualist but he is very much a student of the Cambridge approach. His undergraduate supervisor was Mark Goldie and his PhD supervisor was John Pocock. We may say that what we see in Marshall is the effect of the assumptions of the contextualist approach. In *John Locke*, Marshall proposes to write about the development of Locke's intellectual thought. Committed to recovering a contextually oriented portrait of Locke, he painstakingly analyzes Locke's manuscripts. Marshall produces a portrait of Locke in which Locke sequentially responds to the contextually specific problems he meets.¹⁰⁶ Locke's contributions are effectively reduced to solutions to the problems as he is confronted by them. Thus, Marshall's Locke is essentially passive. Locke is influenced by the materials he encounters and he often adopts them without considering the overall impact to his wider thought. We are encouraged to see the development of Locke's thought as a development with little direction, purpose or coherence. The development of Locke's thought becomes no more than the assemblage of responses to these individual problems.

Two brief examples, which we shall examine in further detail in the chapters, will illustrate this point. First, it is widely accepted that Locke in the early 1660s advocated an authoritarian political outlook and Locke in the late 1660s advocated a liberal one. This is a significant move which is nothing short of a *volte-face*. For Marshall, however, there is no possibility of a theoretical

¹⁰⁴ Mark Goldie, 'John Locke and Anglican Royalism', *Political Studies* 31 (1983): 61-85; Richard Ashcraft, *Revolutionary Politics & Locke's Two Treatises of Government* (Princeton: Princeton University Press, 1986); Wootton, 'John Locke: Socinian or Natural Law Theorist?'; Justin Champion, 'Le culte prive quand il est rendu dans le secret': Hobbes, Locke et les limites de la tolerance, l'atheisme et l'heterodoxie', in *Les fondements philosophiques de la tolerance* vol. 1, eds. Y. Charles Zarka, Franck Lessay and John Rogers (Paris: Presses Universitaires de France, 2002) 221-253.

¹⁰⁵ Marshall, *John Locke*.

¹⁰⁶ *Ibid.*, xvi. 'The conjunction of support for religious, intellectual and political liberty in Locke's thought in the 1690s will be shown to have been in significant part the result of external influences from the varied political, religious, social and moral causes which Locke supported between the late 1660s and the 1690s, and in significant part of intensive personal reflection, particularly influenced by massive reading and by a series of significant encounters in years spent on the Continent with work by Dutch, French, Polish and Hungarian authors'.

development on Locke's part. Locke's struggle to compose a consistent argument in the late 1660s suggests that 'Locke was initially engaged in an attempt to defend toleration at Ashley's request when he himself was still not convinced of its viability'.¹⁰⁷ Here, Locke's radical change of view is attributed solely to external pressures.

The second example concerns Locke's theological views. It is widely accepted that Locke believed in human freedom all through his intellectual career. Yet in his final theological work, *A Paraphrase and Notes on the Epistles of St Paul*, Marshall notes that Locke offers a grim picture of human sinfulness, which amounts to a repudiation of his previous commitment to human freedom. Again, this is nothing short of a *volte-face*. But for Marshall, this can be explained by 'a stress [Locke's] substantial reading of Paul's thought helped to create'.¹⁰⁸ Locke's radical change of view is again attributed to external influences.

My point is not that Locke cannot be influenced by others. Rather, it is to note that for Marshall, there is an underlying assumption that thinkers do not think beyond a specific context. On Marshall's account, there is no possibility that thinkers have a governing principle and that they try to pursue its implications across the various areas of thought. Locke responds to specific questions in specific contexts. He adopts positions suitable to these situations regardless of whether this undermines his previous commitment. On this model, Locke can only appear as a thinker with little overall coherence.

Once we accept that texts are political actions, it becomes difficult not to see thinkers as political actors responding to particular problems. Once this is settled, it becomes difficult to see any past thinker with a deeper intellectual and philosophical structure.

3. The Holistic Approach

Hopefully, nothing I have said so far suggests that I believe that we cannot learn anything valuable about Locke (or any past thinker) from either Straussianism or Cambridge contextualism. All that I have been claiming is that when these methodologies (or indeed, any other methodology) are applied over-rigorously,

¹⁰⁷ Ibid., 69.

¹⁰⁸ Ibid., 433.

we end up creating interpretive problems that we have seen above. How can we avoid the Scylla of Straussianism and the Charybdis of Cambridge contextualism? As I have noted above, the Cambridge tradition is rich and diverse. In this final section, and indeed, the thesis as a whole, I will argue that a re-appraisal of the methodological approach which John Dunn pioneered, but which has been overshadowed by Skinner, can cast a different light on our understanding of the development of Locke's thought. In this section, I will examine the general assumptions of the holistic approach and its major advantage. Following this, I will explain how the thesis uses the advantage of this approach to offer a renewed insight into the development of Locke's mind. I will then run through the individual chapters and show how they fit into the overall argument of the thesis.

Dunn's contribution to the study of intellectual history¹⁰⁹ has perhaps not been fully appreciated.¹¹⁰ This is partly because his writing is simply difficult to understand but also on a less mundane note it is partly because the similarity with Skinner's methodology has been overemphasized. Because of the common nature of their reaction to the non-historical writing of history in the 1960s, their similarities rather than their differences have tended to be emphasized.¹¹¹

What contributions does Dunn make to the discussion of methodology? An important assumption we can extract from Dunn's comments on methodology¹¹² is that thinking, and thus, writing, is essentially an activity of understanding. In his article 'The Identity of the History of Ideas', he writes: 'thinking is an effortful activity on the part of human beings, not simply a unitary performance; that incompleteness, incoherence, instability and the effort to overcome these are its persistent characteristics'. It is 'an activity which is conducted more or less incompetently for most of their waking life by a

¹⁰⁹ And also, Dunn's contribution to Locke scholarship. Although his book *The Political Thought of John Locke* (amongst others) has been widely cited, he seems only to be remembered by a few pithy remarks.

¹¹⁰ This does not seem to be the case in Japan. See, for example, Takashi Kato, 'On the "Complexity" of Locke's Thought: A Methodological Sketch', *History of Political Thought* 2 (1981): 287-311; 'The Reasonableness in the Historical Light of the *Essay*', *Locke Newsletter* 12 (1981): 45-59.

¹¹¹ This is not to say they were not noted at all.

¹¹² I say Dunn's 'comments' on methodology because Dunn never develops a systematic methodology as Skinner does. This is because Dunn does not think that methodology can elevate higher than the level of prudence. See John Dunn, 'Practising History and Social Science on "Realist" Assumptions', in *Political Obligation in its Historical Context* (Cambridge: Cambridge University Press, 1980), 111.

substantial proportion of the human race, which generates conflicts and which is used to resolve these, which is directed towards problem solving and not towards the construction of closed formal games'.¹¹³ In other words, history of *thinking* implies a 'history of men battling to achieve a coherent ordering of their experience'.¹¹⁴ Thus, for Dunn, the great texts of political thought are 'products of concentrated intellectual labour and imaginative exploration by palpably human agents'¹¹⁵ which, he argues, are 'in some sense unintelligible except in terms of this context'.

Let us consider what kind of practical methodological implication the assumption of conceiving thinking as an effortful activity has. It invites us, amongst other things, to focus on the intellectual development of a past thinker when we consider how a past thinker came to say what he did. In particular, we are encouraged to inquire what assumptions were required for an agent to be able to say what he said and how these assumptions were formulated so that we can understand what the agent was trying to say. Dunn argues: 'If we are to understand the criteria of truth or falsehood implicit in a complex intellectual architectonic, we have to understand the structures of biographical or social experience which made these criteria seem self-evident'.¹¹⁶ Therefore, once we accept Dunn's assumption, we are invited to look for a deeper structure, a complex web of beliefs and commitments that make a certain utterance intelligible.

As Dunn came to realize in retrospect, his approach falls in the tradition of Quine's holism.¹¹⁷ Thinking is 'an internally related whole'; it is not an 'assemblage of discrete individual propositions or assertions'. Hence, for Dunn, a single utterance of a past thinker cannot be 'understood and epistemically assessed firmly on [its] own'.¹¹⁸ It is a part of a wider network of beliefs and assumptions, where one set of belief lends support to another. On this view, we

¹¹³ Dunn, 'The Identity of the History of Ideas', 88.

¹¹⁴ *Ibid.*, 87.

¹¹⁵ John Dunn, *The History of Political Theory and Other Essays* (Cambridge: Cambridge University Press, 1996), 18.

¹¹⁶ Dunn, 'The Identity of the History of Ideas', 96.

¹¹⁷ John Dunn, 'What is Living and What is Dead in the Political Theory of John Locke?', in *Interpreting political responsibility* (Princeton: Princeton University Press, 1990), 9-10. See W.V. Quine, *Word and Object* (Cambridge, Mass.: MIT Press, 1960); *From a Logical Point of View* (Cambridge, Mass: Harvard University Press, 1961), 20-46.

¹¹⁸ Dunn, 'What is Living and What is Dead in the Political Theory of John Locke?', 9-10.

are encouraged to look for central presuppositions that an author makes (something on the line of what R.G. Collingwood calls ‘absolute presuppositions’)¹¹⁹, and then see how his utterances at a given time relate to this presupposition. It is worth noting that Dunn’s approach also has affinities with that of Mark Bevir’s works. Intellectual history, on Bevir’s account, is the ‘history of beliefs’.¹²⁰ Bevir, like Dunn, stresses that an agent’s utterance only makes sense in relation to his web of beliefs, that is, in relation to the ‘life-history’ of the web of beliefs of the agent.¹²¹ So, for example, he argues: ‘If we know X believed P, Q, and R, one way of explaining why X believed S is to show how S fits in with P, Q, and R’.¹²²

We have examined the general claims of the holistic approach. Let us move on to consider its advantages. The overwhelming advantage of this approach is that it draws our attention to the past thinker’s internal activity – an activity of making his mental world coherent – and not just the political issues which had an impact on him (of course, these two may be interrelated). By examining the whole array of commitments an agent adopted, we can make plausible judgments as to how certain utterances squared with the other commitments. If an agent changed his mind, we can search for reasons other than polemical ones; he may, for example, have seen the unpleasant implications of his commitments (Bevir calls these ‘dilemmas’)¹²³ and altered them to fit with his existing web of beliefs, which in turn often had the effect of altering the whole web of beliefs. In short, the advantage of the holistic approach is that it helps us to see beyond the local contexts and significances and helps us to focus on the bigger vision and agenda that a past thinker may have had. It helps us to see the connections and significances a thinker attached to a certain argument and encourages us to see it as a part of a wider argument.

Another advantage of the holistic approach is that it too, like the previous two approaches, offers us a way to make sense of silences. On this

¹¹⁹ R.G. Collingwood, *An Autobiography*, intro. Stephen Toulmin (Oxford: Clarendon Press, 1978), ch.7, esp. 66-7; *An Essay on Metaphysics*, rev. ed., ed. Rex Martin (Oxford: Clarendon Press, 1972), chs.4, 5, esp. 31-3. An absolute presupposition is ‘one which stands, relatively to all questions to which it is related, as a presupposition, never as an answer’, 31. It is a presupposition upon which others are built.

¹²⁰ Bevir, ‘Taking Holism Seriously’, 189.

¹²¹ Bevir, *The Logic of the History of Ideas*, 192-3.

¹²² Bevir, ‘Taking Holism Seriously’, 189.

¹²³ Bevir, *The Logic of the History of Ideas*, ch.6.

approach, we can try to make sense of silences by synchronic and diachronic considerations of what web of beliefs and commitments a past thinker had and had developed over a period of time.¹²⁴ A silence may be explained by looking at how it connected with a present or a previous commitment an agent had or had made, which perhaps had unfavourable implications or which perhaps had already answered the question at hand.

4. Overview of the Thesis

The thesis will adopt the holistic approach just expounded. The chapters will each re-examine, from a holistic perspective, puzzles related to two larger issues about the coherence and direction of the development of Locke's thought. The chapters in this thesis will be a series of developing and complementary case studies covering aspects of the development chronologically. Perhaps one might ask whether a 'case study' approach is appropriate for this thesis. As we have seen, the holistic approach sees writing as an activity of effortful thinking and examines a thinker's utterances in the light of his synchronic and diachronic webs of beliefs. Thus, one may say that this approach inherently entails a study of the intellectual biography of a thinker, that is to say, an extensive study of the development of a thinker's mind spanning all the different areas of thought, which, at first sight, may only seem remotely relevant to a particular utterance. Given the tremendous time and space such a thorough investigation as 'the mind of Locke' would take, one may be excused, I hope, in the limited scope of a thesis, for being selective. But at the same time, one cannot be exempted from the task of making clear how these individual case studies come together behind a unifying story.

I will now summarize the individual case studies and chapters of the thesis, and explain how they fit together in a narrative about the development of Locke's thought. Each chapter will consider a specific puzzle in Locke scholarship relating to two wider puzzles about the coherence of Locke's development and Locke's intellectual relationship with his contemporaries, pre-eminently Hobbes. They will each show how the holistic approach opens up novel ways of resolving the puzzles and how these narratives contribute to

¹²⁴ Ibid., chs.5, 6.

constructing a larger portrait of Locke, which differ from contextualist and Straussian portraits, as a systematic and distinctive thinker.

Chapter One considers the puzzle about Locke's *volte-face* from an authoritarian politics in the early 1660s to a liberal politics in the late 1660s. Broadly contextualist-minded commentators have struggled to explain why Locke changed his political views between the early and late 1660s. They have traditionally tried to explain this change in terms of contingent events in the mid 1660s. However, this chapter shows, via the holistic approach, that the change can be attributed to a theoretical development in Locke's thought, particularly natural jurisprudence. It also shows how Locke's natural jurisprudence developed in direct opposition to Hobbes, and how this helped Locke to shift from his former authoritarian Hobbesian politics to later liberal politics. More specifically, in this chapter, we shall see how Locke encountered a political problem in the early 1660s, which required him to clarify the legitimate boundaries of civil authority and individual conscientious liberty concerning indifferent things. Both were necessary to perform the duties of civil order and sincere worship willed by God. Locke's initial response, which prioritized civil order, was unsatisfactory because it bought civil order at the price of sincere worship. We shall see how Locke's solution to this dilemma led on to wider investigations about natural law, and in turn, how this development provided the conceptual resource to reconcile the tension between civil order and sincere worship. More broadly, this chapter shows Locke's struggle to disentangle himself from Hobbesian politics and how he strived to develop an intellectual system that could transcend it.

Chapter Two considers the puzzle about the impetus behind the production of Locke's *Essay concerning Human Understanding*. Contextualist commentators have traditionally seen the project of the *Essay* as following seamlessly from the lectures on natural law. Others have seen the *Essay* as a polemical work to refute the authoritarianism of Samuel Parker. This chapter shows through the holistic approach that Locke's opposition to Parker's politics figured in a wider intellectual context to defend the former's political vision at a more specific philosophical level. More specifically, we shall see how Locke's renewed liberal political vision faced a challenge in the works of Samuel Parker in the late 1660s. Parker, like the Locke of the early 1660s, advocated the civil

magistrate's authority over religious affairs. Parker's Hobbesian politics posed a challenge for Locke not least because the two shared many philosophical assumptions in common, yet their political views were at loggerheads. We shall see that the difference separating Locke and Parker was that whereas Parker supposed the superior knowledge of the magistrate over religious affairs, Locke supposed that people were equally competent and that in general they were capable of attaining the necessary knowledge concerning morals and religion. We shall therefore see how a question about politics developed into a wider investigation about the scope of human understanding, or epistemology. More broadly, this chapter shows how Locke's thought developed structurally in opposition to the Hobbism exemplified in Parker.

Chapter Three considers the puzzle about the supposed incoherence and Hobbism of Locke's hedonistic ethics and his refusal to respond positively to an invitation to emulate the naturalistic ethics of an anti-Hobbist writer, Richard Cumberland. Contextualist commentators have traditionally argued that Locke's hedonistic ethics was at odds with his natural law theory. Moreover, some contextualist commentators as well as Straussian commentators have suggested that Locke fell into Hobbism, even if he was not a Hobbist from the outset. This chapter shows through the holistic approach that Locke's hedonism complemented rather than contradicted his natural jurisprudence. Moreover, it shows that although Locke did share similar conceptual resources as Hobbes, his hedonistic brand of ethics differed significantly from Hobbes. Locke did not adopt Cumberland's solution because it came too close to Hobbes as a solution to it. More specifically, we shall see how Locke's morals and natural jurisprudence developed in a way that was consistent with his epistemology. Locke believed that moral knowledge was in the ambit of human understanding. Having rejected innate ideas, Locke needed to show how people could attain moral knowledge through their natural faculties. We shall see that in the 1670s, Locke began to develop his morals in terms of hedonism, but of a particular kind. Like his contemporaries, Locke linked his hedonistic ethics with the divine purpose, but he stressed the pleasure and pain of the afterlife rather than those of this present world. The latter came close to Hobbes's version of hedonism. To supplement his morals, Locke showed how natural reason was congruent with revealed theology and how the latter could help the less fortunate to attain moral

knowledge. More broadly, this chapter shows that Locke's thought developed consistently with his previous commitments, and moreover, in a way that was structurally different from Hobbes.

Chapter Four considers the coherence of Locke's discussion of atheism. Commentators have often seen Locke's denial of toleration to atheists as an anomaly for the champion of liberal toleration, merely reproducing a false seventeenth century prejudice. Others have suggested that there was something significant about Locke's denial. For Straussian commentators, Locke's denial had less to do with his own personal faith than the utility of a God-myth for effective governance. Some contextualist commentators have observed that Locke's discussion of atheism was uncharacteristically short, perhaps for polemical reasons. This chapter shows through the holistic approach that Locke's views of atheism were in fact significant. They were complicated and differed from his contemporaries' significantly, showing that Locke was addressing a conceptually new problem. The chapter also suggests that Locke said very little about atheism because he was aware that he could be accused of atheism and also because he did not want to make it look respectable by taking it seriously. More specifically, we shall see how the centrality of God and natural law in his political system led him to argue that atheists could not be tolerated in civil societies. We shall see that Locke was specifically denying toleration to speculative atheists, that is, those people who genuinely denied the existence of God and natural law. Locke's own denial of innate ideas created this conceptual possibility that people could be genuinely devoid of all knowledge of God and His law. We shall see that Locke's response to this problem was to emphasize the role of education. More broadly, this chapter dispels the belief that Locke was careless and thoughtless concerning the issue of atheism. On the contrary, it shows that Locke was a meticulous thinker who developed his views systematically.

Chapter Five considers the puzzle about the coherence of Locke's views on human freedom and human sinfulness. Contextualist commentators have intimated that towards the end of his life, Locke adopted a deterministic view of human sinfulness which repudiated his previous commitments to human freedom and natural jurisprudence. Thus, they present a portrait of a very incoherent Locke. This chapter shows through the holistic approach that Locke

did in fact remain faithful to his previous commitments. It also suggests that doing so was important for Locke to close off the arguments that could support a Hobbesian framework. More specifically, we shall see how Locke's assumption of a purposive God had implications for his revealed theology. Given that God had willed people to live according to the rules of morals or law of nature, Locke believed that God would not only provide them with the faculties necessary for moral knowledge but also the will power or the freedom to act according to it; otherwise the notion of responsibility would collapse. Thus, Locke believed in human freedom and self-determination. We shall see how Locke defended this vision in his later theology and developed his views on original sin and predestination in a way that was compatible with it. More broadly, this chapter shows that Locke's intellectual system was in fact coherent and that it structurally developed in a way that opposed Hobbes.

The chapters of this thesis all focus on aspects of Locke's thought that have not received sustained attention in the scholarship. Through a holistic re-interpretation of these aspects, the individual case studies build into a wider narrative about the development of Locke's thought, particularly concerning its coherence and its relationship with Hobbes. They show how an engagement with a political question led on to wider investigations and how these developments were consistent with his previous commitments. They therefore depict a portrait of Locke as a man striving for intellectual coherence. In other words, they show that Locke was a systematic thinker. Moreover, they show that the development of Locke's thought had a definite direction. Locke's thought developed on the assumption of a purposive Creator. Many commentaries on Locke nowadays acknowledge that his thought was God-centred (and this is perhaps what Dunn is primarily remembered for). But very few of these have explicated in any detail, as this thesis does, what exactly a belief in a purposive God *implied* for the development of Locke's thought.¹²⁵ These case studies show that, for Locke, a belief in a purposive God implied a liberal politics where civil order and conscientious liberty was reconciled, based on a system of natural justice backed up by God, which in its own turn, had implications for epistemology, educational theory, and revealed theology. By widening the

¹²⁵ One exception is Ian Harris, *The Mind of John Locke*, rev. ed. (Cambridge: Cambridge University Press, 1998).

context, the thesis shows that although Locke's early politics approached that of Hobbes, and indeed, shared many common conceptual resources with him, the whole fabric of Locke's thought developed not towards but in opposition to Hobbes. It shows that Locke's reliance on God was better supposed genuine than spurious and shows how this drove Locke to pursue a different course than Hobbes. Taken together, the case studies help us to re-appraise Locke's mind and encourage us to take him seriously as a unique thinker in his own right – to cherish his imaginative force, and not to consign him to the historical dustbin.

There is one final caveat before I move on. The reader may feel at times that I am over-intellectualizing Locke by claiming that he *saw* how one commitment had implications for another area of thought. I will respond in advance that, here, I am thinking about something on the lines of Bevir's distinction between 'self-conscious' and 'pre-conscious' beliefs.¹²⁶ The former type of belief is beliefs that people 'are aware of at that particular moment', and the latter is beliefs that people 'hold even though they are not self-consciously aware of them at that particular moment'.¹²⁷ Bevir argues that pre-conscious beliefs should be seen as part of self-conscious beliefs. In this thesis, therefore, I will be presenting beliefs and assumptions that Locke not only could have held self-consciously, but also pre-consciously.

5. Concluding Remarks

The purpose of the above considerations was to point out that methodologies were reflections of the historian's concerns and assumptions which are brought to bear on the evidence and that strenuously applying certain methodological assumptions can foreclose other fruitful interpretative possibilities. I showed how this has had implications for our understanding of Locke. I showed how the two dominant approaches to the study of Locke produced two polarized portraits of Locke and how adhering to these models can limit the way we understand him and what can be learned from him. To offer a fresh look at Locke, I proposed the reconsideration of the holistic approach and outlined how this can reveal a different view of the character and the trajectory of the development of Locke's mind.

¹²⁶ Bevir, *The Logic of the History of Ideas*, 153-6.

¹²⁷ *Ibid.*, 153.

Historians inevitably bring their own concerns and presuppositions. Bringing our own concerns in itself is not problematic insofar as we are first willing to discharge our duty to understand the past thinker in and on his own terms. This duty, Dunn argues, should be seen as a 'side constraint on interpretive license' and not a 'taboo on cognitive interest'.¹²⁸ Thus, although it is extremely hard – or perhaps even impossible – we should try our best to eschew the interpretative problem of letting our own concerns direct what a past thinker had said. We can try to do this by being aware of the problem, in the first instance, and then provisionally holding back our own concerns. Furthermore, although it is undoubtedly difficult to see the shortcomings of the methodological assumptions of an approach to which we have logically capitulated, we should always try to leave scope for self-criticism so that we can avoid the interpretative problems which an over-rigorous adherence to certain methodological assumptions may create.¹²⁹

To summarize briefly, the upshot of the above reflections is that no single approach can or should claim methodological exclusivity. If we accept this, then it induces us to accept a methodological pluralism, that there are many appropriate approaches to intellectual history which can often yield complementary results. This is not to say that these various approaches will necessarily yield complementary or even compatible results, nor does it mean that there are no distinctions between good and bad writings of history. What it does mean, however, is that we should be aware that methodologies invariably have limitations; that we should be open-minded and always alert for alternative interpretations. A mark of good historical writing is surely that it is supported by evidence, but reasonable historians can reasonably draw different conclusions from the same evidence. Thus, there is, as Ian Harris neatly puts it, 'always much to be learnt from others (though not always what they think is to be learnt from them)'.¹³⁰

¹²⁸ John Dunn, 'What History Can Show: Jeremy Waldron's Reading of Locke's Christian Politics', *Review of politics* 67 (2005): 433; see also, Dunn, 'Practising History and Social Science on "Realist" Assumptions'.

¹²⁹ Minogue, 'Method in Intellectual History', 185, 188; Bevir, *The Logic of the History of Ideas*, ch.3.

¹³⁰ Harris, *The Mind of John Locke*, xiii.

CHAPTER ONE

Natural Law and Toleration

The purpose of this chapter is to examine a particular puzzle concerning the development of Locke's political thought between 1660 and 1667. It is widely agreed amongst Locke scholars that, broadly speaking, Locke's politics in the early 1660s was authoritarian whereas his politics later in the decade was liberal.¹ However, scholars are less confident about explaining *why* there was such a dramatic change in Locke's views. It is a question that has perplexed Locke scholars, and indeed, according to John Dunn, 'we do not at the moment apparently (and may never) know the answer to it'.² Most commentators working within a contextualist framework turn to contingent historical events in the mid 1660s for an explanation of Locke's *volte-face*.³ My aim in this chapter is to show that a holistic analysis can help us to see an entirely different narrative, and through this, a significantly different portrait of Locke than those offered by Straussians and contextualists. I will show, in the first instance, that there was a *theoretical* development relating to natural law and jurisprudence which provided Locke with crucial conceptual resources to repudiate his previous authoritarianism and, in turn, uphold a liberal tolerationist politics.⁴ Moreover, I will show that the direction of Locke's intellectual development proceeded in opposition to Hobbes. By re-evaluating the nature of Locke's development through the holistic perspective, I will shed light on aspects of the coherence of Locke's mind and its anti-Hobbesian characteristics which have not received sustained attention in the scholarship.

I will begin by elaborating on the backdrop against which I am making my two claims concerning the nature of Locke's development between 1660 and 1667 in order to bring out their significance. First, concerning my claim that there was a *theoretical* explanation to the change to Locke's politics. In 1660, Locke confronted a political problem, which required him to clarify the

¹ Respectively, *G* and *ETol*.

² John Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969), 28.

³ See notes 6 and 7 below.

⁴ This possibility was hinted in Geraint Parry, *John Locke* (London: G. Allen & Unwin, 1978), 5-6.

legitimate boundaries of civil authority and individual conscientious liberty concerning 'indifferent things'. Indifferent things, or *adiaphora*, were matters in which God had no declared views. Thus, they were matters for human discretion. The question was whether or not these matters could be authoritatively decided by terrestrial authorities, namely the civil magistrates. In the early 1660s, Locke argued that the civil magistrate could legitimately legislate and require obedience concerning religiously indifferent things; in the later 1660s, he argued that the magistrate could not.

Those who have commented on Locke's *volte-face* tend to explain it in terms of a change in his attitude towards non-conformists; a change, in other words, dictated by historical contingency, usually owing to one of two biographical events.⁵ One is Locke's diplomatic trip to Cleves in 1665, where he witnessed a community of different Christian sects living together peacefully.⁶ The other is Locke's entrance into the household and patronage of Lord Ashley (later to be made the Earl of Shaftesbury) who was a strong supporter of toleration.⁷ However, neither of these narratives are convincing because they cannot explain why in 1659, just a year before he expressed his authoritarian views, Locke could write favourably about Henry Stubbe's *An Essay in Defence of the Good Old Cause*, which was a work sympathetic to toleration.

⁵ For a third biographical event, see Richard Ashcraft, *Revolutionary Politics & Locke's Two Treatises of Government* (Princeton: Princeton University Press, 1986), 92-4. Ashcraft suggests that Locke may have attended a sermon preached in London by a non-conformist in early 1667, which may have had some impact on his views.

⁶ *Corr.* 175, 177, 180. Respectively, vol. i, 227-31, 233-9, 244-50. See for example, James Tully, 'Introduction', in *LcT*, 5, and more recently, *An Approach to Political Philosophy: Locke in Contexts* (Cambridge: Cambridge University Press, 1993), 52; J.R. Milton, 'Locke's Life and Times', in *The Cambridge Companion to Locke*, ed. Vere Chappell (Cambridge: Cambridge University Press, 1994), 8, and more cautiously, J.R. Milton and Philip Milton, 'Introduction', in *ETol*, 26; G.A.J. Rogers, 'The Writing of Locke's *Essay concerning Human Understanding*', in *Locke's Enlightenment* (Hildesheim: G. Olms, 1998), 8; Jacqueline Rose, 'John Locke, 'Matters Indifferent', and the Restoration of the Church of England', *Historical Journal* 48 (2005): 620; Luisa Simonutti, 'Political Society and Religious Liberty: Locke at Cleves and in Holland', *British Journal for the History of Philosophy* 14 (2006): 418. This view is also intimated in Roger Woolhouse, *John Locke: A Biography* (Cambridge: Cambridge University Press, 2007), 63, 82.

⁷ See especially, John Marshall, *John Locke: Resistance, Religion and Responsibility* (Cambridge: Cambridge University Press, 1994), 69; David Wootton, 'Introduction', in *Political Writings* (Indianapolis: Hackett, 2003), 36-7; Johann Sommerville, 'Conscience, Law, and Things Indifferent: Arguments on Toleration from the Vestiarian Controversy to Hobbes and Locke', in *Contexts of Conscience in Early Modern Europe, 1500-1700*, eds. H.E. Braun and E. Vallance (Houndmills: Palgrave, 2004), 167. But cf. Maurice Cranston, *John Locke: A Biography* (London: Longmans, Green, 1957), 111. Cranston argues that Locke's views on toleration were already 'in line' with Ashley when he joined his household, but also argues that Ashley had an influence to further Locke's 'evolution as a liberal'.

Furthermore, Locke had expressed in his comments his regret that Stubbe did not extend his history of toleration to the more recent examples of ‘Holland France Poland etc.’, by which he could have:

added the authority of dayly experience that men of different professions may quietly unite...under the same government and unanimously cary the same civill intrest and hand in hand march to the same end of peace and mutuall society though they take different way towards heaven.⁸

While I will not be ruling out the impact the events in the mid 1660s may have had on Locke, I will be highlighting the development in Locke’s natural jurisprudence – that God’s will was universally knowable through natural law – which I will argue, played a vital role in making the change to his politics possible.⁹ Thus, while I will be agreeing that there were argumentative continuities between Locke’s political writings in 1660 and 1667, by implication, I will be disagreeing with those commentators who argue, albeit to different degrees, that there was ‘no fundamental change of argument or philosophical purpose’ between 1660 and 1667.¹⁰

The problem that faced Locke in the early 1660s was that of reconciling the tension between civil authority and conscientious liberty. Through the holistic perspective, I will show how he struggled to resolve this problem while working within the bounds of a particular intellectual framework, which led to an epistemological crisis. I will then show how this epistemological crisis connected to a problem about natural law, and how he was induced to address

⁸ *Corr.* 75, vol. i, 110. Locke’s comments on Henry Stubbe’s work has had a mixed response. See for example, Philip Abrams, ‘Introduction’, in *G*, 7-10; Wolfgang von Leyden, ‘Introduction, in *ELN*, 21-30; Wootton, ‘Introduction’, 35; Mark Goldie’s comments in *John Locke: Selected Correspondence*, ed. Mark Goldie (Oxford: Oxford University Press, 2002), 4. Goldie suggests that Locke was being ironic in the letter. Abrams believes that the letter does not indicate that Locke was a liberal. Wootton suggests that Locke was in favour of toleration all along.

⁹ Ian Harris, *The Mind of John Locke* (Cambridge: Cambridge University Press, 1998); Timothy Stanton, ‘John Locke, Edward Stillingfleet and Toleration’, PhD thesis (2003), ch.1. But cf. Abrams, ‘Introduction’, 88, 98f and J.D. Mabbott, *John Locke* (London: Macmillan, 1973), 175. Both commentators observe the importance of the development of Locke’s natural jurisprudence in relation to toleration, but stress the limits of human understanding and scepticism as the basis for toleration.

¹⁰ P.J. Kelly, ‘John Locke: Authority, Conscience and Religious Toleration’, in *John Locke: A Letter concerning Toleration in Focus*, eds. John Horton and Susan Mendus (London: Routledge, 1991), 127. See also, R.P. Kraynak, ‘John Locke: From Absolutism to Toleration’, *American Political Science Review* 74 (1980): 53-69.

the central questions of natural jurisprudence: how people could apprehend the law of nature and how they were obliged to it. Finally, I will show how this development in natural jurisprudence supplied Locke with the conceptual resources to resolve his early political problem. To clarify, I am not claiming that one cannot advance a theory of toleration without a particular view about natural law. My claim is rather that *because* there were developments in Locke's views about natural law between 1660 and 1667, it is worthwhile to pursue the possibility that *for* Locke, natural law had an integral role in his theory of toleration. This narrative therefore sheds light on the theoretical aspect of Locke's change in the late 1660s, and also, sheds light on the question of the consistency of Locke's attitude towards toleration.

My second major claim is that this early development proceeded in direct opposition to Hobbes, and thus, that it can be seen as a response to Hobbes or 'Hobbism' (a crude reduction of Hobbes's doctrines).¹¹ Debates over the intellectual relationship between Hobbes and Locke have been polarized for quite some time. The first party, often following the lead of Leo Strauss, argues that Locke's thinking followed the pattern of Hobbes's, and often concludes that Locke was in fact a secret Hobbist. In other words, they see Locke *in terms of* Hobbes.¹² The second party, following Peter Laslett's lead, argues that Locke had little to do with Hobbes, and if there were any similarities or seemingly apparent allusions to Hobbes, these could be explained in terms of historically contingent circumstances. Hobbes's ideas were 'in the air'. Locke may have

¹¹ For the difference between Hobbes and 'Hobbism', see Sterling P. Lamprecht, 'Hobbes and Hobbism', *The American Political Science Review* 34 (1940): 31-53; Jon Parkin, 'Hobbism in the Later 1660s: Daniel Scargill and Samuel Parker', *The Historical Journal* 42 (1999): 85-108; Quentin Skinner, *Vision of Politics*, 3 vols. (Cambridge: Cambridge University Press, 2002), III, 264-86. Hobbists were reputed to hold, 1) that all right of dominion is founded only in power, 2) that all moral righteousness is founded only in the law of the civil magistrate, 3) that the holy scriptures are made law only by civil authority, 4) that whatever the civil magistrate commands it to be obeyed notwithstanding contrary to divine moral laws, and 5) that there is a desirable glory in being and being reputed an atheist. *Ibid.*, 283.

¹² Leo Strauss, *Natural Right and History* (Chicago: University Press of Chicago, 1953), 202-51. See also J.W. Gough, *John Locke's Political Philosophy*, 1st ed. (Oxford: Clarendon Press, 1950), 180; Cranston, *John Locke*, 61-3. But cf. J.W. Gough, *John Locke's Political Philosophy*, 2nd ed. (Oxford: Clarendon Press, 1973), 119-20, 202. Gough refines his views in the light of Peter Laslett, 'Introduction', in *TTG*, and Abram, 'Introduction'. Whereas he previously believed that Locke was influenced by Hobbes, he now considers it possible that other more direct contextual influences can be found.

taken in some of Hobbes's ideas through indirect sources. Thus, Hobbes's influence was 'gravitational' rather than direct.¹³

Ever since the publication of Laslett's edition of the *Two Treatises of Government* in 1960, non-Straussian commentators have largely avoided discussing Hobbes together with Locke.¹⁴ More recently, however, some commentators have made renewed attempts to reconsider the intellectual relationship between Hobbes and Locke.¹⁵ My claim here is intended to be a contribution to this recently revived debate. However, my account of the relationship between Hobbes and Locke significantly differs from all three strands. While I will resist Strauss's thesis that Locke was a Hobbist, I will suggest that the relationship between Hobbes and Locke was more complicated than Laslett's account allows. I will also resist Laslett's further suggestion – which I take the revisionists to have developed – that Locke did share many things in common with Hobbes, and indeed, was overshadowed by him. First, I will show that there were Hobbesian echoes in Locke's early political writings.¹⁶ I will show that both Hobbes and Locke did face a common problem of reconciling civil authority and individual conscientious liberty, and moreover, that both stressed the magistrate's authority over indifferent things. However, whereas the early Locke failed to reconcile the two while working within a traditional intellectual framework, Hobbes had resolved the tension by using the same resources but by having redefined them. I will show that Hobbes's solution was controversial; he had created an unchallengeable civil sovereign by essentially reducing natural law to civil law. I will then show how Locke came

¹³ Laslett, 'Introduction', 21, 74.

¹⁴ This is probably for two reasons. The first reason is because scholars have taken Laslett to have suggested that there was 'little historical interest to be found in a comparison of Hobbes and Locke', as Richard Tuck summarizes Laslett's account. See Richard Tuck, 'Hobbes and Locke on Toleration', in *Thomas Hobbes and Political Theory*, ed. M.G. Dietz, (Kansas: University Press of Kansas, 1990), 153. The second reason is because scholars find it difficult to say anything substantial about Hobbes and Locke without being associated with Strauss's controversial thesis. I have profited from a correspondence with Dr. Mark Goldie and Prof. Victor Nuovo on this issue.

¹⁵ Richard Tuck, 'Hobbes and Locke on Toleration'; Harris, *The Mind*, esp. ch.3; G.A.J. Rogers, 'The Intellectual Relationship between Hobbes and Locke – A Reappraisal', in *Locke's Enlightenment* (Hildesheim: G. Olms, 1998), 61-77; Timothy Stanton, 'Hobbes and Locke on Natural Law and Jesus Christ', *History of Political Thought* 29 (2008): 65-88.

¹⁶ Most commentators (past and present, Straussian and non-Straussian) do not deny that Locke's early political writings had Hobbesian resonances. See for example, Parry, *John Locke*, 5; Mark Goldie, 'Introduction', *Political Essays* (Cambridge: Cambridge University Press, 1997), xviii; Rogers 'The Writing of Locke's *Essay concerning Human Understanding*', 6; Sommerville, 'Conscience', 178.

to address the central issues in natural jurisprudence and particularly how this development proceeded in direct opposition to Hobbes. I will show how this development helped Locke to create a liberal political theory in the late 1660s and distinguish himself from Hobbes's authoritarianism. I will thus argue that although Locke did have a similar starting point as Hobbes, he was neither overshadowed by him nor capitulated to him. Locke, on my account, comes out as a distinctive thinker in his own right.

The two interpretative claims in this chapter owe their insights to the holistic approach. As far as we know, Locke never said why he changed his position between the early and late 1660s; he also never explicitly discussed the writings of Hobbes. Concerning Locke's change of political view, Dunn rightly remarks that it is a question which we may never know the answer to; but at the same time, Dunn's own methodological approach helps us to think intelligibly about it. The holistic approach encourages us to investigate whether there was an assumption lacking in Locke's early political writing that was present in his later writing. By identifying this, we can consider what kind of theoretical work this assumption did. Once we begin to see that there was a structural development, we can also begin to see the overall direction it took.

In what follows, I will begin by examining the parties involved in the debate over indifferent things and the intellectual framework in which they operated. I will then examine how this led to an epistemological crisis, and, connectedly, an issue about natural law. I will firstly examine Hobbes's solution to the crisis. After that, I will move on to examine Locke's early development in detail. Lastly, I will show how the early development reshaped his politics in 1667.

1. Indifferent Things, Conscience and Natural Law

Locke's first extended political writing, composed in 1660, was a contribution to the debate over indifferent things. The question of this debate, broadly stated, was whether or not civil laws concerning indifferent things bound in conscience. In 1659, Edward Stillingfleet, Rector of Sutton and future Bishop of Worcester, observed: 'If any controversy hath been an increaser and fomenter of heart-burnings and divisions among us, it hath been about the determination of

indifferent things'.¹⁷ The debate over indifferent things, particularly concerning religious ceremonies, was long-standing, and according to Richard Baxter, a Presbyterian minister, writing in 1661, one that had been 'a matter of Contention and endless Dispute' in the Church of England 'ever since the *Reformation*' in the sixteenth century.¹⁸

Philip Abrams, the first editor of the *Two Tracts on Government*, argued that despite the major political importance of the debate, there was 'not much argumentative development' and suggests that this was because 'the debate provoked by the concept of indifferency' could only end in 'an epistemological crisis, a crisis which no one prior to Locke was willing to face'.¹⁹ I agree with Abrams here that there was an epistemological crisis and that Locke met this crisis head-on.²⁰ But I will argue that Hobbes had also identified the crisis and had dealt with it, although the conclusions he reached were discomfiting to the parties involved in the debate. Although Mark Goldie has argued that Hobbes's *Leviathan* was 'a deliberate *reductio* of the adiaphorist position', I will show how Hobbes's solution was less a *reductio* than an original philosophical answer to the epistemological crisis, and being a response to this solution, how Locke's solution too was distinctive.²¹ The epistemological crisis lay in the framework of conscience, and connectedly, natural law, which was adopted in the debate over indifferent things. Before analyzing the crisis itself, let us first look at the parties involved in the debate and the general claims they made, and also, how the conflict revolved around the issue of conscience.

Indifferent things were those things that God had not commanded or prohibited. Thus, other things being equal, it was a sphere over which people could determine what to do for themselves. Because this liberty was believed to be purchased through the blood of Jesus Christ, it was often called 'Christian

¹⁷ Edward Stillingfleet, *Irenicum*, 2nd ed. (London, 1662), 38.

¹⁸ Richard Baxter, *Two Papers of Proposals concerning the Discipline and Ceremonies of the Church of England* (London, 1661), 8. For a survey of the debate over indifferent things from the English Reformation, see Bernard J. Verkamp, *The Indifferent Mean: Adiaphorism in the English Reformation to 1554* (Ohio: Ohio University Press, 1977). See also, Sommerville, 'Conscience'; Rose, 'John Locke'.

¹⁹ Abrams, 'Introduction', 37.

²⁰ *Ibid.*, 48-9. See also, John Colman, *John Locke's Moral Political Philosophy* (Edinburgh: Edinburgh University Press, 1983), 26.

²¹ Goldie, 'Introduction', xviii.

liberty'.²² People referred to the explicit will of God, namely the Scriptures, in search of direction concerning indifferent things, but because they drew different conclusions or emphasized different points which had diverging ramifications, their views came into conflict with one another.²³ There were two main parties involved in this debate: Anglicans and Puritans.²⁴

Anglicans commonly argued that civil laws concerning religiously indifferent things bound in conscience. For Anglicans such as Robert Sanderson, Bishop of Lincoln, indifferent things were the only proper subject matter of the civil magistrate.²⁵ What God had commanded or prohibited through the divine law was obligatory whether or not the magistrate chose to enforce it. Thus, human power could only be exerted in the sphere of indifferent things, that is, where there was no 'pre-existing obligation'.²⁶ Moreover, unless the civil magistrate's authority over indifferent things was asserted, Richard Hooker feared, the world would be overturned, making 'every man his own commander'.²⁷

Anglicans stressed the importance of order and unity in religious as well as civil affairs. They argued that all things were to be done 'decently, and in order' (1 Corinthians 14:40) and maintained that the temporal authority was to be judge of this standard.²⁸ Although Anglicans granted that by definition, indifferent ceremonies were not necessary for salvation, insofar as they were

²² Robert Sanderson, *XXXVI sermons* (London, 1686), 301.

²³ Colman, *John Locke*, 10. Colman observes that the difference between Anglicans and Puritans was 'more a matter of emphasis than of direct opposition'.

²⁴ 'Puritan' is used in preference to dissenters, Presbyterians, and non-conformists, more for convenience's sake rather than historical precision. But the other terms commonly used are not without problem. Cf. Rose, 'John Locke', 606, n28. Although Rose uses 'non-conformist', by her own admission, there was no church not to conform to before 1662. Again, as Richard Baxter noted, whilst 'Presbyterian' was commonly used as a synonym for 'puritan', it was strictly speaking misleading. See N.H. Keeble, 'Richard Baxter', in *DNB* and Richard Baxter, *Reliquiae Baxterianae* (London, 1696), 97, 146. Also Presbyterians were not against the principle of a national church as the strict use of 'dissenter' would imply.

²⁵ Robert Sanderson, *Ten Lectures on the Obligation of Humane Conscience read in the Divinity School at Oxford, in the year, 1647*, trans. R. Codrington (London, 1660), 222-3. See also, 122. Against those who claimed that there should be no human laws concerning indifferent things, Sanderson argued that 'rather to the contrary, we may rightly judge, that *these things indifferent* are the most proper and the only most fit matter of Humane Laws'.

²⁶ Abrams, 'Introduction', 42.

²⁷ Richard Hooker, *Of the Laws of Ecclesiastical Polity*, 2 vols, ed. Christopher Morris (London: J.M. Dent, 1907), II, 363 (5.71.4).

²⁸ Francis Mason, *The Authority of the Church in making Canons and Constitutions concerning Things Indifferent* (London, 1607).

commanded by the magistrate, they bound in conscience. They stressed that God had required obedience to a lawful authority.²⁹ Sanderson, for example, argued:

Obedience is one thing, and the *Thing commanded* another. The *Thing* is commanded by *the Law of man*, and in regard thereof the conscience is *free*: but, *Obedience* to men is commanded by *the Law of God*, and in regard thereof the conscience is *bound*. So that we are bound in conscience to *obedience* in indifferent things lawfully commanded, the conscience still remaining no lesse *free* in respect of *the things*, themselves so commanded, then it was before.³⁰

At the same time, Anglicans believed that the individual's conscience needed to be respected: 'the Conscience of Men are free, and ought to be so, which Liberty no Humane Power can, or may infringe'.³¹ They argued, however, that this liberty was compatible with outward conformity to civil laws. Sanderson argued:

[A]n *Act* of the *will* cannot prejudice the liberty of Conscience, as an *Act* of Judgment doth, for the *Act* of the *will* doth follow the dictates of the Conscience as the *effect* followeth its *cause*, but the *Act* of the *judgment* doth precede those Dictates as the *cause* goeth before its *effect*.³²

Sanderson's point was that an outward conformity to civil laws could not affect the conscience precisely because outward actions logically came after the dictates of conscience; and thus, the inward liberty of conscience remained 'uninjured and intire'.³³ However, this was a difficult position to maintain if one thought that the understanding determined the will. Given this assumption, people could not outwardly conform to laws they disapproved without also becoming a hypocrite.

²⁹ Hooker, *Of the Laws of Ecclesiastical Polity*, II, 362-3; Samuel Hoard, *The Churches Authority asserted in a Sermon preached at Chelmsford* (London, 1637).

³⁰ Robert Sanderson, *Two Sermons* (London, 1635), 34. See also Sanderson, *Ten Lectures*, 176-7. 'Positive humane laws being rightly and lawfully constituted, which contain particular determinations concerning things of a middle Nature and in themselves indifferent, and which before they are determined are free to be made, or to be unmade, do by the vertue of the Divine Commandment (by which we are bound to obey those who are set over us by God) so oblige the Consciences of the Subjects to perform obedience to them'.

³¹ Sanderson, *Ten Lectures*, 192-3.

³² *Ibid.*, 202.

³³ *Ibid.*, 200.

Puritans, on the other hand, commonly argued that civil laws concerning religiously indifferent things did not bind in conscience. Some Puritans maintained that any civil law concerning a religiously indifferent thing was tainted with popery and was simply sinful; and for this reason, it was to be disobeyed. For example, writing on English Puritanism, William Bradshaw observed:

*They hold that all Ecclesiastical actions invented and devised by man, are utterly to be excluded out of the exercise of Religion; especially such actions as are famous and notorious Mysteries of an Idolatrous Religion.*³⁴

Other Puritans such as William Perkins maintained that the civil magistrate could make laws concerning indifferent things, but could make them necessary ‘only in some part’, that is, ‘so far forth as the said act or action tends to maintaine and preserue the good end for which the law is made’.³⁵ Human laws, however, could not change the status of an indifferent thing; it also could not bind in conscience.³⁶ On this view, civil laws concerning indifferent things could be disobeyed without sin so long as such disobedience did not promote a general contempt for authority.

Puritans stressed the importance of a persuaded conscience particularly concerning religious worship. ‘Conscience’, Perkins argued, ‘is our companion and guide’, which ‘God hath appointed’, showing ‘what course we may take and what we may not’.³⁷ Conscience was the attribute in a person judging the rectitude of his or her action. Puritans stressed that what was not of faith, that is, ‘not done of a settled perswasion in iudgement and conscience out of Gods word’, was sin (Romans 14:23). Thus, Perkins maintained: ‘vnlesse the conscience first of all approoue the thing to be good and agreeable to Gods will, it can be nothing else but a sinne’.³⁸ The implication of this view was that individuals were not bound in conscience to observe civil laws concerning indifferent things unless they were absolutely convinced of their lawfulness.

³⁴ William Bradshaw, *English Puritanism, in Several Treatises of Worship and Ceremonies* (London, 1660), 35. See generally, Sommerville, ‘Conscience’, 170-1.

³⁵ William Perkins, *A Discourse of Conscience* (Cambridge, 1596), 50-1.

³⁶ *Ibid.*, 50.

³⁷ *Ibid.*, 90.

³⁸ *Ibid.*, 90.

Puritans recognized that a conscience might be erroneous, that is, that an individual might erroneously believe that something was contrary to conscience. But the individual would still sin in ‘manner’, though not in ‘action’, if he did something against his conscience.³⁹

Conscience was at the heart of the debate. Both Anglicans and Puritans agreed that Christian liberty needed to be respected. But as we have just seen, because they emphasized different aspects of Scripture, and because these different emphases had diverging ramifications politically and religiously, it caused conflict. For Puritans, it was ‘no indifferency in any man to take that away from a man that God hath freely given unto him’.⁴⁰ The emphasis was on the individual and the liberty of *his* conscience. This individualistic emphasis, however, had a tendency to drift towards anarchy. If an individual agent was not convinced of the lawfulness of a civil law concerning an indifferent matter, he was not bound in conscience to obey it. In the debate over indifferent things, the focus was usually on religious ceremonies, but crucially because a clear-cut subdivision within the sphere of indifferent things could not be established, claims concerning religious affairs also had political implications. This is to say that the magistrate could not simply lose authority over religious indifferent things; once he lost authority over religiously indifferent things, he also lost authority over *all* indifferent things. Once the magistrate’s authority over indifferent things in general was undermined, it was only a short step to anarchy. Although this was only a potentiality, for those writing in the aftermath of the civil war, it was a genuine concern.

Anglicans responded by asserting the magistrate’s authority over all indifferent things and the importance of doing all things ‘decently and in order’. They argued that external conformity and Christian liberty were compatible. External conformity was possible without affecting the conscience because the dictates of conscience preceded the act. But the argument used here rested on a problematic view of the relation between the intellect and the will. Consequently, imposing an indifferent ceremony on an individual who was already convinced of its unlawfulness would only produce hypocritical worship, which would then

³⁹ William Ames, *Conscience with the Power and Case thereof* (London, 1639), 12.

⁴⁰ William Bradshaw, *A Treatise of the Nature and Use of Things Indifferent*, in *Several Treatises of Worship and Ceremonies* (London, 1660), 30.

go on to undermine the individual's relation with God. Even if the conscience was in error, say, that it was indeed necessary to obey the magistrate on a certain issue, the individual faced a dilemma because he would sin whether he persisted in his error or conformed to a practice that went against his conscience.

The problem here was that civil authority and individual conscientious liberty could not be reconciled. The problem, to begin with, was that where in theory, reason, Scripture and conscience should be consonant, in practice they were not. That is to say, if Scripture was interpreted reasonably and conscience correctly informed, there would be no dissonance between one's civil and religious duties (that is, given that God did not choose to lay conflicting obligations on people). The more fundamental problem was that there was no authoritative criterion to tell whether the Anglican reading of Scripture was unreasonable or the conscientious scruples of the Puritans were misinformed. The problem lay with what one could do within the intellectual framework. Let us look at this framework.

Conscience was the attribute in a person that judged the rectitude of his or her actions. More technically, conscience was commonly considered to be a part of the understanding and not the will.⁴¹ It was a judgment, 'a mans judgement of himselfe, according to the judgement of God of him', and not an action.⁴² Conscience was not a 'contemplative judgment' which simply discerned the truth, but it was a 'practical judgment' which through reasoning, the individual discerned the goodness or evilness of *his* particular action to the end of giving directive instructions to the will.⁴³ Thus, we find Sanderson saying: 'Conscience is a faculty, or a habit of the practical understanding, by which the mind of Man doth by the discourse of reason apply that light with which he is indued to his particular moral actions'.⁴⁴

The mid-seventeenth century interlocutors in the debate over indifferent things had inherited a Thomist model of conscience in which conscience was composed of two parts: there was '*synteresis*', which was conscience the law,

⁴¹ Perkins, *A Discourse of Conscience*, 1; Ames, *Conscience*, 1.

⁴² Ames, *Conscience*, 1.

⁴³ Perkins, *A Discourse of Conscience*, 2; Ames, *Conscience*, 2.

⁴⁴ Sanderson, *Ten Lectures*, 3.

and '*conscientia*' or '*syneidesis*', which was conscience the judge.⁴⁵ *Synteresis*, as William Ames called it, was the 'storehouse of principles', the first principles of practical reason.⁴⁶ It contained general propositions apprehended through the divine law, natural or revealed.⁴⁷ *Conscientia* applied these propositions to specific actions and assessed their goodness and evilness. Thus, *synteresis* and *conscientia* together functioned as a syllogism, producing the conclusions of conscience. *Synteresis* served as the major premise and *conscientia* as the minor. A typical example was:

Everything that is unjust is to be eschewed (Major premise).

Every theft is unjust (Minor premise).

Thus, every theft is to be eschewed (Conclusion of conscience).

The first principle serving as the major premise, according to Sanderson, was known by the light of nature; reason proved the minor premise; and conscience brought about the conclusion.⁴⁸

The rectitude of the reasoning of conscience was ensured because it proceeded according to 'right reason' or '*recta ratio*', which itself was derived from and subject to the divine law. 'Rectitude of everything', Sanderson argued, 'consisteth in its conformity to its next and immediate Rule and so gradually ascendeth to its first and most chief Rule'. The 'immediate Rule or Law of conscience' was '*right reason*'. Thus, conscience was 'right when it is conformable to right reason according to the Law which God the Supreme Law-giver hath praescribed'.⁴⁹

One could be certain that the conclusions of conscience were consonant with the divine law because the reasoning proceeded syllogistically, and crucially, because at each juncture of the syllogism, divine law was involved. Ames summed this up neatly:

⁴⁵ Henry R. McAdoo, *The Structure of Caroline Moral Theology* (London: Longmans, Green, 1949), esp. ch.3; Thomas Wood, *English Casuistical Divinity during the Seventeenth Century* (London: SPCK, 1952) esp. ch.2; Timothy Potts, *Conscience in Medieval Philosophy* (Cambridge: Cambridge University Press, 1980); Colman, *John Locke*, ch.2; Stanton, 'John Locke', ch.1.

⁴⁶ Ames, *Conscience*, 4.

⁴⁷ *Ibid.*, 28, Ames called these general propositions 'general laws'; Sanderson, *Ten Lectures*, 30-1, 132-3. Sanderson called these general propositions 'universal laws'.

⁴⁸ Sanderson, *Ten Lectures*, 14.

⁴⁹ *Ibid.*, 38.

For as in the Proposition Gods *Law* is declared, and in the Assumption, the fact or condition of man is examined, according to that Law; So in the conclusion, the sentence concerning man is pronounced according to his *fact*, or *condition*, by virtue of the *Law* that hath beene declared.⁵⁰

At this point, one may wonder how, on this model, conscience could be misinformed. This was often explained in terms of the Fall. Now, the first principles from which the conclusions of conscience were deduced were thought to be ‘written in the hearts of men’.⁵¹ Although the light of nature may have been ‘extremely obscured’ by the Fall, it pleased God to leave people with certain practical principles.⁵² Because these first principles were very basic – e.g. good is to be done and evil to be avoided, or God is to be worshipped – it was unlikely that people would err in these things. However, one could come to have an erroneous conscience by wrong reasoning or drawing the wrong conclusion.⁵³ Given that the light of reason was obscured by original sin, one was liable to err.

The remedy was grace. It pleased God to provide Fallen men with Scripture, which made God’s will known more fully, and also the assistance of the Holy Spirit.⁵⁴ The Holy Spirit assisted reason and helped the individual believer to better understand the will of God. But again, Anglicans and Puritans disagreed as to how the benefit of grace was meted out. Anglicans claimed that the Church of England mediated grace through Apostolic succession and thus was entitled to claim authority to direct people’s conduct. Unlike the Church of Rome, they paid due regard not only to authority but also to reason.⁵⁵ Their claims were supported by their reasonable reading of Scripture through the grace of the Holy Spirit. Puritans on the other hand claimed that the grace of the Holy Spirit was conferred to the elect individual. Conviction of election came

⁵⁰ Ames, *Conscience*, 28.

⁵¹ *Ibid.*, 5, 10; Sanderson, *Ten Lectures*, 12, 14, 15, 30, 132.

⁵² Sanderson, *Ten Lectures*, 132. See also, Ames, *Conscience*, 4.

⁵³ Ames, *Conscience*, 10, 29.

⁵⁴ Sanderson, *Ten Lectures*, 136-7.

⁵⁵ *Ibid.*, 143-4.

individually.⁵⁶ Thus, the individual with the regenerate conscience should follow the dictates of his conscience.

Herein lay the epistemological problem. To begin with, as a matter of fact, there was discord between what Anglicans and Puritans perceived to be the will of God. The problem was that there was no objective criterion to validate the claims of either party. The dictates of conscience were authoritative because they were derived from the divine law syllogistically. There was a possibility that an individual's conscience was misinformed, but through grace, this defect could be rectified. The regenerate individual ought to stick to his convictions. This conflicted with the Anglican claim that they mediated grace. However, neither Anglicans nor Puritans could prove that they were the true bearers of grace.⁵⁷ Their claims could be validated if they could demonstrate that their claims were consonant with Scripture or reason. Scripture, however, could not be adduced because it was the subject of debate. Natural law, and connectedly, right reason, could not be adduced because it was thought to be written in one's heart,⁵⁸ and thus when two parties conflicted over their content, there was no reference point beyond it. To the question, 'But who shall tell us what is *Recta Ratio*?', Lord Brooke answered: 'I answer, *Recta Ratio*'.⁵⁹ Traditional resources led to an epistemological deadlock. Neither Anglicans nor Puritans could objectively demonstrate the validity of their claim.

We have looked at the intellectual structure of the debate over indifferent things and the problem of what one could do within it. At the heart of this problem was to demonstrate what exactly God had commanded. In theory, reason, Scripture and conscience were consonant. A reasonable reading of Scripture and a rightly informed conscience both depended on reason, and connectedly, natural law. One way around the epistemological problem, on this model, was to develop the claims of reason and natural law. This is exactly what

⁵⁶ Colman, John Locke, 16-17, 20-1. See for example, Ames, *Conscience*; Perkins, *A Discourse of Conscience*.

⁵⁷ Perkins, *A Discourse of Conscience*, 93. In questioning how Roman Catholics could prove that they were the Apostolic successors of the word of God, Perkins also cast doubt on Anglican claims to this as well.

⁵⁸ Robert Sanderson, *Reason and Judgement* (London, 1663), 64

⁵⁹ Robert Greville Brooke, *A Discovrse Opening the Natvre of that Episcopacie* (London, 1641), 14; cf. John Selden, *Table Talk*, ed. Frederick Pollock (London: Ballantyne Press, 1927), 116. 'When the Schoolemen talke of *Recta Ratio* in Moralls, either they understand Reason as 'tis govern'd by a Comand from above, or els they say no more than a woman, when shee sayes a thing is soe, because it is soe, that is, her reason p[er]swades her it is soe'.

Hobbes did. But his development took an unexpected turn. In the next section, we shall see how Hobbes pursued the implications of this framework.

2. Hobbes

Broadly speaking, Hobbes's view concerning indifferent things fitted in with the Anglican outlook.⁶⁰ In the *Elements of Law*, he argued that there were things 'which in their own nature are indifferent, till to avoid indecency and discord, it be otherwise determined by common consent', or in other words, as we shall see, determined by the civil sovereign erected by common consent.⁶¹ In the *Leviathan*, he argued that there were 'an infinite number of Actions, and Gestures, of an indifferent nature; such of them as the Common-wealth shall ordain to be Publicly and Universally in use, as signes of Honour, and part of Gods Worship, are to be taken and used for such by the Subjects'.⁶² Like many Anglicans, Hobbes argued that the Law of God 'commandeth Obedience to the Law Civill'.⁶³ However, as Jon Parkin remarks, 'Hobbes's theories were curiously indeterminate, hinting at dramatically heterodox conclusions drawn from quite conventional premises'.⁶⁴

As we saw at the end of the previous section, a possible conceptual candidate for development to resolve the tension between civil authority and individual conscientious liberty was natural law. In this section, I will show how Hobbes developed on natural law from traditional resources but produced startling and shocking conclusions about it, and also, connectedly, about politics. Let us first examine Hobbes's doctrine of natural law, then examine how this was reflected in his politics.

For Hobbes, the law of nature was a 'Precept, or a general Rule', which was discovered by reason. It forbade people to do that which were destructive to their lives.⁶⁵ The 'law of nature' differed from a 'right of nature' as obligation

⁶⁰ The following examples are from Sommerville, 'Conscience', 176-7.

⁶¹ Thomas Hobbes, *Human Nature and De Corpore Politico*, ed. J.C.A. Gaskin (Oxford: Oxford University Press, 1999), 70 (XI.12).

⁶² Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1991), 253.

⁶³ *Ibid.*, 388, 404.

⁶⁴ Jon Parkin, *Taming the Leviathan* (Cambridge: Cambridge University Press, 2007), 14.

⁶⁵ Hobbes, *Leviathan*, 91.

differed from liberty. Although the law of nature was obligatory, the dictates of reason, *qua* reason, did not produce moral obligations. Hobbes maintained:

These dictates of Reason, men use to call by the name of Lawes, but improperly; for they are but Conclusions, or Theoremes concerning what conduceth to the conservation and defence of themselves; whereas Law, properly is the word of him, that by right hath command over others. But yet if we consider the same Theoremes, as delivered in the word of God, that by right commandeth all things; then are they properly called Lawes.⁶⁶

Traditionally, there were two views concerning the obligatory nature of the law of nature: rationalism and voluntarism.⁶⁷ Rationalists argued that there were intrinsically good and bad things independent of God's will, which could be discovered by reason. God, *qua* intelligent being, governed the world according to these precepts. So Hugo Grotius, for example, argued that the law of nature was

the Dictate of Right Reason, indicating that any act, from its agreement or disagreement with the rational [and social] nature [of man] has in it a moral turpitude or a moral necessity; and *consequently* that such an act is forbidden or commanded by God, the author of nature (emphasis added).⁶⁸

Voluntarists, on the other hand, argued that the law of nature was binding because it was commanded by God *qua* the author and ruler of the universe. Good and bad were determined by God's will. Thus, John Selden argued

I cannot fancy to my Selfe what the Law of nature meanes, but the law of God, how should I knowe I ought not to steal, I ought not to commit Adultery, unless

⁶⁶ Ibid., 111. cf. John Selden, *De Jure Naturali et Gentium* (London, 1640). For Selden, 'pure, unaided reason merely persuades or demonstrates; it does not order, nor bind anyone to their duty, unless it is accompanied by the authority of someone who is superior to the man in question'. Quoted in Richard Tuck, *Natural Right Theories* (Cambridge: Cambridge University press, 1979), 93-4.

⁶⁷ See generally, Knud Haakonssen, *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1996); Francis Oakley, 'Locke, Natural Law and God – Again', *History of Political Thought* 18 (1997): 624-51; Jerome Schneewind, *The Invention of Autonomy* (Cambridge: Cambridge University Press, 1998).

⁶⁸ Hugo Grotius, *Hugonis Grotii De Hure Belli at Pacis*, ed. William Whewell (Cambridge: J.W. Parker, 1853), 1.1.10.1.

somebody had told me, or why are these things ag[ains]t nature? Surely, 'tis because I have been told soe, 'tis not because I thinke I ought not to doe them, nor because you thinke I ought not, if soe our minds might change; whence then comes the restraint? from a higher power, nothing else cann bind, I cannott bind my selfe (for I may untie my selfe againe) nor an equall cannott bind me (wee may untie One another) It must be a Superiour. even God Almightye.⁶⁹

Hobbes followed this voluntarist tradition. He held that a law was not a properly obligatory law without a known legislator.⁷⁰ The laws of nature, without a known legislator, would only be rational precepts serving an agent's self-interest to lead a peaceful and sociable life. But once they were commanded by God, they became properly binding laws. From this conventional starting point, however, Hobbes's doctrine of natural law proceeded in an unexpected direction. We shall see that he exploited the normative force of the law of nature as God's injunctions and created an unchallengeable civil power, a power that could put an end to all conflicts. He showed that the law of nature and the laws of the civil sovereign were essentially synonymous.

Hobbes took the following four steps to arrive at this conclusion. First, he showed that in principle the laws of nature were obligatory because they were expressions of God's will. Secondly, he showed that in the state of nature, because people lacked any real knowledge of God, and connectedly, knowledge of His will, the laws of nature were not laws as such but qualities that disposed them 'to peace, and to obedience'.⁷¹ Thirdly, Hobbes showed that because the laws of nature were merely theorems conducing to self-preservation, when an individual felt that his life was threatened, he could adduce his right of nature, which allowed him to make his own judgments as to what his security consisted in. This state where every person could make his own judgments about his self-preservation led to various conflicts and ultimately to the state of war. Fourthly, he showed that through the consent of people wishing to escape the misery of the state of war, the civil sovereign was created. The sovereign was a visible authority and authorized by the multitude to interpret the word of God. This essentially made the laws of nature those laws commanded by the sovereign. By

⁶⁹ Selden, *Table Talk*, 69-70.

⁷⁰ Hobbes, *Leviathan*, 187-9.

⁷¹ *Ibid.*, 185.

virtue of being commanded by the sovereign, the laws of nature became obligatory. In this way, Hobbes made use of the normative force of natural law, but in a way suitable to his political agenda of creating an unchallengeable civil sovereign. Let us examine each step in further detail.

For Hobbes, the law of nature was a 'Precept, or a general Rule found out by reason'. The dictates of reason were mere 'Theoremes', but 'as delivered in the word of God', they were 'properly called laws'. According to Hobbes, one of the ways in which God promulgated His law was by the dictates of natural reason.⁷² Natural reason, Hobbes maintained, was 'the undoubted Word of God'.⁷³ The 'Rational' word of God corresponded to a 'Hearing', which Hobbes remarked was 'Right Reason'. Thus, the dictates of reason, *qua* the word of God, were thus obligatory laws. However, there was a proviso: they were obligatory only for 'as many of Mankind as acknowledge his Providence'.⁷⁴ This last proviso takes us to the second step.

Hobbes insisted that laws were not laws without a known legislator or without sufficient promulgation. Now, throughout the *Leviathan*, Hobbes maintained that God's nature was 'incomprehensible'.⁷⁵ He acknowledged that by tracing back the natural causes of things to the first cause, people may be inclined to believe in one infinite and eternal God.⁷⁶ Indeed, the 'light of nature' informed people of God's attributes, but these were 'Negative' (e.g. infinite, incomprehensible), 'Superlative' (e.g. most high), and 'Indefinite' (e.g. good, just).⁷⁷ Thus, these were more properly *ascriptions* and not descriptions of God's attributes. For Hobbes, sense-experience was the source of all ideas. At the outset of the *Leviathan*, he stated that there was 'no conception in a mans

⁷² In *De Cive*, after making the same point about the inadequacy of laws of nature being laws as such without the command of a superior, Hobbes remarked that he intended to show that the laws of nature were commanded by God from 'holy scripture'. Thomas Hobbes, *On the Citizen*, ed. and trans. Richard Tuck and Michael Silverthorne (Cambridge, 1998), 56-7. This shift from 'holy scripture' to 'the word of God' was significant. Jon Parkin, *Science, Religion and Politics in Restoration England* (Woodbridge: Boydell Press, 1999), 68-9. One might argue that the emphasis on Holy Scripture had kept Hobbes's *De Cive* in a conventional zone. For the positive reception of *De Cive* by Anglicans, see Richard Tuck, *Philosophy and Government, 1572-1651* (Cambridge: Cambridge University Press, 1993), 319. However, Parkin has shown that from early on Hobbes's readers had identified the more radical implications lingering beneath Hobbes's theory. See Parkin, *Taming the Leviathan*, esp. ch.1.

⁷³ Hobbes, *Leviathan*, 255.

⁷⁴ *Ibid.*, 246.

⁷⁵ *Ibid.*, 23, 271, 466-7.

⁷⁶ *Ibid.*, 74-5, 77.

⁷⁷ *Ibid.*, 249-51.

mind, which hath not at first, totally, or by parts, been begotten upon the organs of Sense'.⁷⁸ But because God was infinite and impalpable, it followed that people did not have any positive idea of God, 'for whatsoever we conceive is Finite'.⁷⁹

People not only lacked the knowledge of God, but also the knowledge of His laws. Hobbes held that 'God has no Ends'.⁸⁰ Therefore, the prospect of deducing man's duties from a fixed purpose was unrevealing. Furthermore, natural reason could not give knowledge of punishments in the afterlife, which, if known, would indicate what sorts of actions were consonant with God's will.⁸¹ On the traditional intellectual model, it could be argued that the dictates of right reason, which was equated to natural law, and which itself was known innately, would inform people of their duties. However, Hobbes had argued that the foundation of all knowledge was sense-experience, and in saying this, he rejected the idea of innateness. His concept of reason also differed from the traditional Scholastic use. Reason was 'nothing but Reckoning (that is, Adding and Subtracting) of the Consequences of generall names agreed upon, for the marking and signifying of our thoughts'.⁸² It served 'only to convince the truth (not of fact, but) of consequence'.⁸³ Because reason was a faculty for *reasoning* only, it was not always equivalent to right reason.⁸⁴ In short, natural reason conveyed 'hypothetical information of cause and effects, not categorical information about duties'.⁸⁵ The departure from the traditional model, which equated right reason with natural law, was clear. With Hobbes's concept of sense and reason, one could not come to the knowledge of God or His will. People lacked the basic knowledge to make out that the laws of nature were indeed laws commanded by God. Thus, people were not the subjects of the 'natural kingdom' of God then (that is, the kingdom God 'governeth as many of

⁷⁸ Ibid., 13.

⁷⁹ Ibid., 250.

⁸⁰ Ibid., 249; Harris, *The Mind of John Locke*, 89.

⁸¹ Hobbes, *Leviathan*, 103.

⁸² Ibid., 32.

⁸³ Ibid., 261.

⁸⁴ Ibid., 32.

⁸⁵ Michael Oakeshott, 'The Moral Life in the Writings of Thomas Hobbes', in *Rationalism in Politics and Other Essays* (Indianapolis: Methuen & Co. Ltd., 1962), 329.

Mankind as acknowledge his Providence, by the naturall Dictates of Right Reason')⁸⁶, and therefore, the laws of nature could only be rational theorems.

We come to the third step now. People lacked the knowledge of God and His will, and because of this, the laws of nature were rational precepts and not obligatory laws. This created the space for the right of nature, that is, self-preservation to be prioritized. Self-preservation was absolutely central to Hobbes's thought. Hobbes insisted that a man in the state of nature had the liberty to do anything 'in his own Judgement, and Reason, hee shall conceive to be the aptest means' to preserve and secure his own life.⁸⁷ Reason, as we saw, had the force of being God's word. Hobbes coupled this concept of reason with an individual's right of self-preservation. What an individual interpreted as necessary for his preservation through reason would have the force of being God's word. Here, Hobbes deployed the 'reason' of the right of nature to trump the 'reason' of the law of nature. In the state of nature where every person had the right of self-preservation and the right to make his own judgments as to what consisted his self-preservation, there would be no objective notion of right and wrong, and so various disputes and controversies would arise. But at the same time, these disagreements would be between various 'legitimate' judgments because they were conclusions drawn by reason.

What followed from these conflicts was the 'nasty' and 'brutish' state of war.⁸⁸ To avoid the miserable state of war, it was rational for people to heed to the laws of nature, which helped them to keep peace with others. In *De Cive*, Hobbes defined the law of nature as 'the Dictate of right reason about what should be done or not done for the longest possible preservation of life and limb'.⁸⁹ It directed people to lead a more sociable life. Hobbes maintained that

⁸⁶ Hobbes, *Leviathan*, 246. Something about the role of scripture in Hobbes's account should be said here. As well as talking about a natural kingdom, Hobbes talked about a 'Prophetique' kingdom, that is, 'wherein having chosen out one peculiar Nation (the Jewes) for his Subject, [God] governed them, and none but them, not onely by naturall Reason, but by Positive Lawes, which he gave them by the mouths of his holy Prophets'. In part three of *Leviathan*, Hobbes tried to show how the Old and New Testaments contained a record and a prophecy of distinct political kingdoms with changing relationships between God, rulers and subjects. This led to a periodization of history and an account of the obligations appropriate to each age. See *Ibid.*, esp. chs.33, 35-7, 40-1. However, the crucial point here is that whether he was discussing natural or prophetic kingdoms, Hobbes was trying to demonstrate that the interpretative authority of God's law ultimately rested with the civil sovereign. *Ibid.*, esp. 268-9.

⁸⁷ *Ibid.*, 91.

⁸⁸ *Ibid.*, ch.13.

⁸⁹ Hobbes, *On the Citizen*, 33.

in principle the laws of nature were easy to interpret. But because there were ‘very few, perhaps none’ who were not blinded by ‘self-love, or some other passion’, the law of nature became the ‘most obscure’.⁹⁰ That is to say, because different people had different interests, they would reason differently and come to different and conflicting conclusions. Thus, there was no unity, in practice, in what people took to be the dictates of right reason. Hobbes remarked that the laws of nature obliged ‘*in foro interno*’, or ‘in conscience’.⁹¹ This meant that the laws ‘bind to a desire they should take place’. But ‘*in foro externo*’, that is ‘putting them in act’, the laws were not necessarily binding. Thus, in *De Cive*, Hobbes argued that the law of nature ‘gives rise to obligation only when it can be kept with safety’.⁹² For Hobbes, the laws of nature were ‘Immutable and Eternall’; but they were obliging only to a desire and a sincere effort to keep them. In circumstances in which others do not abide by the laws, and keeping the laws comes into conflict with one’s desired end of self-preservation (rather than preserving it), it followed, in practice, that they did not need to be kept. The right of nature hereby trumped the law of nature.

Up to this point, we have seen that in principle the laws of nature were obligatory laws as they were commanded by God through reason, but only to those who acknowledged God’s providence. But because people did not have any positive idea of God, the laws of nature were merely theorems, which could be trumped by the right of nature. How did the laws of nature become obligatory in a real sense? The fourth and last step explains this. Hobbes’s answer was the civil sovereign. Hobbes argued that in order for laws to become obligatory, the legislator had to be known, the laws sufficiently promulgated, and the laws interpreted.⁹³ As we saw, people lacked any positive idea of God and His will. Although reason disclosed the laws of nature, these were susceptible to various conflicting interpretations. Without an authoritative interpretation, laws could not be called laws as such. The civil sovereign made up for these defects. He⁹⁴ was a visible legislator. His punishments were readily perceivable. Thus, the laws of nature become properly laws once they were commanded by the

⁹⁰ Hobbes, *Leviathan*, 190-1.

⁹¹ *Ibid.*, 110; Hobbes, *On the Citizen*, 54.

⁹² Hobbes, *On the Citizen*, 54.

⁹³ Hobbes, *Leviathan*, 190.

⁹⁴ I use the pronoun ‘he’ to refer to the civil sovereign, as did Hobbes, although a sovereign may be an assembly of men.

sovereign. Furthermore, for Hobbes, the civil sovereign was the sole authoritative and authentic interpreter of natural law.⁹⁵ To escape the state of perpetual war, people in the state of nature would eventually agree to authorize a man or an assembly of men to act as sovereign judge.⁹⁶ They would confer all their 'power and strength upon one Man, or Assembly of men' to bear their 'Person' and 'submit their Wills, every one to his Will, and their Judgements, to his Judgment'.⁹⁷ The sovereign's power would be absolute because every individual would transfer his right of nature, which previously granted him the liberty to do 'anything' in his judgment to the end of self-preservation. Previously, where every private man was 'judge of good and evill actions', in the commonwealth, the civil sovereign was the measure of good and evil.

The laws of nature became obligatory by the civil sovereign *qua* legislator and interpreter, but also *qua* protector. For Hobbes, the 'end of Obedience is Protection'.⁹⁸ People were bound to obey that which provided them with protection. Obedience is 'understood to last as long, and no longer, than the power lasteth'.⁹⁹ But as we saw, on Hobbes's account, people did not have any positive idea of God. Because reason could not disclose the nature of God, people were not His natural subjects. As a protector, then, He was absent. On the other hand, the civil sovereign provided terrestrial protection.

Before a commonwealth was erected, the laws of nature were not properly laws: they were 'qualities that dispose men to peace, and obedience'. But when these laws were commanded by the civil sovereign, they then became laws. Hobbes thus claimed that 'the Law of Nature, and the Civill Law, contain each other, and are of equall extent'. The two were not 'different kinds, but different parts of Law'. And so, 'Obedience to the Civill Law is part also of the Law of Nature'.¹⁰⁰

Now that we have examined Hobbes's doctrine of natural law, let us look at its implications on the debate over indifferent things. In the state of nature, Hobbes conceded that 'every private man is Judge of Good and Evill actions'. It is also a sin not to follow one's conscience in the state of nature

⁹⁵ Hobbes, *Leviathan*, ch.26.

⁹⁶ *Ibid.*, ch.18.

⁹⁷ *Ibid.*, 120.

⁹⁸ *Ibid.*, 153.

⁹⁹ *Ibid.*, 153.

¹⁰⁰ *Ibid.*, 85.

because an individual ‘has no other rule to follow but his own reason’.¹⁰¹ All this changed in a commonwealth. Because a commonwealth is conceptually ‘one Person’, ‘it ought also to exhibite to God but one Worship’. This is ‘Publique worship’ as opposed to ‘Private’; the ‘property whereof, is to be *Uniforme*’.¹⁰² Thus, Hobbes went on to say:

actions that are done differently, by different men, cannot be said to be a Publique Worship. And therefore, where many sorts of Worship be allowed, proceeding from different Religions of Private men, it cannot be said there is any Publique Worship, nor that the Common-wealth is of any Religion at all.¹⁰³

The implication on indifferent things was clear: they were under the civil sovereign’s control.

What did Hobbes have to say about conscience? For Hobbes, the doctrine that says ‘whatsoever a man does against his Conscience, is Sinne’ is ‘repugnant’ to civil society.¹⁰⁴ He remarked that

[t]he most frequent praetext of Sedition, and Civill Warre, in Christian Common-wealths hath a long time proceeded from a difficulty, not yet sufficiently resolved, of obeying at once, both God, and Man, then when their Commandements are one contrary to the other.¹⁰⁵

But crucially, for Hobbes, ‘a mans Conscience and his Judgement is the same thing’.¹⁰⁶ As we have seen, in entering into the commonwealth, people had surrendered their private judgments and have undertaken to be guided by the ‘publique Conscience’.¹⁰⁷ Hobbes did admit, however, that when an individual received two contrary commands from God and the civil sovereign, and ‘if he

¹⁰¹ Ibid., 223.

¹⁰² Ibid., 252. See also Hobbes, *On the Citizen*, 181. ‘For Commonwealths as wholes, each of which is one person, natural reason prescribes uniformity of Public Worship. For actions done by individuals following their private reason are not actions of a commonwealth, and are not therefore the worship of the commonwealth; and actions of the commonwealth are understood to be done by order of the holder or holders of sovereign power, and hence with the consent of all the citizens together, i.e. uniformly’.

¹⁰³ Hobbes, *Leviathan*, 252-3.

¹⁰⁴ Ibid., 223.

¹⁰⁵ Ibid., 402.

¹⁰⁶ Ibid., 223.

¹⁰⁷ Ibid., 223.

knows that one of them is Gods', it was 'manifest enough' that he should obey God.¹⁰⁸ The difficulty was that one could not distinguish between a genuine command from God and a self-fashioned one. Hobbes argued that the problem of obeying both God and the civil sovereign could be resolved by distinguishing between what was and was not necessary for salvation. If there was a way to obey the civil sovereign's command without forfeiting one's eternal life, Hobbes maintained, 'not to obey it is unjust'.¹⁰⁹ Hobbes argued that this was possible. He firstly argued that the situation where one's salvation would be endangered by submitting to the sovereign could not properly arise because if one had undertaken to be guided by the public conscience, his conscience would be the same as the sovereign's, and conceptually therefore, he would not have to sin because he was doing nothing contrary to his conscience.¹¹⁰ Even if the individual did, as a matter of fact, have a conscientious scruple, because the external act would be a public act of worship, it would not be an individual believer's act but the sovereign's.¹¹¹ Moreover, Hobbes showed that obedience to the civil sovereign was simply necessary for salvation. The necessary conditions for salvation were contained in 'two Vertues', namely 'Faith in Christ, and Obedience to Laws'.¹¹² Obedience was required to the laws of God, that is, the law of nature.

Although Hobbes's doctrine of salvation may have been strangely minimal for many Anglicans, it did have a home in the irenic theology of the 'Tew Circle', among them Viscount Falkland, William Chillingworth, John Hales and Jeremy Taylor, and later, of the latitude-men.¹¹³ However, the

¹⁰⁸ Ibid., 403.

¹⁰⁹ Ibid., 403. The point here is not to say that the justness of obedience depends on its compatibility with salvation. For Hobbes, disobedience is unjust because it involves the breach of a covenant made. Ibid., 100. The point, therefore, is rather that without an overriding reason provided by God to disobey the civil sovereign, disobedience is simply unjust due to the breach of a covenant made.

¹¹⁰ Ibid., 223.

¹¹¹ Ibid., 344, 389.

¹¹² Ibid., 403.

¹¹³ See Hobbes, *On the Citizen*, 240-1. Hobbes realized that his insistence of 'Jesus is Christ' as the only necessary article of faith to salvation 'may displease a large number of theologians' for 'its novelty'. Johann Sommerville, *Thomas Hobbes: Political Ideas in Historical Context* (London: Macmillan, 1992), 147. William Chillingworth, *The Religion of Protestants a Safe Way to Salvation* (Oxford, 1638), 133-5 (Answer to the third chapter, section 13); Jeremy Taylor, *Treatises of 1. The Liberty of Prophesying, 2. Prayer ex Tempore, 3. Episcopacie* (London, 1648), esp. section 1, 1-18. John Marshall, 'The Ecclesiology of the Latitude-men 1660-1689: Stillingfleet, Tillotson and "Hobbism"', *Journal of Ecclesiastical History* 36 (1985): 407-27.

implications of Hobbes's doctrine suggested a much more radical theology. As we have seen, for Hobbes, obedience to the law of nature meant obedience to the civil sovereign: civil laws and the laws of nature 'contain each other'. If, however, the sovereign forbade his subjects from belief in Christ, which was a necessary article of salvation, what was one to do? Hobbes argued that one could bypass this problem by invoking 'Naaman's license' (2 Kings 5:17), whereby one could submit externally to the sovereign's commands while believing what one believed internally.¹¹⁴ For Hobbes, the understanding was not subject to change at will: 'Beleef, and Unbeleef never follow mens Commands'.¹¹⁵ Even in this extreme case, one could perform the two duties necessary for salvation by distinguishing between external acts and internal belief. But here, Hobbes intimated that belief in Christ was not necessary for salvation if one fully obeyed the civil law. After all, obedience to laws, 'if it were perfect, were enough for us'.¹¹⁶ If one was obliged to submit to the civil sovereign concerning a necessary article of salvation, it would apply all the more for indifferent things.¹¹⁷ The civil sovereign was a '*Mortall God*'.¹¹⁸

Hobbes developed an account of natural law which was deployed to reconcile civil authority and individual conscientious liberty. He used conventional terms but significantly redefined them to draw out conclusions suitable to his political agenda of creating an unchallengeable sovereign power. He showed that the law of nature could be known and have normative force. However, he achieved this by making natural law synonymous to civil laws. He showed that natural law became properly a law when it was commanded by the civil sovereign. The effect on indifferent things was that obedience was necessary to the civil sovereign and conscientious scruples were unjustified.

¹¹⁴ Hobbes, *Leviathan*, 343-4. See also 249, 414.

¹¹⁵ *Ibid.*, 343. See also 256.

¹¹⁶ *Ibid.*, 403.

¹¹⁷ It is important to note that although the structure of Hobbes's theory of obedience was authoritarian, its implications on toleration were more ambiguous. Hobbes had maintained that the subjects' liberty depended on the 'Silence of the Law'. Thus, 'In cases where the Sovereign has prescribed no rule, there the Subject hath the Liberty to do, or fobeare, according to his own discretion'. According to Hobbes, 'such Liberty is in some places more, and in some lesse'. This means that Hobbes's theory could be used to support a policy of toleration as well as imposition. Hobbes, *Leviathan*, 152. See Tuck, 'Hobbes and Locke on Toleration'; Jon Parkin, 'Liberty Transpros'd: Andrew Marvell and Samuel Parker', in *Marvell and Liberty*, eds. Warren Chernaik and Martin Dzelzainis (London: Macmillan, 1999), 269-89.

¹¹⁸ Hobbes, *Leviathan*, 120.

However, the power of the sovereign stretched beyond the comfort of many Anglicans, not to say Puritans.

In the following sections, I discuss Locke's contribution to the debate over indifferent things. I show how he initially argued himself into a position too close to Hobbes for his comfort. To distance himself from Hobbes, Locke developed an account of natural law in direct opposition to Hobbes's. Let us now turn to Locke.

3. The Context of Locke's *Two Tracts on Government*

Locke's first extended political writing was the *English Tract* of what we now know as the *Two Tracts on Government*. This was written in response to Edward Bagshawe, Locke's colleague at Christ Church, who had published the pamphlet *The Great Question concerning Things Indifferent in Religious Worship* in the Fall of 1660. The question of controversy, that is, determining the legitimate boundaries of civil authority and individual conscientious dissent, was, as we saw, a long-standing one, but it resurfaced as a question in a particular context. Let us briefly survey this context. Let us turn to the Restoration in 1660.

By 1660, it was commonly believed that religion was one of the major causes of the civil disorder in the preceding years.¹¹⁹ George Lawson, for example, remarked:

In the time of our divisions, and the execution of God's judgements upon the three nations, I set my self to enquire into the causes of our sad and woeful condition, and to think of some remedies to prevent our ruin. Whilst I was busy in this search, I easily understood, that the subject of our differences was, not only the state but the church.¹²⁰

Religion was, however, 'both a cause of trouble and the key to settlement'.¹²¹ A stable political settlement therefore called for a peaceful *religious* settlement. One thing was sure: Charles's return as King guaranteed the restoration of the

¹¹⁹ Conal Condren, *George Lawson's Politica and the English Revolution* (Cambridge: Cambridge University Press, 1989), 43; Tim Harris, *Restoration: Charles II and His Kingdoms, 1680-1685* (London: Allen Lane, 2005), 52.

¹²⁰ George Lawson, *Politica Sacra et Civilis*, ed. Conal Condren (Cambridge: Cambridge University Press, 1992), 3.

¹²¹ Condren, *George Lawson*, 43n.

Church of England.¹²² The crucial question was: in what form? John Corbet sketched out three possibilities: firstly, one party could be backed by the magistrate and sanction all the other parties; secondly, two or more parties could come to a compromise under the head of a comprehensive church and sanction the other parties; thirdly, one party could be backed by the magistrate but could extend toleration to the other parties. The first option was not desirable because it would most likely lead to violence. The third option was also not desirable because it would let in sects such as Quakers, Anabaptists, and Fifth Monarchists, those who were regarded as sectarians or enthusiasts by Anglicans and moderate Presbyterians. The second option was the most likely. The prospect of a settlement between Anglicans and Presbyterians was realistic.¹²³ Anglicans had the favour of the King while Presbyterians had influence in Parliament. Moreover, Anglicans and Presbyterians agreed that a national Church was desirable and they had been holding several conferences since the mid 1650s in search of a compromise.

The Declaration of Breda and the King's *Declaration concerning Ecclesiastical Affairs* demonstrated Charles II's support for accommodation.¹²⁴ The former declared the King's desire to advance and propagate the 'Protestant Religion' and guaranteed 'a Liberty to tender Consciences': 'no Man should be disquieted or called in Question for Differences of Opinion in Matter of Religion, which do not disturb the Peace of the Kingdom'. The latter firstly professed Charles's 'high Affection and Esteem' for the Church of England 'as it is established by Law' and his wish for the people's 'cheerful submission' to its authority for the preservation of the 'Unity and Peace' of the Church.¹²⁵ But at the same time, it provided protection from the arbitrary imposition of Bishops. It made it a matter of conscience to use of the Book of Common Prayer and to perform certain controversial ceremonies – such as kneeling at the sacrament, making the sign of the cross at baptism, bowing at the name of Jesus, and

¹²² John Spurr, *The Restoration Church of England, 1646-1689* (New Haven: Yale University Press, 1991), 30.

¹²³ John Corbet, *The Interest of England in Matters of Religion* (London, 1660), 24, 35, 36-7. See also Harris, *The Mind of John Locke*, 62f. For Rose, these three solutions corresponded respectively to rigid Laudians, latitude-men, and tolerationists. Rose, 'John Locke', 604.

¹²⁴ 'The Declaration of Breda', in *The Constitutional Documents of the Puritan Revolution, 1625-1660*, ed. Samuel R. Gardiner (Oxford: Clarendon Press, 1906), 465-7; 'Declaration concerning Ecclesiastical Affairs', *Journals of the House of Lords* 11 (1660-66): 179-82.

¹²⁵ 'Declaration concerning Ecclesiastical Affairs', 179, 180.

wearing surplices – until a national synod had reviewed these issues. This synod, the King promised, was to be called in due course. Although this appeared to lay down the ground for a peaceful resolution under the policy of accommodation, it proved to be unsteady. Presbyterians had firm views concerning some of these controversial ceremonies.¹²⁶ In Baxter's *Reliquiae Baxterianae*, we see that he wrote to the King and exchanged letters with Anglican authorities circa 1660, imploring them to leave indifferent ceremonies to be freely determined by the individual. We see, however, the authorities were unwilling to concede.¹²⁷ Furthermore, the King was unwilling to extend conscientious liberty for the use of surplices in 'Our own Chapel, Cathedral or Collegiate Churches, or to any College in either of Our Universities'.¹²⁸ Christ Church, of course, belonged to all of the above categories. It is in such a context that the question of indifferent things became an impending issue for both Bagshawe and Locke.¹²⁹

In the *Great Question*, Bagshawe did not object to the King's authority to legislate in external matters of religious worship *per se*. This, he thought, was necessary for the sake of peace. He wished that 'all Parties would agree to referre the whole Cause of Ceremonies to his Majesties single Decision'. What Bagshawe did object to was the idea that the King should *impose* certain controversial ceremonies (though Bagshawe admitted that they were 'so very Trifles'), which the Scriptures had left free.¹³⁰ His reason for this was because imposition of things indifferent lacked Scriptural warrant. It was 'directly contrary to the Nature of the Christian Religion in general, which in every part of it is to be Free and Unforced', and more specifically, it was 'directly contrary to *Gospel precept*'.¹³¹ Imposition brought with it several other problems.

¹²⁶ Baxter, *Reliquiae Baxterianae*, esp. 235-6; Cornelius Burges et al., *Reasons Shewing the Necessity of Reformation* (London, 1660). For Anglican responses, see Henry Savage, *Reasons Shewing that there is No Need of such a Reformation of the Publique Doctrine* (London, 1660), esp. 16-17; John Pearson, *No Necessity of Reforming the Publick Doctrine of the Church of England* (London, 1660).

¹²⁷ Baxter, *Reliquiae Baxterianae*, esp. 232-59.

¹²⁸ 'Declaration concerning Ecclesiastical Affairs', 182.

¹²⁹ At Christ Church, Bagshawe's party stole as many surplices (a cloak seen to represent Anglican authority) as possible and buried them in the sewers. See Abrams, 'Introduction', 36. In the *Two Tracts*, Locke twice deleted references to surplices. *G*, 146, 178n75. This may suggest that Locke did not want to localize his arguments.

¹³⁰ Edward Bagshawe, *The Great Question concerning Things Indifferent in Religious Worship* (London, 1660), 'Preface'.

¹³¹ *Ibid.*, 2, 3.

The first problem was the ‘Impossibility to fix a Point where the *Imposer* will stop’: ‘For do but once grant, That the *Magistrate* hath power to Impose, and then we lie at his Mercy, how far he will go’.¹³² The problem was that the argument giving the magistrate power to impose over indifferent things could go down the slippery slope. If there was no room to voice conscientious dissent, then people would be at the mercy of the magistrate’s arbitrary will. There would be no safeguard against unlimited imposition. For Bagshawe, this was nothing short of popery. Granted that the magistrate had the power to impose, he ‘may as well command those...*gross Fooleries*, which are in the *Popish* worship’, the ‘*grossest Idolatry* and *vilest Tyranny* that was ever yet practised’.¹³³ For ‘whoever doth own the *Doctrine of Imposition*...brings in the Essence, though not the Name of *Popery*’.¹³⁴

Another major problem was that of hypocritical worship. Bagshawe maintained that as God ‘loves a cheerful Giver, so likewise a cheerful Worshipper, accepting of no more, than we willingly perform’.¹³⁵ The nature of Christianity warranted an individual to use his liberty concerning indifferent things in serving God, which ‘his Conscience prompts him to’.¹³⁶ As we saw above, within the dominant intellectual framework, conscience was considered to be the practical part of the understanding, which gave the will directive instruction. Given that the understanding informed the will, to perform a ‘willing’ action implied that the individual worshipper was inwardly persuaded of the rectitude of the action. The external action, in other words, was the expression of the internal judgment. However, an imposed ceremony *qua* imposition, would not win the approval of an individual’s conscience, and for that reason, a genuine act of worship would not likely follow. Thus, Bagshawe argued, imposition ‘inverts the Nature of the *Christian Religion*, not only by taking away its *Freedom*, but likewise its *Spirituality*’.¹³⁷ God was to be worshipped ‘*in spirit, and in Truth*’. In order to perform such worship, conscience needed to be respected. Imposition undermined the individual’s

¹³² Ibid., 10.

¹³³ Ibid., 10.

¹³⁴ Ibid., 11. The problem of unlimited imposition was also one characteristic imputed to Hobbism. See Locke’s comments on Samuel Parker, in *ETol*, 322-326.

¹³⁵ Bagshawe, *The Great Question*, 3.

¹³⁶ Ibid., 3.

¹³⁷ Ibid., 11-12.

relationship with God. Thus, Bagshawe argued, ‘consciences, how erroneous soever, yet are to be tenderly and gently dealt with’.¹³⁸

Bagshawe’s argument undermined the legitimacy of accommodation. If accommodation under Charles II was going to lead on to a religious settlement, Bagshawe’s arguments needed to be answered.

4. Locke’s *English Tract*

Locke’s response to Bagshawe in the *English Tract* centred around two points. First, he argued that Bagshawe had interpreted the Scriptures to his advantage and elicited unwarranted conclusions about the imposition of things indifferent. Secondly, he argued that if one proceeded from a Scriptural warrant as Bagshawe had, it was impossible to distinguish between civil and ecclesiastical matters.¹³⁹

On the first point, against Bagshawe’s claim that Scripture did not warrant imposition of things indifferent, Locke remarked that it was ‘strange’ that one could say that in imposing indifferent things, the magistrate sins against Gospel precepts, ‘yet in the whole Gospel not one precept be found that limits or directs his authority’.¹⁴⁰ Locke retorted that the ‘Texts’ produced by Bagshawe ‘inform Christians in general of the liberty purchased them by our Saviour, and there appears not in one of them any precept to magistrates to forbid their imposing indifferent things’.¹⁴¹ Locke argued that Scripture did not provide the warrant that Bagshawe had pretended to. At the same time, Locke saw the possibility for Scripture to be bent and used to suit one’s own purposes. This takes us to his second point.

The second point summarized Locke’s concern with, and his case against, enthusiasm. Bagshawe had identified the danger of imposition of indifferent things falling into popish authoritarianism. Locke, on the other hand, identified the danger of conceding too much to the liberty of one’s conscience. Without any fixed criterion between civil and spiritual matters, one could use conscience as a pretext to justify all sorts of subversive actions. Looking back at the Interregnum, Locke observed that there was ‘no action so indifferent which a

¹³⁸ Ibid., 12.

¹³⁹ Harris, *The Mind of John Locke*, 66-7.

¹⁴⁰ *G*, 130, 140.

¹⁴¹ Ibid., 131.

scrupulous conscience will not fetch in with some consequence from Scripture and make of spiritual concernment’:

Grant the people once free and unlimited in the exercise of their religion and where will they stop, where will they themselves bound it, and will it not be religion to destroy all that are not of their profession? And will they not think they do God good service to take vengeance on those that they have voted his enemies? Shall not this be the land of promise, and those that join not with them be the Canaanites to be rooted out? Must not Christ reign and they prepare for his coming by cutting off the wicked? Shall we not all be taught of God and the ministry cast off as needless?¹⁴²

Locke noted the danger that once it was granted that the magistrate did not have authority over indifferent things, people would ‘all of an instant be converts’, ‘conscience and religion’ would ‘presently mingle itself with all their actions and be spread over their whole lives to protect them from the reach of the magistrate’, and they would ‘quickly find the large extent of *inordine ad spiritualia* [what is excluded from the spiritual order]’.¹⁴³ Locke believed that Bagshawe himself ‘would not make this large use of his liberty’. He also believed that there were ‘sincere and tender-hearted’ Christians and that they ought to be ‘gently dealt with’.¹⁴⁴ The problem was that there was no way to distinguish between a sincere worshipper and an enthusiast given that Scripture could be interpreted in almost any way by an individual’s conscience. One only needed to ‘look some years back’ to see that ‘tender consciences was the first inlet to all those confusions and unheard of and destructive opinions that overspread this nation’.¹⁴⁵

Locke came to the conclusion that giving authority to individual consciences over indifferent things was inconsistent with the security of civil society. He remarked that ‘there hath been no design so wicked which hath not worn the vizer of religion, nor rebellion which hath not been so kind to itself as

¹⁴² Ibid., 159; see also, *Corr.*, 75, vol. i, 111. ‘you know how easy it is under pretence of spirituall jurisdiction to hooke in all secular affairs’.

¹⁴³ *G*, 154.

¹⁴⁴ Ibid., 160.

¹⁴⁵ Ibid., 140, 160.

to assume the specious name of reformation'.¹⁴⁶ If the magistrate's authority was not asserted, it would 'leave the peace of that society' which is 'committed to his care open to be torn and rent in pieces by everyone that could but pretend to conscience and draw a sword'.¹⁴⁷ In the *Latin Tract*, which we shall examine in the next section, Locke asserted more vividly that once 'a subject's vow or a private error of conscience' could 'nullify the edicts of the magistrate',

discipline will be everywhere at an end, all law will collapse, all authority will vanish from the earth and, seemly order of affairs being convulsed and the frame of government dissolved, each would be his own Lawmaker and his own God.¹⁴⁸

Locke feared that once individual consciences could challenge the authority of the magistrate, the magistrate would lose control over his subjects, the result being civil disorder.

Locke's solution was therefore to assert the magistrate's authority. He argued that if there is to be 'society, government and order', the magistrate 'must necessarily have an absolute and arbitrary power over all the indifferent actions of his people'.¹⁴⁹ So long as it remained impossible to distinguish between civil and ecclesiastical concerns, civil order should be secured by giving the magistrate full control over all indifferent things. For Locke, this followed from his belief in an intelligent and purposive God. God 'in his infinite wisdom' had made obedience to the magistrate in all things indifferent 'necessary and *therefore* not *left free*'.¹⁵⁰ Here, Locke appealed to the law of nature for the magistrate's commission, and avoided reference to the Scriptures:

It was not...requisite that we should look for the magistrate's commission to be renewed in Scripture who was before even by the law of nature and the very condition of government sufficiently invested with a power over all indifferent things.¹⁵¹

¹⁴⁶ Ibid., 160.

¹⁴⁷ Ibid., 162.

¹⁴⁸ Ibid., 226-7. Hooker, *Of the Laws of Ecclesiastical Polity*, vol.2, 363.

¹⁴⁹ Ibid., 122-3.

¹⁵⁰ Ibid., 122.

¹⁵¹ Ibid., 172.

Locke identified two theories of authorization by which God entrusted the magistrate with the power over indifferent things. The first supposition was that ‘the magistrate’s crown drops down on his head immediately from heaven’; that is to say that the magistrate was directly ‘commissioned by God and by him entrusted the care of society’. The second supposition was that the crown was ‘placed there by the hands of his subjects’; that is to say that the magistrate’s power was derived from the consent of the people.¹⁵² On this second supposition, the magistrate was indirectly commissioned by God. Locke argued that ‘the light of reason and nature of government’ made it ‘evident’ that ‘in all societies it is unavoidably necessary that the supreme power...must be still supreme, i.e. have a full and unlimited power over all indifferent things and actions within the bounds of that society’.¹⁵³ Once people had invested another with a power over their actions, they were bound to him because the law of God required ‘fidelity and truth in all lawful contracts’.¹⁵⁴ For the sake of the argument, Locke based his argument of civil authority on the contract theory, which he considered to be more favourable to the ‘patrons of liberty’.¹⁵⁵ He set out to show that even allowing ‘every man by nature as large a liberty as he himself can wish’, ‘whilst there is society, government and order, rulers still must have the power of all indifferent things’.¹⁵⁶ But why would people invest their liberty to another? Here, Locke presented an argument strikingly similar to that of Hobbes’s.

Supposing man naturally owner of an entire liberty, and so much master of himself as to owe no subjection to any other but God alone (which is the freest condition we can fancy him in), it is yet the unalterable condition of society and government that every particular man must unavoidably part with this right to his liberty and entrust the magistrate with as full a power over all his actions as he himself hath, it being otherwise impossible that anyone should be subject to

¹⁵² Ibid., 122, 126.

¹⁵³ Ibid., 172. People were instructed by the light of nature ‘in the necessity of laws and government and a magistrate with power over them’.

¹⁵⁴ Ibid., 124-5.

¹⁵⁵ Ibid., 122-3.

¹⁵⁶ Ibid., 123.

the commands of another who retains the free disposal of himself, and is master of an equal liberty.¹⁵⁷

Locke intimated that in a state where everybody was 'master of himself', there would be disorder due to a lack of authority. Later in the *English Tract*, he argued that in the absence of government, there would be 'no peace, no security, no enjoyments, enmity with all men and safe possession of nothing, and those stinging swarms of miseries that attend anarchy and rebellion'.¹⁵⁸ So, like Hobbes, he argued that it was necessary for the sake of order to entrust the magistrate with authority over all the liberty an individual possessed. The magistrate would have legitimate power over all indifferent things 'because it is lawful for the magistrate to command whatever it is lawful for any subject to do'.¹⁵⁹

It is worth noting that in the *Latin Tract*, Locke added a third theory of authorization in which 'all authority is held to come from God but the nomination and appointment of the person bearing that power is thought to be made by the people'. He added this third supposition because he thought that 'a right to govern will not easily be derived from the paternal right nor right of *life and death* from the popular' (emphasis added).¹⁶⁰ This last emphasis suggests that whatever similarities Locke had with Hobbes in the *English Tract*, by the time of the *Latin Tract*, he was clearly unconvinced of a Hobbesian contract theory derived from self-preservation. In any case, Locke considered that it was less an issue which of these three theories was right than that the magistrate's commission and power over indifferent things came from God.

Now, in order to say that his appeal to natural law succeeded, Locke had to show that the tension between civil authority and individual consciences was resolved. After all, God would not command conflicting duties. How did Locke deal with the problem of conscientious dissent? Unlike Hobbes, Locke's contract involved individuals handing over their *right* over indifferent things and not their *judgment*.¹⁶¹ So he could not say, as Hobbes had, that the problem of

¹⁵⁷ Ibid., 125.

¹⁵⁸ Ibid., 156.

¹⁵⁹ Ibid., 125-6.

¹⁶⁰ Ibid., 231.

¹⁶¹ Abrams, 'Introduction', 77.

conscientious scruples could not conceptually arise because people had surrendered their judgments to the public conscience (although Hobbes did have the problem that people *as a matter of fact* could have conscientious scruples). Here, Locke made the external action/internal belief distinction as Hobbes and Anglicans such as Sanderson had made. In general,

The understanding and assent (whereof God hath reserved the disposeure to himself, and not so much as entrusted man with a liberty at pleasure to believe or reject) being not to be wrought upon by force a magistrate would in vain assault that part of man which owes no homage to his authority.¹⁶²

But he went on to claim that ‘a rigour which cannot work an internal persuasion’ may work on ‘an outward conformity, all that is here required’.¹⁶³ Like Hobbes, Locke was arguing that the understanding was not subject to change by human force. The magistrate could not coerce a believer to believe something. His concern was to regulate external actions. Like Hobbes and Sanderson, Locke was also arguing that believers had *de facto* liberty of conscience. Individuals could outwardly conform to civil laws concerning indifferent things while conscience remained unaffected.

However, Locke was apparently aware of the weakness of his argument. He accepted that ‘God abhors the sacrifice of the hypocritical compliant’ and moreover, suggested that the magistrate ‘may increase [his subjects’] sin, while he endeavours to amend their lives’.¹⁶⁴ Civil order came at the high cost of undermining sincere worship. As we have seen, conscience was to be obeyed because, if it was correctly informed, it was consonant with the law of God. Even if it was erroneously informed, it was to be obeyed because conscience had practical bearing on one’s action and without a convinced conscience, one could not act out of faith. And what was not of faith was sin. God delighted in worship of a sincere kind. Without being able to follow one’s conscience, one could only render hypocritical worship. Believers would thus be compelled to sin and put their eternal life at stake.

¹⁶² *G*, 127.

¹⁶³ *Ibid.*, 128.

¹⁶⁴ *Ibid.*, 145.

Unlike Hobbes who had reduced the necessary condition for salvation to obedience to civil laws, Locke could not deny that his position would require conscientious believers to risk their eternal lives for the sake of civil order. Understandably, believers would opt to follow the former; and consequently, it gave the case for dissent extra momentum.¹⁶⁵ As it stood, Locke's appeal to natural law failed to solve the tension between civil authority and individual consciences.

5. Locke and the *Latin Tract*

Locke's difficulty in reconciling civil authority with conscientious claims was also present in his *Latin Tract*, which he wrote sometime between 1661 and 1662. We shall see that Locke tried to subordinate the claims of conscience to the authority of human laws, but failed to do so, because he was still working within the traditional intellectual framework.

In the *Latin Tract* (the more theoretically organized of the *Two Tracts*), Locke divided law into four categories: 'divine law', 'human law', 'fraternal law or the law of charity' and 'monastic or private law'. Divine law, which Locke described as the 'eternal foundation of all moral good and evil', was at the top of the hierarchy. This law was known either by the light of reason or revelation, and called natural or positive law respectively. But natural and positive law were both put under the common head of 'moral', because they were 'exactly the same in content and matter', differing only in the method of promulgation. What was not contained in this law was indifferent by nature.¹⁶⁶ Human law, the next in the hierarchy, was generically any command of a superior to his inferior, but politically it referred to the commands of the civil magistrate, to whom God had entrusted the responsibility of society. Its proper business was indifferent things.¹⁶⁷ Third on the order was fraternal law or the law of charity. It was commonly known as the 'law of scandal'. This was because it required the firm believer to give up the use of his liberty in indifferent things for a weaker believer who was less acquainted with his Christian liberty, lest the weaker believer 'performs that which he is far from convinced is lawful for him to do

¹⁶⁵ Harris, *The Mind of John Locke*, 69.

¹⁶⁶ *G*, 222-3.

¹⁶⁷ *Ibid.*, 223.

and thus becomes guilty of a crime'.¹⁶⁸ Finally, there was the monastic or private law, a law in which 'a man imposes on himself and by a new, superinduced obligation' and 'renders necessary things hitherto indifferent'.¹⁶⁹ Locke placed conscience in this last category. His aim was clear: by putting conscience in the lowest category, he tried to subordinate it to the authority of the civil magistrate. Locke held that 'the subordination of these laws one to another is such that an inferior law cannot in any way remove or repudiate the obligation and authority of a superior'.¹⁷⁰

Following the traditional definition we have seen above, Locke defined the law of conscience as the 'fundamental judgment of the practical intellect concerning any possible truth of a moral proposition about things to be done in life'.¹⁷¹ Now, because God had 'implanted the light of nature in our hearts and willed that there should be an inner legislator (in effect) constantly present in us who edicts it should not be lawful for us to transgress even a nail's breadth', 'it is not enough', Locke argued, 'that a thing may be indifferent in its own nature unless we are convinced that it is so'.¹⁷² In saying this, however, Locke exposed the weakness of his argument. He had tried to subordinate conscience to civil authority by relegating it to the lowest category of law, but at the same time he had admitted that God had wished people to follow its dictates. And if conscience was associated with the divine will, then understandably, people would put it above the magistrate's commands.

Locke's definition of conscience as the judgment of the practical intellect also undermined his case for civil authority. To see this, we need to first look at the terms Locke used to distinguish between laws which were opposed to the liberty of conscience and laws which were not. He began by arguing that a distinction between obligation and liberty needed to be made. Obligation of human laws could either be 'material' or 'formal'. Material obligation was that which obliged the conscience necessarily because it was commanded by divine law before the introduction of a human law. Formal obligation was that which obliged the conscience although it was previously indifferent because it was

¹⁶⁸ Ibid., 224.

¹⁶⁹ Ibid., 224-6.

¹⁷⁰ Ibid., 226.

¹⁷¹ Ibid., 225.

¹⁷² Ibid., 225.

commanded by a lawful magistrate, to which obedience was necessarily owed.¹⁷³ Next, Locke remarked that the liberty that concerned him was twofold: a ‘liberty of the judgment’ and a ‘liberty of the will’.¹⁷⁴ Liberty of judgment consisted in the freedom from giving assent to something that it was in its own nature necessary. Liberty of will consisted in the freedom from giving assent of the will to some act. Locke argued that the liberty of the will could be removed without infringing the liberty of the conscience.¹⁷⁵ Given these definitions, Locke argued that if a magistrate legislated concerning an indifferent thing, then that law bound the conscience not materially but formally. But this law did not remove the liberty of conscience ‘since to be obeyed it requires the assent of the will only’: it did not ‘require the assent of the judgment that it has any necessity’.¹⁷⁶ Thus, the magistrate could require outward obedience without disturbing the individual’s conscience.

But again, the practical intellect, following the traditional intellectual model, lay between and overlapped with the speculative understanding, which was concerned with truth, and the will, which was concerned with action. The practical intellect *qua* practical had directive bearing on action. This created the conceptual space to argue that the stringent dualism between the intellect and the will was untenable. If people could not act according to conscience’s direction, it would consist of a deviation from God’s will who only accepted those actions which were done according to an individual’s conscience. Moreover, because conscience was informed by divine law, it was difficult to disqualify a conscientious claim. Again, Locke had failed to reconcile civil authority with conscientious liberty. This failure lay in the framework he had inherited.

6. Locke’s Encounter with the Epistemological Crisis

We should pause here for a moment and consider what exactly the problem was for Locke. The problem was that both civil authority and conscientious liberty were grounded on the divine law but without an adequate criterion to verify the genuineness of the interpretation of the divine will.

¹⁷³ Ibid., 238.

¹⁷⁴ Ibid., 238.

¹⁷⁵ Ibid., 238-9.

¹⁷⁶ Ibid., 239.

To begin with, Locke had postulated an infinitely wise and purposive God who had wished there to be ‘order, society, and government among men’.¹⁷⁷ Whether directly or indirectly, the civil magistrate was entrusted by God with the power over indifferent things.¹⁷⁸ This was disclosed by both Scripture and reason.¹⁷⁹ Scripture, for Locke, provided ‘general standards of conduct from which all other particular rules derive and can be deduced’.¹⁸⁰ However, Locke acknowledged that Scripture itself was the subject of debate. Locke had implicitly accused Bagshawe of having interpreted the Scripture unreasonably. In so doing, Locke implied that Scripture and reason were related and complementary. Scripture remained ‘very silent in particular questions’ as both Locke and Bagshawe remarked, but Locke argued that this problem could be bypassed by natural law: ‘mankind was by the light of nature and their own conveniences sufficiently instructed in the necessity of laws and government and a magistrate with power over them’.¹⁸¹ Because the law of nature and Scripture were both expressions of the divine will (differing only in the method of promulgation) and ‘exactly the same in content and matter’, the conclusions elicited from Scripture and reason, in principle, should be consonant with each other. Where Scripture was silent then, reason could speak on its behalf.¹⁸² However, in the *Two Tracts*, Locke left this as an assertion and did not labour to demonstrate precisely how one could know the law of nature and what one could infer from it. The only hint of an argument he did give in the *Two Tracts*, which was from general consent, was deleted.¹⁸³ Hence, he had not demonstrated that Bagshawe’s Scriptural interpretation was unreasonable. To make this step, he would need to say more about natural law. Herein was room for development.

There was also the problem of conscientious liberty. Locke tried to subordinate conscience to civil authority by putting it under the head of private

¹⁷⁷ Ibid., 122, 231-2. See Abrams’ comments in 231n. Abrams notes that this ‘is surely the sum of Locke’s political philosophy at this time. His theory sets out from the will of God’.

¹⁷⁸ Ibid., 223, 229ff.

¹⁷⁹ By Scripture, see Ibid., 171. ‘In whatever text of Scripture the magistrate’s charter for jurisdiction in civil indifferent things is to be found, in the very same or next verse is his warrant for impositions in religious’. See also, 233-5. By reason, see Ibid., 172.

¹⁸⁰ Ibid., 234.

¹⁸¹ Ibid., 172.

¹⁸² Ibid., 172. ‘tis certain there be many particular things necessary and fit now, that are yet omitted in Scripture and are left to be determined by more general rules’ suggests as much.

¹⁸³ Ibid., 151, 179n95.

law, the lowest in the hierarchy of laws. For if conscientious scruples could nullify civil authority, civil society would collapse.¹⁸⁴ However, the model of conscience Locke had inherited was ill-suited for this purpose. We have seen that conscience was traditionally thought to be a syllogism where *synteresis* served as the major premise and *conscientia* the minor, from which the conclusions of conscience followed. *Synteresis* was informed by natural law, which was apprehended innately, and *conscientia* was guided by right reason, also which was written in the hearts of men. Because the conclusions of conscience were reached syllogistically from these premises, they would be consonant with the divine law. And because the conclusions of conscience were derived from the divine law, they would have to assume the status of divine law in Locke's hierarchy of laws. Thus, with this traditional model of conscience, he struggled to subordinate conscience to civil authority.

As we have seen, conscience could be incorrectly informed due to the damage inflicted by original sin. The remedy for this was grace. God provided Fallen men and women with the Scriptures and the assistance of the Holy Spirit. The Holy Spirit helped the individual believer better understand the word of God. However, there was disagreement over how the benefit of the Holy Spirit was meted out. Anglicans claimed that the Church of England mediated grace through Apostolic succession and thus claimed that they were entitled direct people's conduct. Puritans were more individualistic. They claimed that the grace of the Holy Spirit was conferred to the elect individual.

Grace, however, became an inlet to enthusiasm. By enthusiasts, Locke particularly seemed to have Quakers in mind.¹⁸⁵ Enthusiasts claimed that they were directly inspired by the Holy Spirit. This in itself was not problematic. The problem arose when the purported revelation revealed additional truths undermining the harmony of Scripture, reason and conscience, and ultimately civil order. If the Holy Spirit's testimony was superior to that of reason, as, for example, Calvin had maintained, then people believing to have been illuminated by the Holy Spirit would certainly opt to follow its dictates.¹⁸⁶

¹⁸⁴ Ibid., 226-7.

¹⁸⁵ *Corr.*, 13, 30, 59, 81; *ETol*, 306.

¹⁸⁶ John Calvin, *Institutes of the Christian Religion*, ed. John T. McNeill (Philadelphia: Westminster Press, 1960), 1.7.4-5.

The problem here was that there was no authoritative criterion to distinguish between a genuine divine inspiration and a self-fashioned one. In 1654, Locke wrote, ‘Aristotle and Scotus cannot secure us from lyes and deceivers whereof we have an other experiment. in the quakers here amongst us’.¹⁸⁷ Enthusiasts and Roman Catholics pretended to infallibility. In a short manuscript on infallibility, written some time in 1661, Locke asked whether there was an infallible interpreter of the Holy Scripture in the church.¹⁸⁸ He answered this in the negative: the so-called infallible interpreter could not infallibly prove his infallibility. Only Scripture itself was infallible. However, it was one thing to assert that the enthusiasts’ claims were unjustified, another to actually demonstrate that. Determining the achievement of reason and the Holy Spirit in interpreting the Scripture was not an easy task. Locke wrote:

The greatest caution should be taken lest, having trusted too much in our reason, we neglect faith, and, by not having given due regard to the mysteries of the gospel, we embrace philosophy instead of religion. On the other hand, enthusiasm must be carefully avoided, lest while waiting for the inspiration of the Holy Spirit, we admire and worship our dreams.¹⁸⁹

Concerning things necessary to salvation, Scripture was ‘so clear and unambiguous’. But concerning indifferent things, Locke once again made it the business of human authority to intervene, and thus, argued that an ‘infallible’ judge may be needed. By ‘infallible’ here, however, he did not mean a ‘definitive’ interpreter, by which he meant one who had authority over belief, but a ‘directive’ one, by which he meant one who guided action.¹⁹⁰

We arrive at Locke’s encounter with the epistemological crisis. Within the framework of the traditional intellectual model, there was no means of verification. Natural law was presumed to be known innately. It informed right reason, which then guided conscience to measure the rectitude of an action. But as early as 1659, Locke had remarked that ‘every ones Recta ratio is but the

¹⁸⁷ *Corr.*, 13, vol. i, 17.

¹⁸⁸ John Locke, ‘Infallibility’, in *John Locke: Writings on Religion*, ed. Victor Nuovo (Oxford: Clarendon Press, 2002).

¹⁸⁹ *Ibid.*, 72.

¹⁹⁰ Harris, *The Mind of John Locke*, 74.

traverses of his owne steps'.¹⁹¹ In saying this, he was questioning whether it could be asserted that reason pointed to a unanimous rule – a corollary of a rule being innate – given that there was no unanimity. Locke thought that reason, on the traditional intellectual framework, could not be relied upon any more than the purported inspirations of the enthusiasts. Scripture was, of course, the object of dispute and without the guidance of reason and grace, or indeed, by an eccentric use of reason and grace, its interpretation could be stretched.¹⁹² With reason, Scripture, and grace all being liable to eccentric interpretations and self-interested abuse, while they assumed the status of the highest order, and without a criterion to check them, Locke struggled to differentiate between a sincere conscience and a self-fashioned one. Failing to do this, it opened up the route to the turmoil caused by visionary politics.¹⁹³ With the conceptual resources available to him, Locke was thus compelled to put forward a case for civil order at the cost of undermining conscience.

7. Prospect of Development

To recapitulate, the problem facing Locke was that both civil authority and conscientious liberty were divinely grounded but without an adequate criterion to verify the genuineness of the understanding of the divine will. Thus civil authority and individual conscientious scruples came into conflict. The traditional resources led to an epistemological deadlock. We shall now see how Locke tried to rethink the model.

In the *Two Tracts*, Locke had brought with him the assumption of a purposive God who had prescribed certain intentions for mankind. This intention was manifested in the form of a natural law. If Locke could develop his account of natural law, which was not dealt with at any depth in the *Two Tracts*, and demonstrate that reason could come to the knowledge of the divine

¹⁹¹ *Corr.*, 81, vol. i, 123. 'tis Phansye that rules us all under the title of reason, this is the great guide both of the wise and the fooleish, only the former have good lucke to light upon opinions that are most plausible or most advantageous. Where is that Great Diana of the world Reason, every one thinkes he alone imbraces this Juno, whilst others graspe noething but clouds, we are all Quakers here and there is not a man but thinks he alone hath this light within and add besids stumble in the darke. Tis our passions that brutieish part that dispose of our thoughts and actions, we are all Centaurs and tis the beast that carrys us, and every ones Recta ratio is but the traverses of his owne steps'.

¹⁹² Marshall, *John Locke*, 21-2; Harris, *The Mind of John Locke*, 72.

¹⁹³ Harris, *The Mind of John Locke*, 75.

will, then, assuming the consonance between reason, Scripture and grace, natural law could be adduced to measure the legitimacy of the interpretations of Scripture and grace and to demarcate the proper limits of civil authority and individual conscientious scruples. Anything contradicting that which was set by natural law would lack legitimacy, because being God's will, the conclusions of natural law would be authoritative. Locke would therefore have to reassess the validity and authority of the doctrine of innateness, and try to search an alternative path to the divine will.

A reassessment of reason and natural law was suitable for Locke's aim and perhaps the most obvious way for him to proceed. The fact that at Oxford in 1660 he was involved in a 'voluminous' exchange with Gabriel Towerson on the subject of natural law suggests that he was interested in the rationalistic project from the start of his intellectual career. After their exchange had become extensive, Towerson proposed to Locke:

1. Whether (it being agreed upon between us that there is such a thing as a law of nature and one of those arguments which I produc'd for it admitted without any scruple) it were not much more for our advantage to proceed in our enquiry touching the law of nature, than to contend any longer about a second argument
2. I would willingly know of you whether you thinke the being of the law of nature can be evinc'd from the force of conscience in those men who have no other divine law to square their actions by.¹⁹⁴

In the preliminary discourses of *An Explication of the Decalogue or Ten Commandments* (1676), Towerson offered two arguments for a law of nature, which likely corresponded to the one 'admitted without scruple' and the one proposed to Locke. First, Towerson argued, given the existence of a wise and good God, 'creator and sustainer of the world', it followed that He had the right to give a law to His creatures, suitable to their nature, in order to preserve the natural order. Secondly, from the fact that all men had a conscience which excused or commended them according to what they apprehended was good or

¹⁹⁴ *Corr.*, 106, vol. i, 158-9.

bad, it followed that there was a natural rule guiding them.¹⁹⁵ Towerson's letter shows that in 1660, Locke seemed to have been persuaded of Towerson's first proof of a law of nature, and indeed, we can see this in his presupposition of a purposive God in the *Two Tracts*.¹⁹⁶

As we have seen, Hobbes also developed an account of natural law, which he used to inform his politics. However, his development had subversive implications. He showed that natural law could be reduced to civil laws. Although Hobbes showed that, conceptually, civil order and individual consciences need not conflict, this came at the heavy price of making the civil sovereign a 'mortal God'. Hobbes, however, had arrived at this conclusion because, on his account, God was incomprehensible and had no ends. Locke, on the other hand, postulated a purposive God whose will was knowable to men. Thus, the two men started from opposing views of God. This hinted that their developments would also proceed in different directions. Let us turn to Locke's *Essays on the Law of Nature* to see how his thought developed.

8. Locke and the *Essays on the Law of Nature*

As Censor of Moral Philosophy at Christ Church in 1663-4, Locke gave lectures on the law of nature.¹⁹⁷ In these lectures, Locke considered the following questions: Was there a law of nature? If so, how was it known? Was it obliging? If so, why was it obliging? In preparing these lectures, Locke consulted many sources, and these have been carefully documented by the twentieth century editor of the *Essays on the Law of Nature*, Wolfgang von Leyden. Concerning Locke's intellectual relationship with Hobbes, von Leyden suggests that 'Hobbes interested and fascinated Locke, in spite of, or perhaps because of, their divergent views'.¹⁹⁸ In this section, we shall see that Locke and Hobbes shared

¹⁹⁵ Gabriel Towerson, *An Explication of the Decalogue or Ten Commandments* (London, 1676), 2-3. Both of Towerson's points here were taken up by Locke in his first essay of the *Essays on the Law of Nature* (ELN).

¹⁹⁶ The fact that the *Latin Tract* was in the same collection as the *Essays* supports the point that there was a continuity. Abrams, 'Introduction', 16-17.

¹⁹⁷ Apparently, it was an occasion in which both tutor and student engaged in active debates. ELN, 237-8. Also, Locke's *Essays on the Law of Nature* was composed in the Scholastic style of taking up a question, followed by arguments for and against it. Thus, calling them *quaestiones* may be more accurate. See Robert Horwitz, 'Introduction', in *Questions concerning the Law of Nature*, eds. Robert Horwitz, Jenny Strauss Clay, and Diskin Clay. (Ithaca: Cornell University Press, 1990), 52-5; M.A. Stewart, 'Critical Notice', *Locke Newsletter* 23 (1992): 150-1.

¹⁹⁸ ELN, 37.

some similarities, which can be explained by their common move away from the traditional intellectual framework. However, we shall also see that Locke's development proceeded in direct opposition to Hobbes. Whereas Hobbes assumed that God was incomprehensible and that His intentions were not knowable to mankind, Locke assumed that God was purposive and that His intentions were knowable to mankind.

In the opening essay, Locke considered whether there was a law of nature: he affirmed that there was. Locke argued that God presided (and presides) over nature and had set rules appropriate to the nature of a given thing. Man was no exception. The infinitely wise God did not create man without a purpose. He had certain intentions for mankind and these intentions were manifested in the form of a natural law. Thus, man was subject to natural law. Locke described the law of nature as 'being the decree of the divine will discernible by the light of nature and indicating what is and what is not in conformity with rational nature, and for this reason commanding or prohibiting'.¹⁹⁹

Given that there was a law of nature, the next question Locke asked was: how was it known? People (at least those in the 'right frame of mind') came to know the law of nature by the light of nature.²⁰⁰ By the light of nature, Locke meant that people could come to the knowledge of certain truths by the proper use of their natural faculties.²⁰¹ At this point, Locke considered the resources available to him: the current views of the sources of knowledge of natural law were inscription, tradition, general consent, and sense-experience. In the second, third, and fifth essays, Locke rejected the first three explanations. He rejected inscription because there was simply no evidence of innate ideas. Inscription went hand in hand with general consent.²⁰² If all men were furnished with innate ideas, then they must certainly acknowledge a common morality. But this was not the case. The travel literature Locke had read suggested quite the opposite

¹⁹⁹ Ibid., 111, no.4.

²⁰⁰ Ibid., 113-15; Dunn, *The Political Thought of John Locke*, 22.

²⁰¹ *ELN*, 123.

²⁰² Ibid., 137-9; Like the *Two Tracts*, Locke apparently considered an argument sympathetic to general consent at the draft stage, but then deleted it, Ibid., 282-3. Cf. Hooker, *Of the Laws of Ecclesiastical Polity*, vol. 1, 175-7 (1.8.3). This may suggest that Locke took the criticism of the sceptics seriously – that natural law does not exist because there was no universal agreement – and thought that he needed to provide a better answer to meet the sceptical challenge. However, this is not to say that Locke was a sceptic. Cf. Wootton, 'Introduction', 26-31.

story. But even if there was a general consent, for Locke, this would still not prove that it was a natural law because the law of nature must be inferred from the first principles of nature and not from another person's beliefs. On similar grounds, he rejected tradition. Tradition, Locke argued, was more a matter of trust rather than knowledge as such.

In the fourth essay, Locke made his own commitment clear, that is, to sense-experience. For Locke, the light of nature was sense-experience in conjunction with reason. Sense-perception provided the raw data and reason arranged these into 'images of things' and formulated new ones from the first ones, and so on. Here, reason was understood as a 'discursive faculty', a means to natural law, and not the moral principles themselves, which was the end.²⁰³ He opposed the traditional Scholastic practice of equating the 'dictates of reason' with the law of nature.²⁰⁴ Reason, for Locke, was merely 'a faculty of the mind' and only searched and interpreted the law. This conceptual shift put Locke very close to Hobbes. Hobbes too had favoured sense-experience and reason over inscription, tradition, and general consent.²⁰⁵ He also described reason as a discursive faculty rather than the law itself. But crucially, Locke differed from Hobbes in his view of God's nature.

How then did Lockean sense and reason, *contra* Hobbes, lead people to the knowledge of natural law? First, Locke outlined what must be known for a law to be known and binding. There were two conditions to be met. The first was that there must be a law-maker, a superior power to which man was subject. The second was that the law-maker wished people to conduct themselves in accordance with his will.²⁰⁶ Locke inferred the first of these conditions, that is, the existence of a powerful and wise God, from creation.²⁰⁷ Through sense-experience, one could perceive the world, and reason disclosed that it was beautifully ordered. From this, one could infer that there must be a wise and powerful creator, namely God. Given a wise God, Locke assumed that He surely could not have created the world 'without a purpose', 'with no fixed aim'.

²⁰³ *ELN*, 149.

²⁰⁴ *Ibid.*, 111, 149.

²⁰⁵ Hobbes, *On the Citizen*, 32-3; Parkin, *Science, Religion and Politics*, 85.

²⁰⁶ *ELN*, 151.

²⁰⁷ *Ibid.*, 153.

Hence the second condition, God ‘intends man to do something’.²⁰⁸ As this intention would be God’s will, this would show what Locke thought the content of natural law was.²⁰⁹ Sense-experience and reason revealed that creation was intended for God’s glory, and thus that man was to render worship to God. This was man’s religious duty. Politically, it showed that because men were urged to ‘procure and preserve a life in society’, and to enter and maintain a society (their ability to speak implied this), they had a duty of self-preservation.²¹⁰

There was nothing particularly special about the content of natural law that Locke had identified. I will discuss the problem of its indeterminacy below. But first, I will note another problem. Locke had shown that men were urged by a ‘certain propensity of nature’ or ‘an inward instinct’ of self-preservation, and ‘impelled by life’s experience and pressing needs’ to enter into and preserve a life in a society. He had shown that given this undeniable urge to preserve one’s life, it was rational to maintain a political life. Hobbes could have said as much. Crucially though, Hobbes arrived at this conclusion from a different route. Although he had distinguished between right and law of nature, the content of the latter was derived independently of God’s intentions because these were not knowable. And because the laws of nature were independent of God’s intentions, they were not obliging. This in its own turn created the space for the right of nature, or self-preservation, to become the *de facto* measure of content and obligation. Locke had to say more than he had about the necessity of civil society if he wanted to avoid the conclusions about obligation that Hobbes had elicited. Locke tried to keep the distinction between right, which implied a liberty, and law, which implied an obligation, clear.²¹¹ The obligation of the law of nature was the next question he considered.

How could natural law be properly binding? Locke defined obligation generally as ‘the bond of law whereby one is bound to render what is due’, and in relation to natural law, ‘the bond of natural law whereby one is bound to discharge a natural obligation, that is, to fulfil the duty which it lies upon one to perform by reason of one’s nature, or else submit to the penalty due to a

²⁰⁸ Ibid., 157.

²⁰⁹ Parkin, *Science, Religion and Politics*, 85. This formulation of natural law emphasizing sociability shows that Locke was (in part) following a well-established tradition from at least Grotius. See Harris, *The Mind of John Locke*, 100.

²¹⁰ *ELN*, 157-9.

²¹¹ Ibid., 111.

perpetrated crime'.²¹² On Locke's account, one could be obliged to another agent only insofar as that agent had the right and power over him. It was unquestionable in Locke's mind that man's superior was God. Man was dependent on God as the *creator* and as the *wise creator*.²¹³ That God could create the world from nothing meant that He was omnipotent, that is, He could do anything: man's existence depended on His will because if it so pleased Him, He could 'reduce us again to nothing'.²¹⁴ That there was beauty, order, and regularity in the world implied that God was a wise creator. Man was dependent on His wisdom, because He could provide wise directions to mankind.²¹⁵ Thus, obedience was rightfully and rationally due to God. We thus see here, Locke's move to reconcile the tension between a voluntaristic understanding of obligation and a rationalistic one.

One had a liability to pay dutiful obedience, that is, one was bound to submit to the will of the superior insofar as it was promulgated and there were no impediments to perform it. One also had a liability to punishment, which arose from 'a failure to pay dutiful obedience'.²¹⁶ Locke made sure to argue that *fear* of punishment did not necessarily put people under obligation. There was a difference between an obligation due to a power which could 'coerce offenders and punish the wicked' (e.g. one captured by a pirate), and an obligation due to one with authority and dominion over the agent, or to a power which derived its authority from this source by legitimate procedure (e.g. one subject to a king). Locke argued that

all obligation binds conscience and lays a bond on the mind itself, so that not fear of punishment, but a rational apprehension of what is right, puts us under an obligation, and conscience passes judgement on morals, and, if we are guilty of a crime, declares that we deserve punishment.²¹⁷

One was obliged to the will of a superior who had rightful authority over him; and understanding *that* put him under obligation. That God had annexed rewards

²¹² Ibid., 181.

²¹³ Ibid., 183.

²¹⁴ Ibid., 187.

²¹⁵ Harris, *The Mind of John Locke*, 81.

²¹⁶ *ELN*, 183-5.

²¹⁷ Ibid., 185.

and punishments to the breach of His laws obliged agents in the sense that it helped them to see their obligation due to Him who had ‘authority and dominion’.²¹⁸ Conscience (*conscientia*) then judged whether one’s actions conformed to the will of the superior.

Concerning obligation, Locke wrote that ‘some things bind “effectively”, others only “terminatively”, i.e. by delimitation’. What Locke termed ‘effective’ obligation was the ‘prime’ and ‘formal’ cause of obligation, which came from the will of the superior. What he called ‘terminative’ obligation was the prescription of the ‘manner and measure’ of man’s duty to God. Locke explained: ‘We are bound by Almighty God because He wills [i.e. effective obligation], but the declaration of His will delimits the obligation and the ground of our obedience [i.e. terminative obligation]’. Men were morally bound to what God had made known as His will.²¹⁹

Locke believed that natural law met all these conditions.²²⁰ There was a²²¹ God, the moral legislator, and His laws were sufficiently promulgated. However, we should note a structural difficulty which faced Locke in rejecting an innate law of nature. Here, I return to the problem of indeterminacy. The *Essays* intimated that everything that God had willed was morally obligatory. It did not specify the precise boundary as to what was willed by God in general and what was willed by God particularly to mankind as morally obligatory. On an innatist Scholastic model, the problem would not arise because certain precepts would be known innately. Having rejected an innate law of nature, Locke had to produce another explanation. I will address this problem in Chapter Three. I will therefore not go into any detail about his alternative explanation in this chapter. For the moment, suffice it to say that there was a problem that needed to be addressed.

Having argued that the law of nature was morally obligatory, in the seventh essay, Locke then argued that its obligation was ‘perpetual and universal’. It was perpetual in the sense that it was ‘coeval with the human race’, that is, as long as man existed and his nature was unchanged. Although the binding force of natural law was ‘continuous’ and ‘never change[d]’, there could

²¹⁸ *Ibid.*, 185.

²¹⁹ *Ibid.*, 185-7.

²²⁰ *Ibid.*, 187.

²²¹ For the significance of ‘a’ God, see Chapter Four.

be a change ‘in both the times and the circumstances of actions, whereby our obedience [was] defined’. Locke’s point was that one could not be expected to simultaneously perform everything the law of nature commanded due to the obvious limitations in human capabilities. Thus, he maintained, we ‘can sometimes stop acting according to the law, but act against the law we cannot’.²²² Next, the law of nature was universal because given first that there was a harmony between human nature and the law of nature, and second that what was proper for the rational nature remained proper so long as the given nature was unaltered, it followed that all those who shared this nature, ‘i.e. all men in the world’, were morally bound to it. That is to say, because all men were endowed with a rational capacity, and because God had so designed the world that sense and reason could lead to the apprehension of natural law, it could be said that it was universal, i.e. applicable to all mankind.²²³

Having worked out his thoughts on natural law, Locke now turned to those who threatened it: namely Hobbes and the Hobbists. At the outset of the sixth essay, Locke took note that there were those who made self-preservation the foundation of natural law.²²⁴ It is hard to imagine that Locke did not have Hobbes or, at least, a Hobbist in mind. He retorted against the Hobbist account that self-preservation could hardly be an explanation of an obligatory law because a law based on self-preservation would only be a law of convenience, not a duty as such: Locke remarked, ‘the observance of this law would be not so much our duty and obligation, to which we are bound by nature, as a privilege and an advantage, to which we are led by expediency’.²²⁵ He pointed out that the distinction between right and law of nature would be annulled on this model. Natural law would be determined by right of self-preservation, which in short could mean anything:

And thus, whenever it pleases us to claim our right and give way to our own inclinations, we can certainly disregard and transgress this law without blame, though perhaps not without disadvantage.²²⁶

²²² *ELN*, 193.

²²³ *Ibid.*, 199.

²²⁴ *Ibid.*, 181.

²²⁵ *Ibid.*, 181.

²²⁶ *Ibid.*, 181.

I will come back to this last proviso 'not without disadvantage' presently.

In the eighth essay, Locke continued with his case against Hobbism. He addressed the question: 'Is every man's own interest the basis of the law of nature?'. His answer was 'No'. Locke began by clarifying the terms he used. By the 'basis' of natural law, he meant the 'primary and fundamental law', which was 'the standard and measure of all the other laws depending on it' and from which the ground of obligation was derived.²²⁷ By 'each man's personal interest' he meant each person's 'liberty to do what he himself, according to circumstances, judges to be of advantage to him'.²²⁸ In denying that each person's own interest was the basis of the law of nature, Locke was denying that private judgments could be the standard of what was 'just and right'. Locke made it clear that he did not mean that a person's private interest and natural law (as the 'common rules of human equity') conflicted.²²⁹ Surely, he argued, natural law was in mankind's interest (it was, for example, the 'strongest protection of private property'). On the other hand, as the proviso 'not without disadvantage' intimated, a brute pursuit of one's self-preservation and self-interest could bring disadvantages. This could be read as a criticism of Hobbes's subordination of natural law to self-preservation. It is important to note, however, that Hobbes's account was more subtle and he did argue that following the laws of nature were conducive and disregarding them deleterious to self-preservation and peaceful, commodious living.²³⁰ Happiness, for Hobbes, consisted in attaining what one desired; and all men desired continual peace. The laws of nature were a means to a 'peaceable, sociable, and comfortable living',²³¹ and thus, (insofar as they remained effective to these) they were conducive to happiness and were to be observed. For Hobbes, the *usefulness* of the laws of nature to self-preservation was the basis of natural law. Locke seems to have detected the subtleties of Hobbes's conceptual moves, and responded to

²²⁷ Ibid., 205.

²²⁸ Ibid., 207.

²²⁹ Ibid., 207.

²³⁰ Hobbes, *Leviathan*, ch.14, 15.

²³¹ Ibid., 111.

them as well.²³² Right at the end of the eighth essay, Locke observed that ‘an objector’ might argue that

if the observance of natural law and of every duty of life always leads to what is useful and if whatever we do according to the law of nature cannot but create, either directly or indirectly, great advantages, then the basis of natural law is each man’s own interest.

The objector would go on to argue that

the truth of the minor premises is evident, for the observance of this law gives rise to peace, harmonious relations, friendship, freedom from punishment, security, possession of our property, and – to sum it all up in one word – happiness (faelicitas).²³³

Locke’s response to this objector was that utility was ‘not the basis of the law or the ground of obligation, but the consequence of obedience to it’.²³⁴ For Locke, obligation consisted in the will of God; utility was a by-product of obedience to God’s will, which He had designed in His wisdom (I will develop on the connection between this point and Locke’s hedonism in Chapter Three).²³⁵ To act according to what was obligatory was right. The rightness of an action did ‘not depend on its utility’ but ‘its utility [was] a result of its rightness’. Some (right) actions were not expedient by themselves (e.g. keeping a promise, though it were to one’s hindrance), but once they related to obligatory laws, and disobedience brought some kind of punishment, then those actions became expedient. We can see this as a response to Hobbes who had made what was useful, right, and because (or rather to the extent it was) useful, obligatory. Von

²³² Cf. Samuel Pufendorf, *Elementorum Jurisprudentiae Universalis Libri Duo*, trans. William Abbott Oldfather (Oxford: Clarendon Press, 1931), 242-3 (Book 2, ob. 4, 5). ‘Now, indeed, there are those who, with considerable subtlety, deduce all other laws from the first alone’ [i.e. *That any one whatsoever, should protect his own life and limbs, as far as he can, and save himself and what is his own*]. Pufendorf also seems to have seen the subtleties of Hobbes’s move to make self-preservation the fundamental law, and peaceful social life a ‘secondary’ component which ‘men have been compelled by accident to take up’.

²³³ *ELN*, 215.

²³⁴ *Ibid.*, 215.

²³⁵ Stephen Darwall, *The British Moralists and the Internal ‘Ought’* (Cambridge: Cambridge University Press, 1995), 40. Darwall also notes the connection with Locke’s hedonism.

Leyden has suggested that Locke drew upon Robert Sharrock, who was an Oxford friend of Robert Boyle, and who had argued against Hobbes in his *Ypothesis Etike* of 1660 that utility depended on moral goodness and not vice versa.²³⁶ A closer examination of the arguments of the *Essays*, however, suggests that Locke's engagement with Sharrock was more critical.²³⁷ Sharrock argued that people were obliged to more than mere self-interest. He criticized Hobbes's concept of happiness – the 'continuall progresse of the desire, from one object to another'²³⁸ – noting that happiness also consisted in relief from the anxiety of the continual pursuit of desire.²³⁹ Sharrock postulated a system of natural justice: morally good actions were awarded with the pleasures of a good conscience and morally bad actions with the pains of a bad conscience. He had established the obligation of natural law with its natural sanctions: good and bad consciences acted as indicators of the obligation due to the divine will. But in a way, Sharrock fell into the same structural trap as Hobbes, making utility (*pleasure* of good conscience) the source of obligation, the difference between the two being that he redefined the meaning of utility. Locke would make use of the language of pleasure and pain but related it to God's justice in the afterlife (Chapter Three). For Locke, God's will was the source of obligation. Obligation *qua* obligation stood independent of utility. The *Essays* thus suggests that Locke engaged with both Hobbes and anti-Hobbesian literature.

In this section, we have seen that Locke developed his views about natural law in opposition to Hobbes. *Contra* Hobbes, Locke started from the assumption that there was a purposive God. He showed that the implication of this assumption was that natural law could be known and oblige without adducing the civil sovereign. We have also seen that he responded to possible objections raised from the Hobbists. With a fully-fledged account of natural law, which was previously lacking in his early political writings, Locke was equipped to reconsider the question of indifferent things once again.

²³⁶ *ELN*, 38; Robert Sharrock, *Ypothesis Etike*, (Oxford, 1660), 62.

²³⁷ Parkin, *Taming the Leviathan*, 214.

²³⁸ Hobbes, *Leviathan*, 70.

²³⁹ Sharrock, *Ypothesis Etike*, 21-2.

9. 'An Essay concerning Toleration' and Natural Law

Hitherto, we have seen that in the *Two Tracts*, Locke failed to resolve the tension between civil authority and individual conscientious liberty concerning indifferent things. We have seen that this was because at the time, he did not have the conceptual resources to escape the epistemological crisis, to which the debate fell prey. As a solution, Locke considered natural law. However, the development in natural law needed to avoid the Hobbesian *reductio* of natural law into civil laws, which led to an authoritarian politics. As we have seen, Locke's *Essays* responded to Hobbes, and produced a law of nature that was knowable and obliging without recourse to the civil sovereign. In this section, we shall look at Locke's 'An Essay concerning Toleration' and see how his views on natural law fitted in with his politics in the late 1660s.²⁴⁰ We shall see how the views of natural law Locke developed in the *Essays* helped him to bypass the Hobbesian politics implicit in his *Two Tracts*.

Before we move on to examine how Locke's account of natural law reshaped his politics, let us briefly consider where the policy Locke had advocated in the early 1660s had led in practice. A lot had happened between 1660-62 when Locke wrote the *Two Tracts* and 1667 when he wrote 'An Essay'. A religious settlement between the Anglicans and the Presbyterians had seemed realistic at the time of the Restoration. But public opinion turned against the Presbyterians. On Christmas Eve of 1660 the 'Convention Parliament' was dissolved and the staunchly Anglican 'Cavalier Parliament' was returned. Concurrently, with bishops returning to their local dioceses, episcopacy made a strong recovery. In this atmosphere, Anglicans and Presbyterians met at Savoy in the Spring of 1661 to fulfil the promise made in the Declaration of Breda to call a national synod to review the prayer book. At this conference, Presbyterian concerns were marginalized and the revised prayer book confirmed traditional Anglican values concerning controversial ceremonies. In May of 1662, the Act of Uniformity received royal assent. This Act firstly required ordination by bishops; secondly, it reinstated the Thirty-nine Articles and the Common Book of Prayer; and thirdly, it required the repudiation of the Solemn League and

²⁴⁰ See especially, Harris, *The Mind of John Locke*, 108-117.

Covenant.²⁴¹ The Act required all ministers to conform to it by St. Bartholomew's day (Aug 24) of that year. Predictably, many ministers had conscientious scruples against the requirements of the Act, and consequently, some 1700 ministers were ejected, many moderate Presbyterians. Dissent was made inevitable. The policy that Locke had advocated in the *Two Tracts* had produced many victims.

Further repressive measures were introduced to discourage dissent in the following years. In 1664, the Conventicle Act, which prohibited non-conformist assemblies, and in 1665 the Five Mile Act, which prohibited non-conformist ministers from living within five miles of a corporate town, came in tandem. With the latter, what is commonly called the 'Clarendon Code' was completed.²⁴²

Whatever his own intentions were, as Lord Chancellor, Clarendon was thought to be responsible for the various oppressive legislations. Clarendon was sacked, however, after a series of natural disasters in the mid 1660s and a fatal military defeat at Medway in 1667. Thus, when the Conventicle Act was due to expire at the end of the parliamentary session in 1667, there were rumours of more favourable legislation for the non-conformists. As a result, in the years between 1667 and 1668, many proposals were made in favour of comprehension and toleration. In 1666, Locke had joined the household of Lord Ashley. At the time, Ashley was one of Charles II's leading ministers and a supporter of

²⁴¹ The Solemn League and Covenant of 1643 'required the explicit renunciation of episcopacy'. Spurr, *The Restoration*, 7. For full text, see 'The Solemn League and Covenant', in *The Constitutional Documents of the Puritan Revolution, 1625-1660*, ed. Samuel R. Gardiner (Oxford: Clarendon Press, 1906), 267-71.

²⁴² R.S. Bosher, *The Making of the Restoration Settlement* (Westminster: Dacre Press, 1951); David Ogg, *England in the Reign of Charles II* (Oxford: Oxford University Press, 1956); J.P. Kenyon, *The Stuart Constitution 1603-1688* (Cambridge: Cambridge University Press, 1966); I.M. Green, *The Re-establishment of the Church of England, 1660-63* (Oxford: Oxford University Press, 1978); R.A. Beddard, 'The Restoration Church', in *The Restored Monarchy*, ed. J.R. Jones (London: Macmillan, 1979); Paul Seaward, *The Cavalier Parliament and the Reconstruction of the Old Regime* (Cambridge: Cambridge University Press, 1989); Spurr, *The Restoration*; Harris, *The Mind of John Locke*. For the impact of the Conventicle Act and the Five Mile Act, see G.R. Cragg, *Puritanism in the Period of the Great Persecution 1660-1688* (Cambridge: Cambridge University Press, 1957) and C.E. Whiting, *Studies in English Puritanism from the Restoration to the Revolution, 1660-1688* (London: Frank Cass, 1968). For Charles II's Declaration of Indulgence, see Bosher, *The Making of the Restoration Settlement*, 249f; Green, *The Re-establishment*, 143, 213, 219-26; Seaward, *The Cavalier Parliament*, 181-5; Spurr, *The Restoration*, 50-1. For the difference between the Clarendon Code and Clarendon's intentions, see especially, Green, *The Re-establishment*, ch.10.

toleration. It was under Lord Ashley's patronage that Locke wrote 'An Essay concerning Toleration'.

In 'An Essay', Locke addressed the question of liberty of conscience once again. At the very beginning of 'An Essay', he noted that hitherto, the debate had been divided into two sides: those who advocated 'absolute obedience' (e.g. Locke of the *Two Tracts*) and those who defended 'universall liberty in matters of conscience' (e.g. Bagshawe).²⁴³ The problem, he suggested, was that neither side made it clear what could have a title to liberty or showed the boundaries between imposition and obedience. As a result, one was faced with the Scylla of enthusiasm, which undermined civil society, and the Charybdis of authoritarianism, which undermined a sincere believer's relationship with God. In 'An Essay', Locke proposed to 'clear the way'.

Locke's solution involved making a distinction between the types of opinions and actions. He identified two: the 'speculative' and the 'practical'. These were Scholastic terms in which the practical affected conduct and the speculative did not. What was important was the content of the two. Speculative opinions and actions included opinions such as 'the believe of the trinity, purgatory, transsubstantion, Antipodes, Christs personall reigne on earth'. It also included 'Place, time, & manner' of worship.²⁴⁴ Practical opinions and actions were subdivided into two categories: morally indifferent and morally relevant. Morally indifferent practical opinions and actions were those which pertained to society, but were neither intrinsically good nor bad. Morally relevant practical opinions and actions were, conversely, intrinsically good or bad, and thus were moral virtues and vices.²⁴⁵

Parallel to these distinctions, Locke set the boundaries of civil authority and individual liberty. Locke argued that the magistrate's business related only to civil affairs. The 'whole trust, power & authority' of the civil magistrate was 'vested in him for noe other purpose, but to be made use of for the good, preservation, & peace of men in that society over which he is set'. This corresponded to the content of natural law that Locke had identified in the *Essays*. As we have seen, in the *Essays*, he had argued that the maintenance of

²⁴³ *ETol*, 269.

²⁴⁴ *Ibid.*, 271, 272.

²⁴⁵ *Ibid.*, 271.

society was a natural duty as much as one was obliged to preserve oneself. Civil government was erected for this purpose and this purpose only (whether it was erected by God's direct appointment or the consent of the people), and it was this end which 'ought alone to be the measure of its proceeding'.²⁴⁶

Opinions and actions that concerned the magistrate were therefore those that 'disturbe the state or inconvenience [one's] neighbour'.²⁴⁷ It followed that speculative opinions and actions did not come within the magistrate's cognizance because 'bare speculations give noe bias to [one's] conversation with men, nor haveing any influence on [one's] actions as [one is] a member of any society'. Given this, Locke argued that concerning speculative opinions and divine worship, people should have 'unlimited' freedom and toleration.²⁴⁸

Locke maintained that the magistrate was an 'umpire between man and man'.²⁴⁹ Religious worship (which was also prescribed by the law of nature)²⁵⁰, on the other hand, was wholly between God and man,²⁵¹ and worship being 'that homage which I pay to that god I adore in a way I judg acceptable to him, & soe being an action or commerce passeing only between god & my self, hath in its owne nature noe reference at all to my governor or to my neighbour, & soe necessarily produces noe action which disturbs the community'. 'For', Locke continued,

kneeling or siting at the sacrament can in its self tend noe more to the disturbance of the government, or injury of my neighbour, then siting or standing at my owne table; weareing a cope, or surplice in the church, can noe more alarme, or threaten the peace of the state, then wearing a cloak, or coat in the market.²⁵²

The departure from the *Two Tracts* is clear. As we have seen, in the *Two Tracts*, Locke had argued that the civil magistrate had 'absolute and arbitrary power' over all indifferent things, civil or religious.²⁵³ Thus, the magistrate could rightly

²⁴⁶ ELN, 157, 159; *ETol*, 269-70.

²⁴⁷ *ETol*, 272.

²⁴⁸ *Ibid.*, 271, 272.

²⁴⁹ *Ibid.*, 272.

²⁵⁰ ELN, 157.

²⁵¹ *ETol*, 272.

²⁵² *Ibid.*, 274.

²⁵³ *G*, 134.

impose certain controversial ceremonies, including the use of surplices and kneeling at the sacrament. But in 'An Essay', Locke maintained that nothing was indifferent in religious worship.²⁵⁴ Given the nature of worship, one needed to be convinced that one's worship was 'the true way of worship'. And because worship, whatever the style, had no effect on the peace of society, Locke argued that it was not the magistrate's proper concernment. The magistrate's concern was secular, which, in the vocabulary of the day, denoted those things which terminated in this world.²⁵⁵ His concern did not extend to the spiritual world. The magistrate had no business in religious affairs as such. I will come back to this proviso 'as such' below.

The argument that the magistrate's power extended only to secular and not to religious affairs was complemented by two further assumptions. Here, Locke pursued the implication of a belief in a purposive God. First, Locke argued that the understanding was not subject to change by coercion. The way to salvation was through the 'voluntary & secret choise of the minde'. But this could not be 'wrought on by any humane compulsion'. Thus, he argued that 'it cannot be supposed that god would make use of any means, which could not reach but would rather crosse the attainment of the end'.²⁵⁶ This showed that God had not intended the magistrate to impose in religious worship.²⁵⁷

The second complementary assumption was that the magistrate did not necessarily have superior knowledge concerning salvation. Concerning the knowledge of salvation, in principle, the magistrate and the subjects stood on equal ground. Locke maintained that the magistrate had 'noe more certain or more infallible knowledg of the way to attain it [sc. salvation] then I my self, where we are both equally inquirers both equally subjects, & wherein he can give men noe security, that I shall not, nor make me any recompense if I doe

²⁵⁴ *ETol*, 308.

²⁵⁵ It is important to note that secular meant those things that terminated in this world. By the state being secular, it did not preclude it from being informed by theology or religion. See Harris, *The Mind of John Locke*, 113.

²⁵⁶ *ETol*, 273.

²⁵⁷ This assumption became the point of debate in his controversy with Jonas Proast. See Jonas Proast, *The Argument of the Letter concerning Toleration* (New York: Garland, 1984) and Locke's responses in *W*, vol.6. For an excellent coverage of the controversy, see Peter Nicholson, 'John Locke's Later Letters on Toleration', in *John Locke: A Letter concerning Toleration in Focus*, eds. John Horton and Susan Mendus (London: Routledge, 1991), 163-87.

miscarry'.²⁵⁸ Magistracy did not imply superior knowledge. Moreover, he could not make any reparation in another world should he force one to the wrong religion. By implication, Locke maintained that individuals were capable and ultimately responsible for taking care of their own souls. Thus, this also showed that God did not intend the magistrate to interfere with religious worship.²⁵⁹

Locke insisted that, in principle, morally indifferent practical opinions, *qua* morally and politically indifferent, also had a title to toleration. But *qua* indifferent, it was the proper subject of the magistrate. Things were indifferent and entitled to toleration 'soe far, as they doe not tend to the disturbance of the state'. However,

the conscience, or persuasion of the subject, cannot possibly be a measure by which the magistrate can, or ought to frame his laws...there being noe thing soe indifferent which the consciences of some or other, doe not check at [i.e. stop short].

In the tone of the *Two Tracts*, Locke argued that there would be 'noe law, nor government' if one denied the magistrate's authority over indifferent things.²⁶⁰ Thus, it was acknowledged 'on all hands' that the magistrate had jurisdiction over indifferent practical opinions.²⁶¹ The measure by which the magistrate framed his laws related to natural law, that is, it related to the 'good & welfare of the people'. Locke maintained that the magistrate was permitted to act according 'to the dictates of his owne conscience, & persuasion'. However, *qua* man, the magistrate was accountable to God for his actions, and *qua* magistrate, he was accountable to God 'for his laws & administration...according as they are intended to the good, preservation, & quiet of all his subjects in this world'. Because in the *Essays* Locke had shown that the law of nature was knowable, he could confidently claim that the rules intended for the 'good, preservation, & quiet' of the subjects were 'soe certaine & soe cleare' that the magistrate 'can

²⁵⁸ *ETol*, 273.

²⁵⁹ In Chapter Two, we shall see how this assumption was challenged by Samuel Parker.

²⁶⁰ *ETol*, 276.

²⁶¹ *Ibid.*, 276; Harris, *The Mind of John Locke*, 110-11.

scarce erre in it unlesse he doe it willfully'.²⁶² Natural law did not allow space for religious enthusiasm to seep into the magistrate's jurisdiction.

The other category of practical opinions and actions were those which were morally relevant, in other words those which were intrinsically good or bad. Thus it included moral virtues and vices and the duties of the second table. Here again, Locke argued, 'however strange it may seeme', the magistrate did not have any business in enjoining these opinions or actions unless they related to the 'good & preservation of mankinde under government'.²⁶³ As such, moral virtues and vices related to the health of one's soul, thus a matter between God and man. However, it was clear that the magistrate commanded the practice of virtues, not because they were virtuous, but because 'they are the advantages of man with man, & most of them the strong ties & bonds of society; which cannot be loosend, without shattering the whole frame'.²⁶⁴ Again, Locke was confident that morally relevant practical opinions and actions made 'but a litle part of the disputes of liberty of conscience' as far as men's conscience were concerned.²⁶⁵ This suggests that both magistrate and subject could distinguish between what was 'in their owne nature good or bad'. In other words, Locke maintained that people were capable of perceiving a fixed moral law, the law of nature, and their obligations under it.

Locke believed that *genuine* conflict between the magistrate and subjects was unlikely. In principle, the law of nature was knowable. Because the magistrate's duty related to natural law, which entrusted him with the preservation of society, conscientious scruples that undermined the preservation of the society could be stripped of its authority. Civil order was hereby secured. Of course, the magistrate was not infallible. An individual could also sincerely believe that a certain law concerning indifferent thing was contrary to his persuasion. Therefore, conflict could arise between the magistrate's commands and the subjects' conscience. In such a case, Locke recommended passive disobedience.²⁶⁶ That is to say, subjects should follow their conscience as much as possible 'without violence', but incur the punishment prescribed by the law.

²⁶² *ETol*, 277.

²⁶³ *Ibid.*, 281. See generally, 275-284.

²⁶⁴ *Ibid.*, 282.

²⁶⁵ *Ibid.*, 280.

²⁶⁶ *Ibid.*, 279, 284.

Locke had offered a solution to the problem of civil authority and Christian liberty. The magistrate's business related to secular affairs. His duty was to maintain peace in society. Religious worship, whatever style, being speculative and thus innocuous, was entitled to unlimited toleration. Genuine conflict was unlikely because natural law, which was knowable, set a clear line between the legitimate activities of civil authority and individual liberty. The magistrate's power did not concern religious worship as such. Here, I come back to the proviso 'as such'.

Locke observed that some men mixed with their 'religious worship, & speculative opinions, other doctrines absolutely destructive to the society wherein they live': they blended in subversive opinions with their religion, 'reverencing them as fundamentall truths, & submitting to them as articles of their faith'.²⁶⁷ Locke's prime target was Roman Catholics. As early as 1659, commenting on Henry Stubbe's work, Locke had expressed his wariness of extending toleration to Catholics, noting

how easy it is under pretence of spirituall jurisdiction to hooke in all secular affairs since in a commonwealth wholly Christian it is noe small difficulty to set limits to each and to define exactly where on[e] begins and the other ends.²⁶⁸

If a purported divine worship had subversive implications, there was no excuse: it must not be tolerated. Civil order was informed by natural law, which was the expression of God's will knowable to rational beings. Therefore, religious enthusiasm could not legitimately challenge it. If however, Catholics could separate the subversive doctrines from their purely speculative ones, though it 'is very hard to be done', they would merit toleration.

Finally, although the magistrate's business did not concern religious worship as such, the belief in a God was not simply a religious matter, but had practical bearing:

the beleif of a deite is not to be recond amongst purely speculative opinions for it being the foundation of all morality & that which influences the whole life &

²⁶⁷ *Ibid.*, 284.

²⁶⁸ *Corr.*, 75, vol. i, 111.

actions of men without which a man is to be counted noe other then one of the most dangerous sorts of wild beasts & soe uncapeable of all societie.²⁶⁹

Because natural law was knowable and obliging, Locke could make the arguments about the purpose of civil government, about its proper business, authority and integrity, and about people's ability to apprehend the moral virtues and be obliged to them, just to mention a few which concerned Locke's fundamental argument in 'An Essay'. And to be obliging, natural law required a legislator, namely God. Thus, atheists were excluded from the benefits of toleration.²⁷⁰

In 'An Essay concerning toleration', natural law firmly supported Locke's politics. Natural law showed that the magistrate's duty was to preserve society. This assumption enabled Locke to make a distinction between the legitimate boundaries of civil authority and individual liberty. Speculative opinions and divine worship did not affect the peace of society and therefore merited toleration. The magistrate's power only related to opinions and actions which could disrupt the peace of society. Religious enthusiasm and sectarianism could be ruled out because it was clearly disruptive to society. The magistrate's authority concerned things between man and man. What was between God and man was not his concern. This was complemented by the assumption that people were capable of performing their duties to God, given that natural law was knowable. Given that humans were fallible, there would be inconveniences at times, but in general, civil order and religious worship did not conflict. With the development in natural law, Locke had offered a solution to the question of reconciling civil authority and individual conscientious liberty.

10. Concluding Remarks

In this chapter, I examined the development of Locke's thought between 1660 and 1667, focusing on his political theory and natural jurisprudence. I set out to show why Locke's political views changed between the early and late 1660s. Commentators have usually explained this in terms of a change in historical circumstances, but I have attempted to offer an entirely different account by

²⁶⁹ *ETol*, 308.

²⁷⁰ I will discuss the problem of atheism in Chapter Four.

using the assumptions from the holistic approach. I argued that Locke's *Two Tracts* failed to resolve the tension between civil authority and Christian liberty because in this work, Locke lacked the conceptual resources to bypass the epistemological crisis to which this debate led. I showed that Locke developed his natural jurisprudence in the *Essays*, which then equipped him to resolve the problem in his 'Essay concerning Toleration'. I thus showed that there was a theoretical aspect to the change in Locke's politics between the early and late 1660s. I also argued that Locke's development proceeded in opposition to that of Hobbes's. Hobbes had also developed an account of natural law and used it to resolve the problem between civil authority and Christian liberty. Hobbes's solution, however, came at the cost of reducing natural law to civil law and also denying individual conscientious liberty, although he tried to show that conceptually there was no dissonance between the individual and civil laws. Locke showed that natural law was knowable and binding without adducing the civil sovereign, and from this assumption, developed a distinctive political solution to that of Hobbes's.

From my narrative, we can draw some further conclusions. For one, we can put a question mark against the narrative that portrays an intolerant Locke in the early 1660s and a liberal Locke in the later 1660s. Locke did not necessarily think that different Christian sects could not live together peacefully, but he simply lacked the theoretical resources at one point to show that civil order and individual dissent could be reconciled.

Connected to this conclusion, we can say that Locke was indeed a thinking man and that his intellectual development had direction and purpose. Locke began with a conviction that there was a purposive God, and because purposive, Locke believed that He would not create a world of disorder. He thought hard about how seemingly conflicting duties could be reconciled. He did not simply change his views because of contingent circumstances. He thought through the implications of his own commitments. This led Locke to distinguish his thought from his predecessor Hobbes, who opposed this vision. We have therefore seen how Locke offered a novel moral and political solution against another original thinker, Hobbes. In other words, we have seen how Locke's mind operated and why it was unique.

CHAPTER TWO

Toleration and the Scope of Human Understanding

The purpose of this chapter is to examine a particular puzzle concerning the development of Locke's political thought and epistemology between the late 1660s and 1671. The puzzle requires us to explain why Locke turned to a specific epistemological investigation about the scope of human understanding in 1671. Traditionally, commentators have seen Locke's turn as a mere continuation of his investigation of natural law in 1664.¹ Other contextualist commentators have sought a political motivation behind Locke's turn, that is, a motivation to outflank the epistemological foundation of the authoritarianism of his political adversary, Samuel Parker.² Recent contextualists have suggested that both of these narratives played a role in Locke's turn, while tending to emphasize the role of the first narrative.³ My aim in this chapter is to show via a holistic analysis that there is another narrative that ties the two traditional accounts together, namely Locke's consistent opposition to Hobbism. I will show that Locke opposed Parker's politics but that his opposition was in fact part of a broader attempt to defend his political vision against Hobbism. I will show that to this end, Locke developed some of his long-standing philosophical assumptions about natural jurisprudence, and more specifically, epistemology, in a way that supported his increasingly liberal political theory after 1667.

The year 1671 was when Locke began to pen his thoughts on the subject of human understanding. This became the first foundations of his major philosophical work *An Essay concerning Human Understanding*, published nearly two decades later. Fortunately, thanks to James Tyrrell, Damaris Masham, and Locke himself, we know in some detail the origin of Locke's turn to epistemology. In the 'Epistle to the Reader' of the *Essay*, Locke wrote:

Were it fit to trouble thee with the History of this Essay, I should tell thee that five or six Friends meeting at my Chamber, and discoursing on a Subject very remote from this, found themselves quickly at a stand, by the Difficulties that

¹ See note 6 below.

² See note 10 below.

³ See note 14 and 15 below.

rose on every side. After we had a while puzzled our selves, without coming any nearer a Resolution of those Doubts which perplexed us, it came into my Thoughts, that we took a wrong course; and that, before we set our selves upon Enquiries of that Nature, it was necessary to examine our own Abilities, and see, what Objects our Understandings were, or were not fitted to deal with.⁴

This meeting took place in the winter of 1670-1, and Tyrrell recalled that he was ‘one of those that then met there when the Discourse began about the Principles of morality and reveald Religion’.⁵

It is easy to see Locke’s epistemological inquiry in 1671 as following directly from the inquiry in the *Essays on the Law of Nature*. Locke had argued in this work that natural law could be known, accompanying this with a view of human understanding that sense and reason could lead to this knowledge. Traditionally, therefore, the *Drafts* of the *Essay* composed in the early 1670s have been seen as the continuation of Locke’s interest in the law of nature.⁶ However, what this narrative does not make clear is what motivation Locke would have had to focus on the more specific question of the proper scope of human understanding at that precise moment. My aim in this chapter is to offer one such explanation.⁷ I will argue that the controversy provoked by the publication of Samuel Parker’s *A Discourse of Ecclesiastical Polity* in 1669 gave Locke a strong incentive to turn to epistemology. As we shall see, Locke and Parker shared many philosophical assumptions, including assumptions about natural law, which informed their politics. However, Parker’s work posed a threat to the political views Locke had advocated in ‘An Essay concerning

⁴ *E*, ‘Epistle to the Reader’, 7.

⁵ See Tyrrell’s copy of the *Essay* in the British Library, c122, f.14. For accounts of the background of the *Essay*, see Roger Woolhouse, ‘Lady Masham’s Account of Locke’, *Locke Studies* 3 (2003): 178; H.R.F. Bourne, *The Life of John Locke*, vol.1 (Germany: Scientia Verlag Aalen, 1969), 248-9; Maurice Cranston, *John Locke: A Biography* (London: Longmans, Green, 1957), 140-1; G.A.J. Rogers, ‘The Writing of Locke’s *Essay concerning Human Understanding*’, in *Locke’s Enlightenment* (Hildesheim: G. Olms, 1998), 10. Tyrrell recalled that the meeting took place in the ‘winter of 1673’, but he was mistaken about the date. Locke produced two drafts of the *Essay* in 1671.

⁶ Philip Abrams, ‘Introduction’, in *G*, 84-107; Wolfgang von Leyden, ‘Introduction’, in *ELN*, 60-82.

⁷ Other useful accounts can be found in: Ian Harris, *The Mind of John Locke*, rev. ed. (Cambridge, Cambridge University Press, 1998), ch.5, and also, G.A.J. Rogers, ‘The Intellectual Setting and Aims of the *Essay*’, in *The Cambridge Companion to Locke’s Essay concerning Human Understanding*, ed. Lex Newman (Cambridge: Cambridge University Press, 2006), 7-33. Both works focus on the scientific and philosophical context of the *Essay*.

Toleration' by asserting the civil magistrate's authority over religion on the basis of his professional competence. Parker's view came dangerously close to that of Hobbes. In 'An Essay' Locke had argued that the magistrate had no business in religion as such, one of his arguments being that both the magistrate and subjects were 'equally inquirers' concerning their salvation.⁸ Because Locke and Parker had similar views about natural law, Locke therefore needed to take the discussion to a more specific level and investigate what the proper scope of *human* understanding was to show that *his* politics, and not Parker's Hobbist politics, was firmly supported by these philosophical assumptions.

Parker is an underestimated figure in the drama leading up to the production of Locke's early drafts of the *Essay*.⁹ So far, the only extensive case for reading Locke's *Drafts* as a response to Parker has been made by Richard Ashcraft.¹⁰ Ashcraft argues that reading the *Drafts* as 'an attempt to outflank Parker by destroying his epistemological basis for his position' throws 'a great deal of light upon the political significance of some of the philosophical issues discussed in that work as well as upon the internal structure of the *Essay* itself – that is, why certain points are discussed at all'.¹¹ Ashcraft's thesis has had its supporters. G.A.J. Rogers subscribes to this view more or less uncritically.¹² Jon Parkin adopts this thesis, albeit in his own way, and suggests that through an engagement with Parker's Hobbism, Locke was answering his own Hobbism of the *Two Tracts*.¹³

Others have been more critical of this thesis. While acknowledging that 'the debate on toleration did raise fundamental problems of epistemology', and thus, that Ashcraft's thesis 'has some merit', David Wootton warns that the thesis has the tendency to reduce Locke's *Essay* to 'a work of Whig Philosophy'. For Wootton, the *Essay* has 'intellectual origins which pre-date the controversy provoked by Parker'. Thus, he claims, the *Drafts* were not merely a response to

⁸ *ETol*, 273.

⁹ *Drafts A and B in D*.

¹⁰ Richard Ashcraft, *Revolutionary Politics & Locke's Two Treatises on Government* (Princeton: Princeton University Press, 1986), 106, 110-11.

¹¹ *Ibid.*, 111.

¹² G.A.J. Rogers, 'Introduction', in *Locke's Philosophy: Content and Context* (Oxford: Clarendon Press, 1994), 2-3. This view is also intimated in his 'The Writing of Locke's *Essay*', 9, 10.

¹³ Jon Parkin, 'Hobbism in the Later 1660s: Daniel Scargill and Samuel Parker', *Historical Journal* 42 (1999): 104.

Parker but also a continuation of Locke's long-standing interest in the limits of human knowledge.¹⁴ Along similar lines, John Marshall argues that Ashcraft has failed to make a distinction between Locke and the non-conformists and that he has given a false impression that the *Drafts* were composed in a circle dominated by non-conformists.¹⁵ Marshall also stresses the point that Tyrrell's gloss suggests that the *Drafts* arose from 'broad discussions about revealed religion and morality' and 'not of toleration'. The discussion was an expansion upon arguments and investigations which Locke 'had pursued many years before reading Parker'.¹⁶

Wootton and Marshall, I believe, rightly point out that Ashcraft's thesis has a tendency to reduce the *Drafts* to a work of proto-Whig philosophy. Interestingly, this is a rare occasion when Wootton and Marshall see Locke operating beyond an immediate context. However, the gist of their accounts, especially Marshall's, drifts towards the traditional view. Wootton sees the Parker controversy as an additional reason for Locke to continue a long-standing inquiry. Marshall intimates that the political issues emerging from the Parker controversy were not directly related to Locke's long-standing epistemological concerns, with which the *Drafts* were primarily concerned. Thus, my more polemical task in this chapter will be to show that Wootton and Marshall's contextualism fails to identify the deeper structure of Locke's thought. The Parker controversy and Locke's long-standing intellectual concerns both played a part in Locke's broader project to oppose Hobbism. Parker raised new philosophical problems which, for Locke, served as an impetus to *develop* upon an existing set of philosophical assumptions. While Locke's engagement with Parker in 1670 showed that his objections were indeed political, this is compatible with the view that his objections were linked to his wider epistemological and natural jurisprudential concerns. Through the Parker

¹⁴ David Wootton, 'Introduction', in *Political Writings* (Indianapolis: Hackett, 2003), 30.

¹⁵ We know from Lady Masham's report that James Tyrrell and David Thomas, the physician, were likely participants of this debate. Woolhouse, 'Lady Masham's Account', 178. Other candidates are Nathaniel Hodges (Ashley's chaplain), Thomas Firmin, Thomas Stringer, Thomas Sydenham, John Mapletoft, and Lord Ashley himself. Von Leyden, 'Introduction', 61; John Marshall, *John Locke: Resistance, Religion and Responsibility* (Cambridge: Cambridge University Press, 1994), 78n; Rogers, 'The Writing of Locke's *Essay*', 10. *Contra* Ashcraft, Marshall stresses that 'all were Anglicans'. Firmin and Mapletoft were not on Marshall's list, but Mapletoft was Anglican, and although Firmin tended towards Socinianism, he was well-acquainted with latitudinarian Anglicans. 'John Mapletoft' and 'Thomas Firmin', in *DNB*.

¹⁶ Marshall, *John Locke*, 76-8, esp. 77-8n.

controversy, Locke was induced to make clearer how *his* political position was not only supported by natural law, but also, by other philosophical assumptions. For Locke, Parker's *Discourse* became an impetus to defend his anti-Hobbesian political views at a more philosophical level – in other words, to complement his long-standing philosophical concerns.

One may wonder why Locke did not address the philosophical issues in his response to Parker in 1670. Noting that Locke only asked questions in his comments to Parker, Parkin suggests that 'providing answers was perhaps more difficult because Locke realized that he shared so many of Parker's own assumptions'.¹⁷ Another way of saying this is that Locke had not yet fully developed a philosophical account which could distance himself from Parker's Hobbist politics or that Locke had not yet fully identified the precise philosophical nature of the disagreement between Parker and himself. Here, the holistic approach encourages us to take seriously the possibility that during the meeting of 1671, Locke came to see the philosophical nature of the disagreement between Parker and himself and thus, that the *Drafts* were an attempt to develop his epistemology in order to strengthen his political theory against Parker, who had exposed the vulnerability of his politics and natural jurisprudence, and indeed, against Hobbism in general.

In what follows, I will begin by briefly looking at Parker's biography. I will then summarize the main claims Parker makes in the *Discourse*. Next, I will examine Locke's response to Parker in 1670. I will show how the political disagreement between Locke and Parker connected with a disagreement about epistemology, while the two shared many assumptions. Lastly, I will examine some of the claims in the *Drafts* which relate directly to the Parker controversy.

1. Parker's Life before *A Discourse of Ecclesiastical Polity*

Who was Samuel Parker, the author of the *Discourse*, to whom Locke responded?¹⁸ This is an appropriate question to ask because, as one modern commentator observed, until recently, Parker was 'all but forgotten' and is still

¹⁷ Parkin, 'Hobbism in the Later 1660s', 104.

¹⁸ Although Parker's *Discourse* was published anonymously, it was clear that the author was Parker. See Ms. Locke c.39, fol.8. which bore the heading 'Qs On S.Ps discourse of toleration. 69'. See also, Locke's memorandum book, add. 46470, fol.27 which is also reproduced in part in George Williamson, 'John Locke's Pocket Book', in *A Locke Miscellany*, ed. Jean S. Yolton (Bristol: Thoemmes, 1990), 140. Locke recorded his purchase of 'parkers disc. -0-3-6'.

‘virtually unknown today outside a relatively small but growing circle of scholars’.¹⁹ By this, the commentator meant that ‘history has buried Parker in either defamation or obscurity’, or in other words, either there is ‘no general scholarship on Parker’ or if he is mentioned at all, it tends to be the ‘overly simplistic’ portrait of a cantankerous High Church opponent of toleration.²⁰ A number of recent scholars have more carefully unveiled Parker’s intellectual multifariousness,²¹ although he is sometimes still portrayed simply as the anti-tolerantist *par excellence*.²² Parker, we shall see, was not simply an ill-tempered ecclesiastical thug, but an intelligent and competent theorist who needed to be taken seriously.²³

In 1669 when Parker wrote the *Discourse*, he was a domestic chaplain to Gilbert Sheldon, Archbishop of Canterbury. However, Parker’s upbringing was not Anglican. According to Anthony Wood, he was born in September 1640 at Northampton to parents who were ‘severe Puritans and Schismatics’ and was ‘puritanically educated’ at Northampton Grammar School. He entered Wadham College, Oxford, in 1656 where he was under the tutelage of a ‘Presbyterian Tutor’, and ‘according to his former breeding’, led ‘a strict and religious life’. He received his BA in 1659.²⁴

After the Restoration, being on bad terms with the Warden of the College, Dr. Walter Blandford, Parker transferred to Trinity College where he received his MA in 1663. During his MA, ‘by the prevailing advice’ of Dr. Ralph Burthurst, Parker was (he later publicly claimed) ‘rescued from the chains

¹⁹ Gordon Schochet, ‘Between Lambeth and Leviathan: Samuel Parker on the Church of England and Political Order’, in *Political Discourse in Early Modern Britain*, eds. Nicholas Phillipson and Quentin Skinner (Cambridge: Cambridge University Press, 1993), 189; ‘Samuel Parker, Religious Diversity, and the Ideology of Persecution’, in *The Margins of Orthodoxy*, ed. R.D. Lund (Cambridge: Cambridge University Press, 1995), 120.

²⁰ Schochet, ‘Between Lambeth and Leviathan’, 189-91.

²¹ Other than the two articles by Schochet cited above, see Ashcraft, *Revolutionary Politics*, chs.2 and 3; J.G.A. Pocock, ‘Thomas Hobbes: Atheist or Enthusiast? His Place in a Restoration Debate’, *History of Political Thought* 11 (1990): 737-49; Jon Parkin, ‘Liberty Transposed: Andrew Marvell and Samuel Parker’, in *Marvell and Liberty*, eds. Warren Chernaik and Martin Dzelzainis (London: Macmillan, 1999); ‘Hobbism in the Later 1660s’, esp. 96-107; *Science, Religion and Politics in Restoration England* (Woodbridge: Boydell Press, 1999), esp. 37-45.

²² Selina Chen, ‘Locke’s Political Arguments for Toleration’, *History of Political Thought* 19 (1998): 167-85. This is the only (easily) accessible modern work listed under the heading ‘Parker, Samuel’ in the on-line ‘John Locke Bibliography’, <http://www.libraries.psu.edu/tas/locke/>.

²³ J.R. Milton and Philip Milton, ‘Introduction’, in *ETol*, 61.

²⁴ Anthony Wood, *Athenae Oxonienses*, vol.2 (London, 1692), 616; Jon Parkin, ‘Samuel Parker’, in *DNB*.

and fetters of an unhappy education'.²⁵ Since then, he became a 'zealous Anti-puritan and strong Asserter of the Church of England'. In 1664, he was ordained. The next three years Parker's writing career was prolific: he successively published *Tentamina Physico-Theologica de Deo* in 1665, *A Free and Impartial Censure of the Platonick Philosophie* in 1666, and *An Account of the Nature and Extent of the Divine Dominion and Goodness* in 1667. In the *Tentamina*, Parker sought to show that modern natural philosophy could combat atheism instead of falling into it.²⁶ *A Free and Impartial Censure* grew out of the last chapter of the first book of the *Tentamina*.²⁷ In this work, Parker offered a comprehensive attack on the Platonic philosophy, looking at morality, logic, natural philosophy, and natural theology, his chief concern being the last.²⁸ Parker's *An Account of the Nature and Extent of the Divine Dominion and Goodness* grew out of the last book of the second book of the *Tentamina*.²⁹ Parker argued that God's dominion was founded on His power rather than His goodness. He tried to reconcile the tension between God's sovereign right and authority with His goodness by rejecting Platonic essentialism, which asserted that God's power was restricted by His goodness, and argued that God had a free and habitual propensity to be good.³⁰ His *Tentamina* attracted the attention of Gilbert Sheldon, Archbishop of Canterbury, and also, John Wilkins. In 1666, nominated by Wilkins, Parker became a Fellow of the Royal Society, and in 1667, he became one of Sheldon's chaplains.³¹ Parker's *Discourse* was probably written as part of an anti-toleration campaign led by Sheldon.³²

Parker's early philosophical works are noteworthy for their proximity to Locke's thinking during the same period. Both Parker and Locke were members

²⁵ Samuel Parker, *A Free and Impartial Censure of the Platonick Philosophie* (Oxford, 1666), 'Epistle Dedicatory'.

²⁶ Samuel Parker, *Tentamina Physico-Theologica de Deo* (London, 1665).

²⁷ Parker, *A Free and Impartial Censure*, 2.

²⁸ *Ibid.*, 3, 40, 46.

²⁹ *Ibid.*, 2.

³⁰ Samuel Parker, *An Account of the Nature and Extent of the Divine Dominion and Goodness* (Oxford, 1666). On 'Platonic essentialism', 27; on 'Habitual propensity', 29, 37.

³¹ A. Wood, *Athenae Oxonienses*, 616-21. 'Samuel Parker', *DNB*.

³² See especially, Ashcraft, *Revolutionary Politics*, 23n, 44. Ashcraft's sources are C.E. Whiting, *Studies in English Puritanism from the Restoration to the Revolution, 1660-1688* (London: Frank Cass, 1968), 502 and Victor Sutch, *Gilbert Sheldon, Architect of Anglican Survival 1640-1675* (Hague: Martinus Nijhoff, 1973), 109. See also, John Spurr, *The Restoration Church of England, 1646-1689* (New Haven: Yale University Press, 1991), 58-9; Schochet, 'Between Lambeth and Leviathan', 195-6; Mark Goldie, ed. *Political Essays* (Cambridge: Cambridge University Press, 1997), 211; Parkin, *Science, Religion and Politics*, 37.

of the Royal Society (Locke became a fellow in 1668) and they both displayed an attachment to the new experimental science.³³ In *A Free and Impartial Censure*, Parker rejected innate ideas on the basis of their being useless. He contested firstly:

to what purpose should Providence imprint such obvious and apparent Notices as this [i.e. the speculative principle 'the whole is greater than its parts'] upon the minds of Men, when as but to open our eyes, is enough to discover their undoubted Truth and Evidence?

Parker maintained that people with 'animadversive Faculties' would not need innate ideas to discover such obvious certainties. Secondly, granting that there were innate ideas, one could not be certain of their veracity: 'For 'tis not impossible but the seeds of Error might have been the natural Results of my Faculties, as Weeds are the first and natural Issues of the best Soyles'. Without certainty of their veracity, one had no reason to trust them. For Parker, 'the only way to be fully satisfied of their Truth and Sincerity, is to examine them by a wary and discreet Experience'. 'Experimental knowledge' was the 'safest and most unquestionable'. This emphasis on experimental knowledge therefore rendered 'all lesser evidence', that is, innate ideas, 'vain and unnecessary'.³⁴

In the *Essays*, Locke had also rejected innate ideas, whether speculative or practical. Like Parker, for Locke, 'the proper method of establishing

³³ Although Parker was enthusiastic about the Royal Society, he was never an active member. He was expelled for non-payment in 1685. 'Samuel Parker', *DNB*; Schochet, 'Between Lambeth and Leviathan', 194n. For Parker's enthusiasm of the Royal Society, see, for example, Parker, *A Free and Impartial Censure*, 44-6. There is, however, no record of Locke and Parker having ever met, Milton and Milton, 'Introduction', 62. However, Locke did refer to 'our old Friend Dr: P. Bishop of oxford' in a letter to Tyrrell, 29 August 1687, *Corr.*, 957, vol. iii, 257. Although, as Milton and Milton note, this does not establish that Locke and Parker met, it does show, at least, that Parker was in the mind of both Locke and Tyrrell. There is manuscript evidence suggesting that Parker was in the mind of the two men in the early 1680s. Around this time, Locke and Tyrrell were preparing a response against Edward Stillingfleet's *Mischief against Separation* (1680) and *The Unreasonableness of Separation* (1681). See Ms. Locke c.34, fol.144. '[B]y this sort of infallibility (ex parte post) when the thing is once done, any conscientious Christian is forever shut up from all hopes or endeavors after ease to his unsatisfied mind any other way, then by blind obedience & must for Full satisfaction take this summary of Ecc'ecal Polity wherewith a late famous Champion would up all his, *what I have written, I have written*'. I am grateful to Dr. Timothy Stanton for bringing this to my attention.

³⁴ Parker, *A Free and Impartial Censure*, 55-7. See also, John W. Yolton, *John Locke and the Way of Ideas* (Oxford: Clarendon Press, 1968), 44-6.

principles' was 'by induction and by observing particulars'.³⁵ As we shall see, Locke and Parker's views on natural law were also similar. However, although they shared similar philosophical assumptions, their politics were at loggerheads. Let us now turn to Parker's *Discourse* and see how his views on natural law led to his politics.

2. Parker's Hobbism in *A Discourse of Ecclesiastical Polity*

In this section, I will consider Parker's views on natural law and other assumptions and show how these shaped his authoritarian politics, which, as we shall see, Locke later characterized as Hobbesian. Underwriting Parker's politics in the *Discourse* were his assumptions about natural law. Parker believed that there was a God 'endued with Goodness and Equity'. When God made mankind, He willed their 'Welfare and felicity':³⁶ men were 'sent into the World to live happily here, and prepare [themselves] for happiness hereafter'.³⁷ All mankind therefore had, 'by Divine Appointment', 'a common Right and Title to Happiness'. God being benevolent also created mankind in such a condition in which they could acquire this state. God thus made men naturally sociable. For Parker, society was absolutely necessary to preserve human nature because men were not 'self-sufficient' and stood in 'need of mutual assistance'. Society, in turn, could not subsist itself without 'mutual Aids of Love and Friendship'. It followed that in order to preserve society and attain happiness, one was obliged to 'aim at the common good of Mankind':

there will plainly arise from the Constitution of Humane Nature an *Essential Justice*, that demands of every man Offices of love and kindness to others as well as to himself; in that without this that Common welfare and happiness,

³⁵ *ELN*, 145. However, we should be aware that Locke and Parker were not making use of the same argument against innate ideas. See Grenville Wall, 'Locke's Attack on Innate Knowledge', in *Locke on Human Understanding*, ed. I.C. Tipton (Oxford: Oxford University Press, 1977), 19-24. Wall argues that whereas Parker's rejection of innate ideas was based on his scepticism of their truth, Locke's was not. Wall argues that Locke could not countenance a 'God-deceiver problem'. For Locke, 'if there were any innate principles imprinted on our mind by God, they would have to be taken as true'.

³⁶ Samuel Parker, *A Discourse of Ecclesiastical Politie*, 3rd ed. (London, [1669] 1671), 121-2.

³⁷ *Ibid.*, 81.

which Nature, or rather that Divine Providence that made it, design'd for all and every individual of Mankind, must become utterly unattainable.³⁸

Put differently, God had made the attainment of happiness in this life and the next dependent on 'the practice of Moral Vertues and Pious Devotions', which He had 'declared by the Laws of Nature and Revelation'.³⁹

Divine law, however, only broadly defined the scope of moral virtues. As to the particulars, Parker argued, God had entrusted the civil magistrate with the authority to decide. The law of God and nature 'in general forbid Theft, Incest, Murther, and Adultery'. But

what these crimes are they determine not in all Cases, but is in most particulars to be explained by the Civil Constitutions; and whatsoever the Law of the Land reckons among these Crimes, that the Law of God and of Nature forbids.⁴⁰

Given that the civil magistrate had power over 'great and weighty Designs of Religion', it was 'strangely humoursome' to say that he did not also have power over indifferent things.⁴¹ For Parker, all this was true because God being wise and 'knowing to what passions and irregularities mankind is obnoxious' put men under government. Men's judgments were liable to 'Passions, Appetites, and Follies', and if they were left to be their own judge as to the particulars of the law of God and nature and of indifferent things, their diverse 'Humours' and 'Interests' were bound to lead to 'endless' dissension and 'all other inconveniences that would naturally follow upon the state of war'.⁴² Government was made an 'indispensable necessity' for the preservation of human society.⁴³ Natural law, the observance of which was necessary for the attainment of happiness, effectively required obedience to the particular laws enjoined by civil magistrate.

³⁸ Ibid., 122.

³⁹ Ibid., 81.

⁴⁰ Ibid., 79.

⁴¹ Ibid., 79-80.

⁴² In his critique of Hobbes, Parker denied that the state of *nature* was the state of *war*. He based his critique on the theological incongruity of Hobbes's view with his notion of a Good God. Ibid., ch.4.

⁴³ Ibid., 28-9.

Parker's argument here was a common one used by the latitudinarians, notably Edward Stillingfleet and Simon Patrick.⁴⁴ And like the latitudinarians, Parker's politics faced the problem of drifting towards Hobbesian absolutism.⁴⁵ For Parker, 'the prime and most important end of Government' was 'Peace and Tranquillity of the Commonwealth'.⁴⁶ To this end, he argued that the power of the supreme government of every commonwealth must be 'universal, absolute, and uncontroulable, in all Affairs whatsoever, that concern the Interests of mankind, and the ends of Government'.⁴⁷ By 'all Affairs', he meant both civil and religious affairs. Parker believed that the civil magistrate must be 'vested with a Power to govern and conduct the Consciences of Subjects in Affairs of Religion' because religion, as he analyzed, had 'the strongest influence upon humane Affairs'; it governed the 'minds of men' and drove them 'any way'. So 'unless Religion be subject to the Authority of the Supreme Power', Parker maintained, the 'Peace and Tranquillity of the Commonwealth' could 'never be sufficiently secured'.⁴⁸ Hence the subtitle of the *Discourse: Wherein the authority of the civil magistrate over the consciences of subjects in matters of external religion is asserted: the mischiefs and inconveniences of toleration are represented, and all pretenses pleaded in behalf of liberty of conscience are fully answered*.

Parker also provided an historical account of the magistrate's power over both civil and religious affairs. Because government was necessary for the preservation of human nature, he argued, God had placed people under government. The first governments were established 'purely upon the natural Rights of paternal Authority', which in time evolved into 'Kingly power'. Thus 'it came to pass that in the first Ages of the World, Monarchy was its only Government'. King's were also vested with '*Priestly Office*', which, according to Parker, was a custom 'universally practis'd over all Kingdoms of the world

⁴⁴ Edward Stillingfleet, *Irenicum*, 2nd ed. (London, 1662), *passim*; Simon Patrick, *A Friendly Debate* (London, 1668), 104-7 and *A Continuation of the Friendly Debate* (London, 1669), 421-2. For Parker as a latitudinarian, see Richard Ashcraft, 'Latitudinarianism and Toleration: Historical Myth versus Political History', in *Philosophy, Science, and Religion in England, 1640-1700*, eds. Richard Kroll, Richard Ashcraft, Perez Zagorin (Cambridge: Cambridge University Press, 1992), 158. See 172n for a comprehensive list of references. See also, Parkin, 'Hobbism in the Later 1660s', 96 and *Science, Religion and Politics*, 37.

⁴⁵ Parkin, *Science, Religion and Politics*, esp. ch.1.

⁴⁶ Parker, *Discourse*, 11.

⁴⁷ *Ibid.*, 27

⁴⁸ *Ibid.*, 10-12.

for well nigh 2500 years, without any one president to the contrary'. When Christ came to earth, He came to 'establish new Laws of Religion', but nothing 'to set up any new Models of Politie'. Thus, for Parker, sovereign governments in his own day still had power over civil and religious affairs.⁴⁹

Now, Parker could say that religion had the strongest influence upon human affairs because he conceived religion in terms of morality. Moral virtues were necessary to preserve human society, and human society necessary to preserve human nature. And for Parker, it was 'certain' that 'the Duties of Morality are the most weighty and material concerns of Religion'.⁵⁰ He wrote:

The Precepts of the Moral Law are both perfective of our own Natures, and conducive to the Happiness of others; and the Practice of Vertue consists in living suitably to the Dictates of Reason & Nature. And this is the substance and main Design of all the Laws of Religion, to oblige Mankind to behave themselves in all their actions as becomes Creatures endued with Reason and Understanding, and in ways suitable to Rational Beings, to prepare and qualifie themselves for the state of Glory and Immortality. And as this is the proper End of all Religion, That Mankind might live happily here, and happily hereafter; so to this end nothing contributes more than the practice of all Moral Vertues, which will effectually preserve the Peace and Happiness of Humane Societies, and advance the Mind of Man to a nearer approach to the Perfection of the Divine Nature.⁵¹

Having defined religion in terms of morality, Parker then argued that all religion 'must of necessity be resolv'd into Enthusiasm or Morality'. 'The former', he maintained, 'is meer Imposture, and therefore all that is true must be reduced to the latter'.⁵² Parker's crucial move in the *Discourse* was to establish a link between non-conformism and enthusiasm.⁵³ One link was language.⁵⁴ For

⁴⁹ Ibid., 28-37.

⁵⁰ Ibid., 77.

⁵¹ Ibid., 68-9. See also, Milton and Milton, 'Introduction', 62-3.

⁵² Ibid., 76-7.

⁵³ Ibid., esp. 74-6. See also, Ashcraft, *Revolutionary Politics*, 53-4. This move was not unique to Parker. cf. *G*, *passim*.

⁵⁴ Ashcraft, *Revolutionary Politics*, 69; Parkin, *Science, Religion and Politics*, 39. On language in general see, N.H. Keeble, *The Literary Culture of Nonconformity in Later Seventeenth-Century England* (Leicester: Leicester University Press, 1987) and Isabel Rivers, *Reason, Grace,*

Parker, the virtue of the 'sober Christians of the Church of England' was that they expressed the 'Precepts and Duties of the Gospel in plain and intelligible Terms'. On the other hand, non-conformists

have effectually turn'd all Religion into unaccountable Fancies and Enthusiasms, drest it up with pompous and empty Schemes of Speech, and so embrace a few gawdy Metaphors and Allegories, instead of the substance of true and real Righteousness.

The language of the non-conformists was but 'childish Metaphors and Allegories' and 'barbarous and uncouth Similitudes'. For Parker, there were essentially no doctrinal distinctions between the different denominations of non-conformists: they only vary in 'Phrases and Forms of Speech', which are, in the end, 'the peculiar *Shibboleths* of each Tribe'. So 'whoever among them can invent any new Language, presently sets up for a man of new Discoveries; and he that lights upon the prettiest Nonsense, is thought by the ignorant Rabble to unfold new Gospel-Mysteries'. In this way, the state is 'shattered into infinite Factions, with senseless and phantastick Phrases'.⁵⁵

Another link between non-conformism and enthusiasm was conscience. Parker defined conscience as 'every private mans own judgment and perswasion of things', a definition with strong Hobbesian echoes.⁵⁶ He recognized the sacrosanct nature of conscience, but he was also wary of its capacity to be exploited by the non-conformists.⁵⁷ For Parker, conscience was a pretext used by non-conformists to authorize their 'own judgment and perswasion of things' and deployed whenever they 'have a mind to controul or disobey [the sovereign's] Decrees'.⁵⁸ According to Parker's diagnosis, '[m]ost men's minds or Consciences are weak, silly, and ignorant things, acted by fond and absurd principles, and imposed upon by their vices and their passions'; and so, if non-

and Sentiment: A Study of the Language of Religion and Ethics in England, 1660-1780, 2 vols. (Cambridge: Cambridge University Press, 1991).

⁵⁵ Parker, *Discourse*, 74-6.

⁵⁶ *Ibid.*, 6, 7. Hobbes, *Leviathan*, 223; Ashcraft, *Revolutionary Politics*, 51; Schochet, 'Samuel Parker', 134.

⁵⁷ Parker, *Discourse*, ch.8. Parker later recalled that it was 'by way of Irony' he called conscience an 'Imperious faculty', particularly 'when Subjects make bold to infringe the Rights of Sovereign Princes under its pretence and protection'. Samuel Parker, *A Defence and Continuation of the Ecclesiastical Politie* (London, 1671), 222.

⁵⁸ Parker, *Discourse*, 5-6.

conformists were 'entirely left to their own conduct, in what mischiefs and confusions', he asked, 'must they involve all Societies'?⁵⁹ 'Everything any man has a mind to, is his Conscience': 'Murther, Treason, and Rebellion plead its Authority'.⁶⁰ Parker argued that unbridled liberty of conscience was the root of the whole array of evils pestering the state: 'The Mischiefs that ensue upon the permitting men the Liberty of Consciences are endless'.⁶¹ 'Government', he remarked, has 'never been controul'd or disturb'd so much by any thing as Conscience'.⁶²

However, Parker's definition of conscience was notoriously unclear. While he often talked about liberty of conscience as having practical bearing, as we have just seen, he sometimes talked about it as if it did not.⁶³ And because liberty of conscience did not have practical bearing, we find Parker arguing in some parts of the *Discourse* that it was not inconsistent with civil order: 'Let all matters of *meer Conscience*, whether purely Moral or Religious, be subject to Conscience meerly'; in other words, 'Let men think of things according to their own perswasions, and assert the Freedom of their Judgments against all the Powers of the Earth'. 'This Sovereignty of Conscience', Parker maintained, 'is no entrenchment upon that of Princes'.⁶⁴ However, Parker quickly added a proviso, indicating that conscience could have practical bearing:

as for matters that are not confined within the Territories of meer Conscience, *but come forth into outward Action*, and appear in the Societies of men, there is no remedy but they must be subject to the Cognizance of Humane Laws, and come within the Verge of Humane Power (emphasis added).⁶⁵

Likewise, he stated:

⁵⁹ Ibid., 7.

⁶⁰ Ibid., 6.

⁶¹ Ibid., 2.

⁶² Ibid., 4.

⁶³ John Owen, an Independent minister and early critic of Parker's *Discourse*, castigated Parker for not making clear what he meant by 'conscience'. John Owen, *Truth and Innocence Defended* (London, 1669) p.88. For the ambiguity of Parker's definition of 'conscience', see Schochet, 'Samuel Parker', 134-5.

⁶⁴ Parker, *Discourse*, 89.

⁶⁵ Ibid., 90.

To assert the Freedom of the Mind of Man, *as far as 'tis not inconsistent with the Government of the World*, in that a sincere and impartial use of our own Understandings, is the first and Fundamental Duty of Humane Nature (emphasis added).⁶⁶

How are we to understand what Parker meant by conscience? In fact, Parker did tell us what he had meant in a remarkably neglected section of *A Defence and Continuation of the Ecclesiastical Polite*. Here he stated that he ‘kept [himself] close to the rigour and propriety of Scholastick Terms’. He ‘warrantably’ called conscience ‘both an Opinion and a Faculty’, although he was aware that they were ‘not the same thing’.⁶⁷ Parker was deliberately using conscience in this double sense perhaps to enable himself to respond to enthusiasm while acknowledging the sacrosanct nature of Christian liberty. By arguing that in ‘all Matters of pure Speculation’ men were free, he could say that he had paid sufficient respect to liberty of conscience. And by arguing that consciences which led to subversive actions fell under the magistrate’s cognizance, he could deal sufficiently with enthusiasm.

However, Parker’s argument for the liberty of conscience also had a Hobbesian twist. He insisted on a dualism between external actions, which could be policed, and internal beliefs, which could not. For Parker, mankind had a ‘Natural Right to the Liberty of Conscience in matters of Religious Worship’, by which he meant, ‘a Liberty of *Judgment*, but not of *practice*’.⁶⁸ Parker argued that as such religion was essentially an internal activity: ‘the whole substance of Religious Worship is transacted within the Mind of Man, and dwells in our Hearts and Thoughts beyond the reach of Princes’. It could not be coerced by human power. Herein lay Christian liberty. External worship, on the other hand, was only an ancillary means of expression, and hence, ‘no part of Religion it self’. Consistently, ‘Divine Wisdom has so little concern’d it self to prescribe any particular Forms of Divine Service’; and thus, Christian laws have not prescribed ‘particular Expressions of Worship and Adoration’.⁶⁹ Matters concerning external religious worship were indifferent, and so, were under the

⁶⁶ Ibid., 92-3.

⁶⁷ Parker, *Defence*, 221-2.

⁶⁸ Parker, *Discourse*, 92.

⁶⁹ Ibid., 98-100.

magistrate's gaze. The civil magistrate could legislate concerning external religious worship without violating one's conscience because internal judgments were not subject to human coercion. The subjects had *de facto* liberty of conscience. For Parker, this was sufficient allowance to require outward obedience.⁷⁰ However, the problem with the rigid internal/external distinction was that without being able to perform the actions following from one's belief, one could not worship God in a sincere manner, and thus, was forced to sin. Non-conformists would argue that Parker had to do a better job of respecting weak and tender consciences. But for Parker, such an argument was an inlet to enthusiasm. External actions had to remain under the authority of the magistrate.

Parker's response to the enthusiasm of non-conformists rested on the assumption of the civil magistrate's professional competence.⁷¹ Non-conformists demanded liberty of conscience on the grounds of the Scriptural teaching, 'Whatsoever is not of Faith, is sin'. In other words, if an individual believer was not persuaded of the lawfulness of a certain religious ceremony, he would be compelled to sin should the magistrate command the use of it. However, Parker retorted that a 'weak Conscience is the product of a weak Understanding', it 'always proceeds in some measure of want of wit'; and therefore, 'if Princes must consult their Subjects Consciences in all their Laws, this would make all the Wisdom of Government submit to the power of folly and ignorance'.⁷² Parker argued that a consciousness of one's ignorance (which is implied by a weak conscience) should lead towards a 'stronger obligation to obedience'. An individual who 'resigns up himself to the Wisdom of his Superiours, in matters doubtful and disputable, is in effect governed by the best and safest Dictates of his own Conscience'; he should consider the civil authorities 'more competent Judges of the fitness and expediency of Publick Laws, whose work and office it is to understand them, than himself, who is wholly ignorant of the management and transaction of *Publick Affairs*'.⁷³ Religion having the strongest influence

⁷⁰ Ibid., 93-5.

⁷¹ Ashcraft, *Revolutionary Politics*, 68.

⁷² Parker, *Discourse*, 269-70; 'want of wit', 279.

⁷³ Ibid., 279-80.

upon public affairs, the 'silly people' had every reason to submit to the 'Publick Wisdom' concerning religion in addition to the other aspects of civil life.⁷⁴

Despite the fact that there were many echoes of Hobbesian absolutism, Parker tried to distinguish himself from Hobbes. He included a detailed critique of Hobbes in the *Discourse*, rejecting Hobbes's theory of the generation of the state and his doctrine of natural law, which he thought reduced obligation to self-interest.⁷⁵ However, for many of his critics, the conclusions Parker reached appeared to be nothing more than a variant of Hobbes's absolutism.⁷⁶ John Humfrey, the ejected minister, accused Parker of becoming a 'young *Leviathan*' in the course of his critique against Hobbes.⁷⁷ John Owen, the Independent minister, similarly commented on Parker's critique of Hobbes that 'the *Hypothesis* whose Confutation he hath undertaken...is rather suited to promote what he aims at, than what he opposeth'.⁷⁸ Andrew Marvell, the poet and satirist, remarked that Parker was walking on the '*Territories of Malmsbury*', except 'the Arrogance and Dictature with which he imposes it on the World, surpasses by far the presumption either of *Gondibert* or *Leviathan*'.⁷⁹ Parker accepted that some of his arguments savoured 'not a little of the Leviathan'. But he impenitently remarked: 'But yet how can I avoid it? are not these my own words? Though that I might deny, yet am I content to confess that I have said something not much unlike them'.⁸⁰

As we shall see in the next section, the thrust of Locke's response to Parker also focused on Parker's Hobbism. Parker's Hobbism was perhaps alarming for Locke because he realized that he had much in common with Parker. We shall then see after that, how Locke tried to distinguish himself from Parker's Hobbism.

⁷⁴ See also, *Ibid.*, 152-3. 'The giddy multitude judge weakly, fancy strongly, and act passionately; and, unless restrain'd by wary and sober Laws, will drive on so furiously in a good cause, till they run their Religion into Folly and Faction, and themselves into tumults and riotous proceedings'.

⁷⁵ *Ibid.*, ch.4.

⁷⁶ Hobbes, *Leviathan*, ch.42.

⁷⁷ John Humfrey, *A Case of Conscience* (London, 1669), 11-12. For Parker as a 'young Leviathan', see also, John Humfrey, *The Authority of Magistrate* (London, 1672), 67-71; Henry Stubbe, *Rosemary & Bayes* (London, 1672), 18.

⁷⁸ Owen, *Truth and Innocence*, 281.

⁷⁹ Andrew Marvell, *The Rehearsal Transpros'd* (London, 1672), 60.

⁸⁰ Parker, *Defence*, 279.

3. Locke's Discussion of Parker's Hobbism

So far, we have looked at Parker's life and works before he published the *Discourse*. We have also looked at how his arguments in the *Discourse* drifted towards Hobbesian absolutism. In this section, we shall see that the thrust of Locke's political response to Parker's *Discourse* focused on his Hobbism. Parker's Hobbism would have been alarming for Locke, because although his political views opposed those of Parker's, he had many philosophical assumptions in common with him. Locke would therefore need to show how these philosophical assumptions could be used to defend his political views rather than those of Parker's. We shall see that the disagreement between Locke and Parker related to the question of the scope and proper subject matter of human understanding, which gave Locke a strong incentive to turn to epistemology. To refute Parker's politics, Locke's response needed to take an epistemological turn.

In the late Fall of 1669, Locke bought a copy of Parker's *Discourse*, probably for his patron Lord Ashley.⁸¹ Sometime between 1669 and early 1670, Locke made some manuscript notes on it.⁸² Noting that Locke's questions only related to pages 11-29 and 144-53 of Parker's *Discourse*, John and Philip Milton, the most recent editors of Locke's writings on law and politics between 1667 and 1683, argue that 'there is no obvious reason why Locke should have confined his comments to these particular parts of Parker's book', and conjecture that these may be 'stray survivors from a considerably fuller body of notes that have since been lost'. They go on to speculate that Locke may have been planning to write a 'detailed critique', but even if he was, the project was apparently abandoned.⁸³

However, there are good reasons to suppose that Locke's notes on Parker comprised an argumentatively complete response, and in lieu of further evidence of a larger body of notes, this is perhaps the best way to view them.⁸⁴ Even if

⁸¹ Add. 46470, fol.27. 'parkers disc. -0-3-6'. The dates recorded around this entry, 15 Nov and 2 Dec 1669, indicate that he purchased this work shortly after its publication on 22 Nov 1669. Edward Arber, *The Term Catalogues, 1668-1709*, 3 vols. (London, 1903-6), I, 21.

⁸² Locke, 'Notes on Samuel Parker's *Discourse of Ecclesiastical Politie*', in *ETol*, 322-6. These have also been reproduced in Cranston, *John Locke*, 131-3 (Incomplete); Goldie, ed., *Political Essays*, 211-15.

⁸³ Milton and Milton, 'Introduction', 70.

⁸⁴ There seems to be a general belief and expectation that Locke read thoroughly and responded extensively to all the important works he came across. Although this is true in a certain sense, in

these notes were only stray survivors, Locke did touch on the essential points of Parker's arguments, focusing on his Hobbism. Independent evidence suggests that Locke was particularly interested in Hobbes and Hobbism in 1669.⁸⁵ This is hardly surprising. The Hobbesian dimension of the toleration debate had been steadily coming to prominence. In addition, the spring and summer of 1669 saw the trial and, in late July, the public recantation of the Cambridge Hobbist Daniel Scargill. Shortly after the recantation sermon was published, Locke purchased Hobbes's Latin works. He would also go on to purchase books associated or commenting upon Hobbes.⁸⁶

Let us then move on to the actual notes. Locke started by summarizing the general thrust of Parker's arguments. It focused on why Parker thought a supreme power was necessary in every society, how far this power needed to be extended to maintain the peace of society, and how this power was legitimized through the course of history. The summary suggests that Locke read the whole of the first chapter (pages 1-64), although he seemed to have focused on pages 28-52. This focus makes sense if Locke was concerned with identifying the general drift of Parker's arguments because the chapter was entitled 'A more *General* Account of the Necessity of an Ecclesiastical Power, or Sovereignty over Conscience in matters of Religion' (emphasis added). It also makes sense that Locke's notes do not refer to the second and third chapter because these two

another sense, it is misleading. Locke usually provided extensive responses to relatively short pamphlets and tracts. Edward Bagshawe's pamphlet, *The Great Question concerning Things Indifferent in Religious Worship*, which occasioned the *Two Tracts*, was only 16 pages. Sir Robert Filmer's *Patriarcha* was 140 pages. Jonas Proast's three responses to Locke's *Letters on Toleration* were, respectively, 30 pages, 70 pages, and 80 pages. Therefore, it should not come as a surprise if Locke did not prepare a comprehensive, sentence-to-sentence response to Parker's 330-page *Discourse* at a time he was working for Ashley.

⁸⁵ Given that Locke purchased works by Richard Cumberland, Thomas Tenison, John Templar, who published anti-Hobbesian works and responses to Hobbes's Latin works in the early 1670s, we can say that Locke's interest was persistent. Ms. Locke f.48, fol.18. 'Mr Strachy. Cumberland agt-Hobbes May.15'. For Tenison and Templar, see John Harrison and Peter Laslett, *The Library of John Locke*, 2nd ed. (Oxford: Oxford University Press, 1971), 244, no. 2849 and 2850.

⁸⁶ Add. 46470, fol.19, 'Hobbs pd [illegible] 1-0-0'. This is probably a reference to Hobbes's Latin works which Locke bought for his friend John Strachey. The price of Hobbes's Latin works was 20 shillings, i.e. 1 pound. Arber, *Term Catalogues*, I, 7. See also, on the second page of the reverse side of the pocket book, 'Hobs's works Latin'. See also, Williamson, 'John Locke's Pocket Book', 140. Locke's pocket book contains a list of books that Locke had purchased in 1669 often for his friends and his patron, Lord Ashley. Although it has received little attention in the existing scholarship so far, it is an invaluable source not only to learn about the intellectual trend in the late 1660s, but also, to learn about Locke's own interests. For the Scargill Affair, see Parkin, 'Hobbism in the Later 1660s' and more recently *Taming the Leviathan* (Cambridge: Cambridge University Press, 2007), 244-52.

chapters were more specific expansions of the general arguments in the first. That the titles of chapters two and three both begin with 'A more Particular' suggest as much: 'A more Particular Account of the Nature and Necessity of a Sovereign Power in Affairs of Religion' (pages 65-87) and 'A more Particular State of the Controversie, concerning the Inward Actions of the Mind, or Matters of meer Conscience' (pages 87-110). Locke may then have perused Parker's refutation of Hobbes in the fourth chapter, perhaps without any serious objections.⁸⁷ But when in the fifth chapter, Parker attacked those who tried to use Hobbes's theory to justify toleration, Locke argued that Parker himself had fallen in with Hobbes's doctrine.⁸⁸

Let us now examine Locke's objections against Parker in detail. To make the distinctions clearer, I will juxtapose the points where the two men agreed and where they disagreed. First of all, Locke and Parker agreed concerning the general content and role of natural law. Like Parker, Locke believed that society was necessary for the preservation of human nature. As we have seen in Chapter One, Locke had argued in the *Essays* that God had made people naturally sociable, implanting in them the urge to preserve a life in society with other people. According to natural law, people were obliged to preserve society as much as they were obliged to preserve themselves.⁸⁹ To this end, Locke believed that government was necessary because experience showed that people could not 'live peaceably & quietly together, without uniteing under certain laws & growing into a common-wealth'.⁹⁰ The laws of the civil magistrate were obliging because natural law ordered 'obedience to superiors and the keeping of public peace'.⁹¹

Locke also agreed with Parker that civil order was the prime end of government. For Locke, magistrates were entrusted with authority 'for no other purpose but to be made use for the good, preservation, and peace of men in that society'. This, Locke argued, is and should be the only measure according to

⁸⁷ Parker, *Discourse*, ch.4, 'Of the Nature of all Actions Intrinsically Evil, and their Exemption from the Authority of Humane Laws, against Mr. Hobs; with a full confutation of his whole Hypothesis of Government', 111-34.

⁸⁸ *Ibid.*, ch.5, 'A Confutation of the Consequences that some men draw from Mr. Hobs's Principles in behalf of Liberty of Conscience', 135-70.

⁸⁹ *ELN*, 157, 159.

⁹⁰ *ETol*, 269.

⁹¹ *ELN*, 119, 189.

which the magistrate should 'square & proportion his laws: model & frame his government'.⁹² Thus, Opinions and actions with destructive implications were not to be tolerated by the magistrate. Accordingly, in his notes on Parker, Locke remarked: 'The end of government being publique peace tis noe question the supreme power must have an uncontroulable right to judg & ordeyne all things that may conduce to it'. That the magistrate, whose business it was 'only to preserve peace', could restrain those opinions that had a 'direct tendency to disturb it', was an assumption 'every sober man' would allow.⁹³

Where Locke and Parker disagreed was over the impact of religion on civil order. Parker argued that religion had the strongest influence upon human affairs and that it was therefore absolutely necessary for the peace of society that affairs of religion were subject to government. Locke, however, believed that divine worship, both inward and outward performances thereof, belonged to the speculative realm, which did not concern society or government. Thus in his notes, he queried: 'whether it be at all dangerous to the magistrate that he beleiving free will, some of his subjects should beleive predestination, or whether it be more necessary for his government to make laws for weareing surplices, then it is for wearing vests?'.⁹⁴

However, Locke did not deny that certain religious groups, namely the Roman Catholics, promoted subversive opinions under the pretence of religion, and thus were subject to government. Indeed, in 'An Essay concerning Toleration', he argued that Catholics took their religion in 'grosse' and mixed religious doctrines with destructive opinions. He therefore believed that they should not be tolerated by the magistrate. Hence, he could say in his comments to Parker: 'That the magistrate should restraine Seditious doctrines who denys'. However, Locke remarked that Parker had taken this logic and gone one step too far. Because religion had a strong impact on people's opinion, did it follow, Locke asked, that the magistrate 'ought to force men by severity of laws & penaltys to force men to be of the same minde with him in the speculative opinions in religion, or worship god with the same ceremonys'? Apparently, Locke did not think so, because in his notes he also inquired whether

⁹² *ETol*, 269.

⁹³ Locke, 'Notes on Samuel Parker', 323, 325.

⁹⁴ *Ibid.*, 325.

‘uniformity established by a law be...a necessary means to it [i.e. public peace]’, and whether ‘subdivision of opinions into small sects be of such danger to the government’. Given that the magistrate could restrain opinions that directly disturbed the peace of the commonwealth, did it follow that he could also restrain *all* other doctrines? If not, Locke argued, Parker’s argument for the magistrate’s authority over religion in general was incomplete; but if it did follow, as Parker had intimated, then ‘how far’ was ‘this short of Mr Hobbs’s doctrine’?⁹⁵ Despite his efforts to distance himself from Hobbes, for Locke, Parker’s politics was indistinguishable from Hobbesian absolutism.

The crucial question is: how did Parker end up so close to Hobbes? Locke identified Parker’s underlying philosophical assumption, which led to his Hobbist politics: Parker had assumed that the magistrate had superior knowledge. Herein lay the fundamental disagreement with Locke’s politics. Because Parker conceived religion in terms of morality, which upheld human society, he could say that ‘true piety secures the publique weal’. On the other hand, this meant that for Parker the false notions of God and worship were a danger to public peace. Thus, Parker maintained that magistrates needed to be given the power to restrain religious mistakes.⁹⁶ Locke asked ‘whether assigneing those ill effects that follow to mistakes’, i.e. ‘wrong notions of god & his worship’, Parker ‘does not suppose the magistrates power to proceed from his being in the right’?⁹⁷ Locke identified that Parker had supposed professional competence on the part of the magistrate whereas he had stressed equal competence of both magistrate and subject.⁹⁸ If Parker was not supposing that the magistrate had superior knowledge, then it would mean that on his account, the fate of Christianity depended contingently on the magistrate’s knowledge, who could ‘force the subject to renounce his owne opinions however quiet & peaceable’ and ‘declare assent & consent’ to those of his own profession. If this was the case, it was strange that ‘Christ & the Apostles directed not their discourses, & addressed their miracles to the princes & magistrates of the world to perswade them’,

⁹⁵ On Roman Catholics, *ETol*, 284; Locke, ‘Notes on Samuel Parker’, 324, 325, 326.

⁹⁶ Parker, *Discourse*, 12.

⁹⁷ Locke, ‘Notes on Samuel Parker’, 324.

⁹⁸ *ETol*, 273.

because 'by preaching to & converting the people', these people would lie 'under a necessity of being either Seditious or Martyrs'.⁹⁹

We can now start to see how Locke's engagement with Parker could have led to his turn to epistemology. Parker and Locke both rejected innate ideas and maintained that sense and experience led to knowledge of natural law. They also agreed that natural law required people to be sociable and maintain the peace of society under government. However, whereas Parker thought that religion should be controlled by the magistrate because it had the strongest influence on human affairs, Locke did not. Whereas Parker argued that false religious belief was pernicious to society, Locke did not. Moreover, whereas Parker stressed the professional competence of magistrates concerning knowledge of the true religion, Locke denied this assumption and maintained equal competence of all men. This does not mean that Locke denied that there was scope for error concerning religious worship. But error did not automatically lead to civil destruction, as Parker had suggested. It also did not mean that people were incompetent, again as Parker had suggested. In principle, all people were capable of attaining the knowledge of natural law, which commanded them to preserve society and worship God. As to the particulars of worship, nobody had infallible knowledge, implying that each individual was responsible to perform what he thought was most pleasing to God. Because natural law could be known and deployed as an authoritative standard, Locke believed that a clear line (albeit with occasional inconveniences) could be drawn between genuine and self-fashioned claims to conscience. It was possible to distinguish subversive religious doctrines from false but unthreatening ones. This being so, civil order could be salvaged without subjecting religion as such under government.

Therefore, from the assumption of equal competence coupled with the further assumption of the unthreatening nature of purely speculative opinions (whether true or false), Locke arrived at toleration, whereas Parker's assumption of professional competence coupled with the assumption of the destructive nature of false notions of God led to uniformity and intolerance, or in other words, a politics indistinguishable from Hobbism. Parker's Hobbism of the

⁹⁹ Locke, 'Notes on Samuel Parker', 324.

Discourse thus gave Locke a strong incentive to reassert the scope of human knowledge, that is, to reassure that religion and morality were proper subjects of *human* understanding, and not just certain individuals, in order to rescue the assumptions necessary for his theory of toleration.

4. Locke's *Drafts* on Human Understanding

We have seen that in his comments on Parker's *Discourse*, Locke took note that the disagreement between Parker and himself related to epistemology. Parker had assumed that the magistrate had superior knowledge concerning religion, but Locke denied this. For Locke, Parker had inferred, incorrectly, that a purposive God entrusted the magistrate with power over religious affairs; the fact that Christ and His Apostles did not focus on converting princes and magistrates suggested otherwise. Locke believed that all people were equally competent concerning their religious duties. Parker could however point to daily experience and refer to the 'giddy multitude' and 'silly people'. Locke did not need to deny the common observation that 'very many people' were 'ignorant' and 'so thoughtless' as to ignore the truths dictated by natural law.¹⁰⁰ The task incumbent on Locke was to show that although there were many ignorant people, in principle, men *qua* rational beings were capable of moral and religious knowledge. This is the task he undertook in the *Drafts* of the *Essay*. In this final section, I will look at some relevant arguments in Locke's *Drafts*. I will limit myself to *Draft A*, the first of the *Drafts*.

In *Draft A*, Locke remarked that the 'greatest part of man kinde are by the constitution of humane affairs unavoidably given over to invincible ignorance'. The 'means of knowledg & enquiry' of those people whose 'lives are worne out only in the provisions of liveing' are 'commonly narrow as their fortunes, & their understandings are but little instructed when all their whole time & pains is laid to still the crokeing of their owne bellys or the crys of their children'.¹⁰¹ Neither were the wealthy free from ignorance. They were 'cooped in soe close by the laws of their country' and 'the strict gards of those whose interest it is to keepe them ignorant, least [i.e. lest] knowing more they should beleive the lesse in them'. However free these wealthy people may seem, they

¹⁰⁰ *ELN*, 199, 201.

¹⁰¹ *D*, 67.

were 'enslaved in that which should be the freest part of man', i.e. the 'understanding'. This was 'generally the case of all those who live within the reach of the inquisition'. The 'good catholick is to swallow downe opinions as silly people doe empiricks pills without knowing what they are made of or how they will worke'. Although Locke singled out Roman Catholics, it is not hard to imagine that he had 'all self-interested clerics' in the Church of England in mind, who tried to keep people in a state of ignorance, thus under their control.¹⁰² There were other sorts of people who lacked knowledge not because they were hindered by daily labour, but those 'who though they have riches & leisure enough & want neither parts nor learning', 'yet out of lazynesse' could never arrive at crucial truths. Because most people were in a state of ignorance, they assented to lesser probable opinions.¹⁰³

Although Locke thought that most people were in a state of ignorance, this was not because they were incompetent. People were capable of moral and religious knowledge. He maintained:

Nor have we any reason from the narrownesse of our owne thoughts to doubt the Existence of the great god or a first aethernal cause because our dim understandings cannot discover his incomprehensible way of being.¹⁰⁴

In may well be the case that man's faculties were 'ignorant of many things in god' and may be 'too little to have adaequate apprehensions of an infinite being'. For Locke, 'all knowledge is founded on and ultimately derives itself from sense'.¹⁰⁵ Thus, concerning 'the existence, Essence, nature, & operations of immaterial beeings as God. Angels &c', 'being concerning matters out of the reach of our senses', were matters of probability which depended on 'Experience & Testimony'. One could not have direct sensation of spirits, but one could have probable knowledge of them according to propositions already in the understanding, obtained through sense experience.¹⁰⁶ And 'Upon which grounds', Locke asserted:

¹⁰² Ibid., 68. Marshall, *John Locke*, 76.

¹⁰³ *D*, 68-9.

¹⁰⁴ Ibid., 82.

¹⁰⁵ Ibid., 4.

¹⁰⁶ Ibid., 65-6.

I doe not doubt but the being of a God may be made out more clearly & with greater assurance then of any thing even immediatly observable by our senses. And that the common things of our dayly experience if our facultys are but carefully & orderly imploid about them, will lead us to clear apprehensions of a Greater & Wiser being'.¹⁰⁷

As he had argued in his *Essays*, Locke maintained in *Draft A* that in order to establish the divine laws, which were 'properly & truly the rules of good & evill', one had to prove firstly that there was a lawgiver 'with power & will to reward & punish', and secondly that this lawgiver 'hath declard his will & law'.¹⁰⁸ Locke was confident that God's existence, the first of the two conditions, could be made out. From this, the second condition would follow.

Although Locke deferred his proof of the existence of God for the moment (he fulfilled this promise in the published version of the *Essay concerning Human Understanding*),¹⁰⁹ and also, the precise content of God's will and law (this is the subject of Chapter Three), his point in this epistemological work was clear enough: despite all the hindrances and obstructions of life to moral and religious knowledge, all people *qua* rational being, and not just certain individuals, were fit to make out their duties to God. Locke's *Drafts* attempted to outflank Parker's epistemological assumption of the magistrate's superior knowledge, which underwrote his Hobbist politics.

5. Concluding Remarks

In this chapter, I have examined the development of Locke's thought between the late 1660s and 1671, focusing on the relation between his political theory and epistemology. In 1671, Locke turned to a specific epistemological inquiry of the proper scope of human understanding. Traditionally, commentators have seen this move simply as a continuation of Locke's inquiry of natural law in his *Essays*, composed in the early 1660s.¹¹⁰ My main aim was to show that while there was certainly a continuation between the *Essays* and the *Drafts* of 1671,

¹⁰⁷ *Ibid.*, 66.

¹⁰⁸ *Ibid.*, 41; cf. *ELN*, 151.

¹⁰⁹ *E*, 4.10.

¹¹⁰ Abrams, 'Introduction', 84-107; von Leyden, 'Introduction', 60-82.

there was also a pressing political impetus which drove Locke to consider this narrower and more specialized subject. I argued that Locke had significant objections against the political Hobbism of Parker's *Discourse* of 1669, and to outflank the epistemological assumption of this work, and to fortify his own, he turned to epistemology.

According to the critics, the danger with the view emphasizing the role of Parker in the composition of the *Drafts* and *Essay* was that it had the tendency to reduce Locke's *Drafts* to a work of Whig propaganda. However, while accepting this criticism, I noted that the critics, on the other hand, had the tendency to downplay the connection between a theory of toleration, natural and revealed law, and epistemology. My polemical aim in this chapter was to show, against the critics, how Locke's objections against Parker were, in the first instance, political, but connected to wider questions about the proper scope of human understanding and, more fundamentally, the terms on which people stood in relation to one another under God's dispensation. Whereas Parker assumed the professional competence of magistrates concerning religion and morality, Locke assumed the equal competence of subjects and magistrates. Parker and Locke shared many assumptions about natural jurisprudence and epistemology. However, other things being equal, these assumptions were indeterminate in their ramifications and did not, without further development, support a particular political vision. That Parker had fallen into Hobbism seemed to suggest that these assumptions led to Hobbism. Parker's Hobbism, which was also a recent problem for Locke, would have motivated Locke to show that his tolerationist politics, and not Parker's authoritarian politics, was supported by these assumptions. *Contra* the critics, therefore, I showed that Parker brought to the forefront one implication of a position which Locke and Parker seemingly had in common, and that for Locke, this was a crucial problem which needed to be faced. In other words, I showed that Locke's politics and long-standing philosophical concerns were intimately connected.

The conclusion elicited in this chapter perhaps may seem to be a product of the Cambridge contextualist approach. Indeed, I focused on a particular historical incident and portrayed a polemical aspect of Locke. But by bearing in mind the assumptions of the holistic approach, I shed light on a neglected narrative. I showed that there was an intimate connection between issues of

politics, natural jurisprudence, and epistemology, and that Locke's *Drafts* were not simply a product of a continuing inquiry about natural law or a response to a particular political pamphlet, but a product of a more complicated relation of these *prima facie* different inquiries. The two methodological approaches are compatible, and I showed in this chapter especially how a re-appreciation of the holistic approach can offer new insights into the development of Locke's thought.

CHAPTER THREE

Hedonism and the Divine Design

The general aim of this chapter is to show that there was direction and consistency in the trajectory of Locke's thought and that it contrasted with the positions of his contemporaries. I will examine a puzzle concerning the status of hedonism in Locke's morals between the early 1670s and the mid-1690s. Traditionally, two criticisms have been levelled against Locke's hedonistic ethics. First, that his hedonistic ethics was incompatible with his natural law theory; secondly, that by endorsing a hedonistic ethics, he had fallen into Hobbism. My aim in this chapter is to deploy a holistic analysis to show that neither criticism captures the significance of Locke's hedonism. I will show that Locke's hedonism complemented rather than contradicted his natural law theory. Moreover, I will show that the development of his theory can be seen as a response to a major problem that confronted him in the mid-1660s about the content of natural law, and that his solution differed significantly from Hobbes.

It is widely acknowledged that Locke conceived of his ethics hedonistically, at least from 1676 onwards. There have been two strands of criticism levelled at Locke's adoption of hedonism. The critics of the first strand argue that by adopting ethical hedonism, Locke introduced a subjective notion of morality which was incompatible with his belief in a universal moral law. Wolfgang von Leyden, for example, argues that '[t]o hold a belief in an ultimate moral law, or law of nature' and to maintain that good and evil are relative to the individual 'is to express two doctrines which, if not altogether incompatible, are bound to produce vacillation and vagueness in the mind of him who hold them'.¹ Here, we are faced with an incoherent Locke.²

¹ Wolfgang Von Leyden, 'Introduction', in *ELN*, 72.

² See also, Richard I. Aaron, *John Locke*, 3rd ed. (Oxford: Clarendon Press, 1971), 256-69; J.D. Mabbott, *John Locke* (London: Macmillan, 1973), 112-28. Mabbott intimates that there was a tension between Locke's hedonism and natural law theory, but seeks a possibility of reconciling these in terms of utilitarianism, esp. 126-8. But cf. Francis Oakley, 'Locke, Natural Law and God – Again', *History of Political Thought* 18 (1997): 627. Oakley argues that Locke's hedonism was complementary rather than against his natural law theory and that 'the scholarship of the past quarter of a century has been marked by something of a burgeoning consensus to the effect that, in so arguing, Locke was not completely deluding himself'. Oakley thus thinks it 'redundant' to dwell further on this issue. But I do not think that it is a redundant exercise not least because as we shall see, there is still much to learn about the character and role of Locke's hedonism.

The critics of the second strand argue that by adopting ethical hedonism, Locke fell into Hobbism. Famously, Isaac Newton apologized to Locke for taking him 'for a Hobbist' during a state of mental disorder.³ There is compelling evidence that Newton had Book 2, Chapter 27,⁴ Section 5 of Locke's *Essay* in mind when he made this accusation, where Locke had offered his hedonistic definition of good and evil.⁵ For modern commentators such as David Wootton, although Locke was not a full-blooded Hobbist, the charge of Hobbism was nevertheless justified. By the time of the publication of the *Essay*, Locke had realized that he could no longer maintain that there was a moral law knowable to unaided human reason. He was, however, optimistic that hedonistic morality in most European societies would more or less coincide with (what he took to be) the content of natural law. Therefore, like Hobbes, 'worldly self-interest and the quest for collective security substituted for a known moral law'.⁶ Here, we are faced with a Locke who fell into Hobbism inadvertently.

Against these two strands of criticism, I will offer a narrative by using the holistic perspective which shows that Locke's hedonistic ethics was in fact consistent with his previous thought, and moreover, developed in opposition to Hobbism. It is worth noting that Straussians also reject the two strands of criticism, claiming to the effect that Locke was coherently a moral relativist or a Hobbist.⁷ Yet, by implication, I will be rejecting the various strands of

³ *Corr.*, 1659, vol. iv, 727.

⁴ *E*, 2.27.5 of the first edition. *E*, 2.28.5 in subsequent editions.

⁵ G.A.J. Rogers, 'Locke, Newton, and the Cambridge Platonists', in *Philosophy, Religion and Science in the Seventeenth and Eighteenth Centuries*, ed. John W. Yolton (Rochester, NY: University of Rochester Press, 1990), 359-60. According to Rogers, 'It is very well known that Newton frequently turned back the corners of pages to indicate passages which particularly drew his attention'. Rogers observes that 'On page 157 of [Newton's] copy there is a turn up which points unambiguously to the opening words of the *Essay* II, XXVII, 5'.

⁶ David Wootton, 'John Locke: Socinian or Natural Law Theorist?', in *Religion, Secularization and Political Thought: Thomas Hobbes to J.S. Mill*, ed. James E. Crimmins (London: Routledge, 1989), 43.

⁷ Similarly to the first strand of critics, Samuel Zinaich Jr. argues that Locke's view of moral good and evil is 'logically inconsistent with the view that there is a single, ultimate, moral standard'. Samuel Zinaich, Jr., *John Locke's Moral Revolution* (Lanham: University Press of America, 2006), 120. However, he argues that this was not because Locke was incoherent, but precisely because the Locke of the *Essay* was not the Locke of the *Essays* who had argued for a law of nature. For Zinaich, Locke was not incoherent, but conversely, coherently a moral relativist. On the other hand, Straussian commentators such as Peter Josephson and Peter Myers suggest, similarly to the second strand of critics, that on the surface Locke's ethical hedonism seems reconcilable to his natural jurisprudence. Locke argued that God had annexed rewards and punishments, that is, pleasure and pain, to morally good and evil actions. Indeed, natural law was promulgated by pleasure and pain. However, Locke effectively showed that the sanctions of the afterlife were ineffective and replaced them with a law of human invention. Thus, Josephson

Straussian theses. I will now proceed to say a little bit more about the narrative that I identify.

As we have seen in Chapter One, in the mid 1660s, Locke's morals and natural jurisprudence faced a problem of demarcating the precise extent of moral obligation.⁸ In the *Essays on the Law of Nature*, Locke had argued that in order to show that there was a morally binding law, one needed to show first that there was a superior being who was entitled to give laws, namely God, and secondly that He had declared His will *qua* legislator that certain things were or were not to be done.⁹ Although Locke had provided a proof of the existence of God and shown that He had willed certain things, nowhere in the *Essays* did he distinguish between what God had willed *generally* and what He had willed *specifically* as moral laws. The *Essays* seemed to suggest that Locke had simply assumed that everything God had willed was intended to be morally obligatory. In other words, Locke could not say determinately what God had intended to be morally obligatory. If this was the case, he could not be sure that anything God had willed was intended as such. Locke's epistemological investigation in the *Drafts* of 1671 did little to improve upon this omission.

There were two important developments in Locke's thought which helped him to account for this moral problem. The first development was Locke's hedonistic ethics, which was implicit but inchoate in the *Essays* and the *Drafts*.¹⁰ This development provided Locke with a palpable guideline which was consonant with his empiricist commitment to discover what God had intended to be morally obligatory. If one assumed that God had organized the world in such a way that what was morally good produced pleasure of a particular kind, by virtue of being pleasurable in that particular way, one could know that certain actions were willed to be performed as a part of the law of nature.

and Myers intimate that Locke was a secret follower of Hobbes. Peter C. Myers, *Our Only Star and Compass: Locke and the Struggle for Political Rationality* (Lanham, Md.: Rowman & Littlefield, 1998); Peter Josephson, *The Great Art of Government: Locke's Use of Consent* (Lawrence: University Press of Kansas, 2002).

⁸ Ian Harris, *The Mind of John Locke*, rev. ed. (Cambridge: Cambridge University Press, 1998), ch.8, esp. 266-8.

⁹ *ELN*, 157.

¹⁰ Hans Aarsleff, 'The State of Nature and the Nature of Man in Locke', in *John Locke: Problems and Perspectives*, ed. John W. Yolton (Cambridge: Cambridge University Press, 1969), 122f.

The problem of verifying the content of the law of nature was one that faced seventeenth century philosophers and theologians committed to naturalism. There were two popular strands of naturalism in seventeenth century England, which I will refer to as ‘Stoic/Scholastic naturalism’ and ‘Epicurean hedonism’.¹¹ The former held that through the study of nature, one could discover what was intrinsically good and evil for human nature, and hence, what God had set as moral duties, which could be confirmed by the happiness and misery attached to these actions.¹² The latter, on the other hand, were sceptical of the intelligibility of the nature of things, and instead stressed the importance of pleasure and pain as guides to moral conduct.¹³ Locke showed affinities with both strands: his early *Essays* suggest a deep knowledge and influence of Stoic thought; but from the 1670s onwards, as we shall see, this was overshadowed by the Epicurean strand.¹⁴ However, Locke’s hedonism was of a peculiar kind. Whereas Hobbes had stressed those of the present world, Locke stressed the pleasure and pain of the afterlife. I will argue that Locke’s development suggests that he was making an effort to distance himself from the crude hedonism of Hobbes which led to moral relativism.

¹¹ Jon Parkin, *Science, Religion and Politics in Restoration England* (Woodbridge: Boydell Press, 1999), chs.3, 5, 6.

¹² Robert Sharrock, *Ypothesis Ethike* (Oxford, 1660); Richard Cumberland, *A Treatise of the Laws of Nature*, ed. Jon Parkin (Indianapolis: Liberty Fund, 2005); Samuel Parker, *A Demonstration of the Divine Authority of the Law of Nature and the Christian Religion* (London, 1681); James Tyrrell, *A Brief Disquisition of the Law of Nature* (London, 1692). See also, Benjamin Whichcote, *Moral and Religious Aphorisms*, intro. W.R. Inge (London: Elkin Mathews, 1930); *Select Notions, 1685* (Menston: Scolar Press, 1971); Nathaniel Culverwell, *An Elegant and Learned Discourse of the Light of Nature*, eds. Robert A. Greene and Hugh MacCallum (Toronto: Toronto University Press, 1971).

¹³ Pierre Gassendi, *The Selected Works of Pierre Gassendi*, ed. and trans. Craig B. Brush (London: Johnson Reprint Corp., 1972). For Pierre Gassendi’s Epicureanism see, Francois Bernier, *The Discourse of Happiness, Virtue, and Liberty collected from the Learned Gassendi* (London, 1699), ch.1; *Abrege de la Philosophie de Gassendi*, vol. 6 and 7 (Paris: Fayard, 1992). Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1991); Walter Charleton, *Physiologia-Epicuro-Gassendo-Chareletonia* (London, 1654); Robert Boyle, *Some Considerations Touching the Usefulness of Experimental Naturall Philosophy* (Oxford, 1663); *A Free Enquiry into the Vulgarly Received Notion of Nature*, eds. Edward B. Davis and Michael Hunter (Cambridge: Cambridge University Press, 1996); *The Works of Robert Boyle*, eds. Michael Hunter and Edward B. Davis, 14 vols. (London: Pickering & Chatto, 1999).

¹⁴ For Locke’s Stoicism, see *ELN*, *passim*; M.A. Stewart, ‘Critical Notice’, *Locke Newsletter* 23 (1992): 152-3; Parkin, *Science, Religion and Politics*, 84-5; Victor Nuovo, ‘Aspects of Stoicism in Locke’s Philosophy’, in *Studies on Locke*, eds. Sarah Hutton and Paul Schuurman (Dordrecht, Netherlands: Springer, 2008). Cf. Daniel Carey, *Locke, Shaftesbury, and Hutcheson* (Cambridge: Cambridge University Press, 2006), esp. ch.2, ‘The Use of Diversity: Locke’s Sceptical Critique of Stoicism’, 34-68.

Despite his best efforts, in the early 1690s Locke's moral epistemology in the *Essay concerning Human Understanding* was accused of nothing short of Hobbism.¹⁵ To rescue Locke from this charge, Tyrrell, who was probably familiar with Locke's *Essays*,¹⁶ recommended that he follow in the footsteps of the Hobbesian critic Richard Cumberland's *De Legibus Naturae* in which the author argued that the content of natural law could be known through the happiness and misery annexed to natural sanctions.¹⁷ However, Locke never responded to Tyrrell's call. I will argue that Locke was uneasy about the Cumberlandian strand of ethical naturalism which emphasized the divine sanctions in this life because it came too close to Hobbes for a refutation of him.

The second development which helped Locke account for the moral problem was his confirmation of the relation between reason and revelation. Because Locke was queasy about the Cumberlandian strand of ethical naturalism which blurred the distinction between natural and moral good and evil, he needed to show how people could perceive the content of the sanctions of the afterlife. Locke had maintained in the *Drafts* that people were ignorant concerning many things in life and that it was rational to base one's assent on probability. From the late 1670s onwards, he began to stress in his manuscripts that the existence of the afterlife could be known with high probability. In 1695, he wrote and published the *Reasonableness of Christianity* which showed how the Christian revelation was congruent with reason and how it reinforced the content of natural law.¹⁸ Although Locke's hedonism relied on revelation, it avoided the *reductio* of moral good and evil to natural good and evil, and thus distanced itself from Hobbism.

The argument will proceed as follows. I will start by outlining Locke's epistemology as revealed in the *Drafts*. We shall see how Locke was committed to naturalism and empiricism, but also, how his commitments here precluded him from building an account of moral epistemology through the knowledge of the nature of things. I will then show how hedonism fitted in with his moral epistemology and how it provided him with an evaluative language. I will argue that Locke made a crucial distinction between natural and moral good

¹⁵ *Corr.*, 1301, vol. iv, 100-2.

¹⁶ Von Leyden, 'Introduction', 85-8. *Corr.*, 1307, vol. iv, 109.

¹⁷ Cumberland, *A Treatise*, 308, (1.12), and 546-8, (5.24).

¹⁸ *RCh*.

and emphasized the divine sanctions of the afterlife rather than those in the present life to distance himself from Hobbes. I will juxtapose Cumberland to Locke and show how the two thinkers differed, despite Tyrrell's optimistic reckoning of their compatibility and the usefulness of the former in an anti-Hobbesian campaign. Finally, I will show how the development of probability complemented the natural and moral distinction and distinguished Locke's ethical hedonism from those of his contemporaries.

1. Ignorance of the Nature of Things

In this section, I will examine Locke's epistemological claims in the *Drafts* of 1671 and show how the view developed here concerning human ignorance of the nature of things led him to conceive moral knowledge increasingly hedonistically from the mid 1670s.

At first sight, Locke's views expressed in the *Essays* seemed to hint at a development towards constructing an account of moral epistemology from the nature of things. He had argued that the law of nature was 'firmly rooted in the soil of human nature'. By this, he meant that there was a 'harmony' (or conformity) between human nature and natural law, which could be known by the light of nature. So, 'what is proper now for the rational nature, in so far as it is rational, must needs be proper forever, and the same reason will pronounce everywhere the same moral rules'. Thus, insofar as people were 'endowed with a rational nature', they were morally bound by the law of reason or nature. For Locke, natural law 'does not depend on an unstable and changeable will, but on the eternal order of things'. 'For it seems', he wrote, 'that certain essential features of things are immutable, and that certain duties arise out of necessity and cannot be other than they are'.¹⁹ In this context, it would have seemed relevant to be able to know the nature of things, especially that of man; and indeed, as we shall see below, this was the direction of development Tyrrell thought that Locke's philosophy could take.

However, by the time he published the *Essay*, Locke believed that natural philosophy, that is, the knowledge of the nature of physical things, was

¹⁹ *ELN*, 199.

not a 'science' in the proper sense.²⁰ That is to say, 'certainty' was not attainable in this field.²¹ But we shall see below that Locke's epistemological pessimism about the knowledge of nature of things was already present in the *Drafts* of 1671.²² Let us now peruse *Drafts A* and *B* in turn.

In *Draft A*, Locke maintained that the foundation of all human knowledge was sense-experience. From sense, we acquire 'simple Ideas', such as 'heat & light, hard & soft' and so on. These are the 'simplest Ideas we have & the first objects of our understandings'. Next, he noted how people observed that 'a certaine number of those simple Ideas goe constan[t]ly together which therefor the understanding takes to belong to one thing'. In other words, people observe in the world that certain things contain more than one simple idea and thus are 'a complication of many simple Ideas'.²³ Locke called these compounds 'complex ideas'.²⁴ Now, this particular thing or object to which a certain number of simple ideas or qualities belonged, and by which people understood a 'united', 'common subject', he referred to as 'substance' or 'matter'.²⁵ Examples of substance include 'man, horse, sun, water, Iron'. Locke argued that people's knowledge of substances do not extend beyond the 'sensible qualitys supposd to be inhaerent in it', and because of this, they cannot pretend to the knowledge of the 'essence' of things. So, for example, the idea of sun 'is noe thing but the collection of these severall simple Ideas round, bright, hot. having a constant set motion a good way from us. &c'. Because 'our senses doe not quickly discover to us how many of these simple Ideas or qualitys are constantly united in one subject', our ideas and definitions of the substance of things are 'often very imperfect'. Indeed, people's knowledge of the essence of physical things was no better than their apprehension of spirits.²⁶

²⁰ *E*, 4.12.10.

²¹ *Ibid.*, 4.3.26.

²² Michael Ayers, *Locke*, vol.2 (London and New York: Routledge, 1991), 34, and generally, chs. 3, 4; 'The Foundations of Knowledge and the Logic of Substance: The Structure of Locke's General Philosophy', in *Locke's Philosophy: Content and Context*, ed. G.A.J. Rogers (Oxford: Clarendon Press, 1994), 56; H.A.S. Schankula, 'Locke, Descartes and the Science of Nature', in *John Locke: Symposium Wolfenbuttel 1979*, ed. Reinhard Brandt (Berlin and New York: Walter de Gruyter, 1981), 163-80, esp. 174.

²³ *D*, 1.

²⁴ *Ibid.*, 39, 170f.

²⁵ *Ibid.*, 1-2.

²⁶ *Ibid.*, 2.

Draft B essentially expounded the same argument concerning human ignorance of the essence of substances or matter. Sensation and reflection ‘are the two only principles of originalls from whence we receive any Ideas whatsoever’. Here again, Locke claimed that ‘Externall objects’ cannot ‘furnish the understanding with any Ideas but sensible qualitys because they operate on the sense noe other way & soe we can have noe other notice of them’; neither can ‘the minde furnish the understanding with any Ideas but of its owne operations & the severall ways & modes thereof’. So,

when we talke of or thinke on those things which we call material substances as man horse stone the Idea we have of either of them is but the complication or collection of those particular simple Ideas of sensible qualitys which we use to finde united in the thing cald horse or stone...& which are the immediate objects of our sense.

Because ‘we have noe other Idea of that matter or substan[c]e but what we have barely of those sensible qualitys supposed to inhaere in it’, Locke concluded, ‘it comes to pass that we have noe Ideas nor notion of the essence of matter, but it lies wholly in the darke’.²⁷ Locke’s point was that the foundation of knowledge being sense-experience, we can only know as far as what is perceivable by sense-experience. And as Locke observed, sense was unsatisfactory to come to the knowledge of the essence of substances.

We see that Locke’s philosophical structure was characterized by his commitment first to knowledge via sensory experience and second to pessimism of the knowability of the essence of substances.²⁸ Consistent with these commitments, the *Drafts* indicate that Locke was a nominalist: he believed that all natural things were particulars. Universality did not belong to things themselves and there were ‘no mind- or language-independent justifications for grouping things or qualities under a single heading’.²⁹ More precisely, he was what Walter Ott calls a ‘restricted’ nominalist, that is, one who ‘imposes extra-linguistic or extra-mental limits on the nature and number of kinds we construct’,

²⁷ *Ibid.*, 129-30.

²⁸ Ayers, ‘The Foundations of Knowledge and the Logic of Substance’, 56.

²⁹ *D*, 9, 82, 173. Walter R. Ott, *Locke’s Philosophy of Language* (Cambridge: Cambridge University Press, 2004), 72.

or more simply, one who imposes constraints on the basis of 'objective resemblances'.³⁰ According to the guidance of sense, Locke noted, people distinguished and organized particular things into 'sorts' and 'species' and gave them 'setled & fixed' names. However, the essential constitution of natural things being unknown, the precise boundaries between the sorts were also 'seldom' known to people.³¹ Indeed, because of this, universal propositions about certain things, in which collections of simple ideas were predicated of the subject, came at the price of being uncertain or certain but uninformative. So for example, looking at the proposition 'man is rational', we could surely include the predicate 'rational' in the definition of man, but this definition, while true for us, would only be 'verbal' because we do not 'have certain knowledg that things doe soe exist' externally.³²

However, while Locke acknowledged that people were left in considerable ignorance concerning the natural world, he was much more optimistic about the prospect of moral knowledge. He was convinced that having created mankind for a purpose, God had sufficiently equipped them to attain 'all the ends requisite to such a being', i.e. temporal and eternal happiness, and indeed, in the *Essay*, he claimed that '*Morality is the proper science, and Business of Mankind in general*'.³³ Locke's remarks elsewhere in the *Drafts* suggested that moral knowledge was in the ambit of human knowledge. His assertion that moral ideas and rules were 'much easier' and 'much clearer' than the nature of things suggests as much.³⁴ Whereas some of Locke's contemporaries, as we shall see below, derived morality from the nature of things, Locke moved towards making natural philosophy and moral knowledge distinct.³⁵

Locke was optimistic about moral knowledge because he conceived it in terms of a 'relation'. In the *Drafts*, Locke defined a relation as the 'Agreeing or disagreeing of two of more thing[s] one with an other in any way wherein they

³⁰ Ott, *Locke's Philosophy of Language*, 72. See generally, 71-77.

³¹ *D*, 176 for 'setled & fixed', 183 for 'seldom', see generally 181-3.

³² *Ibid.*, 27-8.

³³ *Ibid.*, 119; *E*, 4.12.11.

³⁴ *D*, 40, 42, 268, 269.

³⁵ Stephen Darwall, *The British Moralists and the Internal 'Ought'* (Cambridge: Cambridge University Press, 1995), 46.

are capable of being compared'.³⁶ He maintained that relations were the subject of knowledge because all relations 'terminate in & are concerned about those simple Ideas either of Sensation or reflection', which are 'the whole materials of our knowledge'.³⁷ Our knowledge of relations equal those of simple ideas because

agreement or disagreement being things whereof we have as clear Ideas as of any other whatsoever it being but the distinguishing simple Ideas or their degrees one from another without which we could not have no distinct knowledge at all.³⁸

In short, for Locke, if people could not distinguish between simple ideas, i.e. the founding blocks of all knowledge, they could not know anything at all. Thus, Locke was confident that the notions we have of relations were 'generally clearer & more distinct, (though not then simple Ideas) yet certainly then of those of positive substances'. The notion, for example, of 'father or brother is a great deal clearer than that of a man'. This was for two reasons. First, because the knowledge of 'one action or simple Idea is commonly sufficient' to supply the notion of relation, whereas the knowledge of substantial beings such as man or horse require 'an accurate collection of sundry Ideas'. Secondly, because many relations were 'only of man's making', it was natural that 'he should have true Ideas of his own workmanship'.³⁹

Morality was a type of relation in which an action was compared to a rule. Moral goodness and evilness were measured according to the conformity or disagreement of an action to a certain rule. But because the ideas of virtue and vice were not real existing objects, Locke observed, 'we cannot by the immediate information of our senses conversant about real existing things get a notion of them'.⁴⁰ He thus identified two ways of attaining moral ideas or rules. The first way was by 'common consent of the country & those men whose language we use'. Even if 'there were no law no punishment no obligation

³⁶ *D*, 35.

³⁷ *Ibid.*, 221.

³⁸ *Ibid.*, 37.

³⁹ *Ibid.*, 33-4, 220.

⁴⁰ *Ibid.*, 40.

humane or divine', there 'must & would be in the societys of men notions of virtues & vices'. Actions thought to be laudable or blamable in a given society were called virtue and vice respectively. Because these ideas of virtue and vice were 'wholy in mens owne making', independent of external things 'depending not at all upon things without them that are hard to be knowne', knowledge of these could be attained. Indeed, people were to be blamed if they could not come to a clearer knowledge of this kind of morality than natural things. This rule pertained with 'speaking properly & understanding of words & fashons & atteineing reputation', and was the prototype of the 'law of reputation' in the *Essay*, of which we shall see later on.

This first kind of morality was informed by local language and practice. The important thing to notice here is that this kind of morality was not dependent on the knowledge of the nature of things. It was possible to have such knowledge without having to enquire into the murky constitution of man and trying to discover what was perfective to such a nature. However, the problem with the first kind of morality was that it tended towards moral relativism. Locke noted that

since other mens Ideas of morall things to which they apply the same names are unknowne to one an other unsteady & uncertain & very different one from an other. these morall words are in discourses amongs[t] men useing the same language often not understood by one an other & at best of very doubtful & uncertain signification.⁴¹

However, Locke was optimistic that the content of the moral ideas and rules of this sort coincided with the second kind, which were 'properly & truly the rules of good & evill', or more simply, the law of nature.

The second way of attaining moral ideas and rules had a different foundation from that of the first. These moral notions were not of 'our owne making' but depended on 'something without us', and so were 'not made by us but for us'. These rules were set out by a superior being with power to reward compliance and punish noncompliance. Conformity or disagreement with these

⁴¹ *Ibid.*, 269. See also, 41: 'from the different Ideas of men using the same language the signification of the name in divers mens mouth may be doubtful'.

standards ‘bring upon us good or evil’ and thus pertained to our ‘liveing well & atteining happynesse’. To come to the knowledge of these moral rules however, it was first necessary to demonstrate that there was a lawgiver, namely God, and secondly that He had a declared will and law, that is, the law of nature. At this point, Locke aborted his argument, noting that it was his purpose to show first that the rules set out by the lawmaker ultimately terminated in simple ideas; secondly that these rules being known, moral actions were as ‘easily & clearly knowne as any other Relation’; and thirdly that we come to these notions by sense and reflection, their being ‘noe thing but collections of simple Ideas’.⁴² This rule was to be supposed until there was a ‘fit place to speake of...God & the Law of Nature’.⁴³

Locke evidently did have his own thoughts about the content of the law of nature (his example in *Draft B* was ‘Thou shalt love they neighbour as thy self’), but he had not shown how this could in fact be known to have been willed by God as morally obligatory. As Locke had argued in the *Essays* (as we have seen in Chapter One), for a law to be obligatory, it was necessary to show that obligation was effective, i.e. by being the will of a superior, as well as terminative, i.e. by delimitation. In the *Essays*, Locke had offered a proof of the existence of God, which met the first criterion of obligation. But what was missing in Locke’s account of natural law was the second of these two criteria, demarcating the precise content of moral obligation. If natural law was to be binding, he needed to show how God had declared His law to mankind. Unlike the first kind of morality, the second kind was externally informed. It was therefore not of man’s own making. So if this rule was to be known, Locke had to show how this external law, which he supposed was God’s will, was discoverable through sense experience.

The *Drafts* hinted at a possible development. Locke had argued that the law of nature was ‘properly & truly’ the rules of good and evil ‘because the conformity or disagreement of our actions with these *bring upon us* good or evil’ (emphasis added). Natural law ‘influence[s] our lives’ by informing us about ‘liveing well & atteining happynesse’. Grammatically speaking, ‘good’ in the latter sense (i.e. bring upon good) cannot mean the conformity to a law, but

⁴² Ibid., 42, 269-70.

⁴³ Ibid., 269; cf. 41, ‘god the Law of nature & revelation’.

rather it must be the consequent 'good' thereof. Thus, it would have to mean an observable outcome following the morally good action. Given this assumption, Locke could argue that what was good for man was intended by God to be obligatory because being purposive, He had organized the world such that morally good actions (conformity to a rule) were rewarded with some good (benefit resulting from conformity to the rule). Thus, given Locke's assumptions, one possible development was ethical hedonism.

There were two main strands of ethical naturalism and hedonism in seventeenth century England: Stoic/Neo-Scholastic naturalism and Epicurean hedonism. In the first group, I include the Cambridge naturalists such as Benjamin Whichcote and Nathaniel Culverwell, together with Robert Sharrock, Cumberland, Parker, and Tyrrell.⁴⁴ In this chapter, I will concern myself mainly with Cumberland and Tyrrell. What the Stoic/Scholastic naturalists appropriated from Stoicism was the assumption that the natural world was ruled by the divine will and that through experience and contemplation, the wise man could come to the understanding of nature, and thus, the divine will. A moral life was one that was in accordance with nature.⁴⁵ In this vein, the Stoic/Scholastic writers maintained that through an examination of the natural world, one could come to the knowledge of the nature of things, that is, what was intrinsically good or evil for a certain nature. Because the natural world was divinely created and superintended, one could construe natural good and evil as natural divine sanctions. Hence, through a study of the natural world, one could come to understand what God had intended to be morally obligatory. So, for example, Sharrock argued that virtuous actions were rewarded with the pleasures of a good conscience while vicious actions were punished with the pains of a bad one. The pangs of conscience could thus be adduced as an indicator of the divine will.⁴⁶

⁴⁴ Hans Blom groups Robert Sharrock amongst what he calls the 'Cumberlandians'. Although this term was obviously chosen for convenience's sake, it is nonetheless a misleading one. Although Cumberland spoke favourably of Sharrock, Sharrock predates Cumberland, so cannot be a Cumberlandian. Moreover, the term Stoic/Scholastic naturalist captures the wider tradition which both Sharrock and Cumberland belonged to. Hans Blom, *Causality and Morality in Politics* (Utrecht, 1995), 130.

⁴⁵ For a summary of Stoicism, see Cicero, *On Moral Ends*, ed. Julia Annas and trans. Raphael Woolf (Cambridge: Cambridge University Press, 2001) esp. Book 3. See also, Cumberland, *A Treatise*, 68-91.

⁴⁶ Jon Parkin, *Taming the Leviathan* (Cambridge: Cambridge University Press, 2007), 211-14.

In the second group, the Epicurean hedonists, I include Pierre Gassendi, Hobbes, Walter Charleton, and Robert Boyle. Epicurean hedonism was revived in tandem with the revival of Epicurean atomism. Atomism, which explained the natural world in terms of matter and motion, appealed to a generation that was becoming increasingly suspicious of the occult and obscurantist Aristotelian/Scholastic science, which, on the other hand, explained the natural world in terms of forms and ends.⁴⁷ For this generation, the atomistic explanation fitted in better with the phenomenological reality of the capacity of human reason. However, Epicurean atomism brought with it two major problems. First, it could easily lead to the denial of divine providence. Secondly, it could lead to a brute animal form of hedonism. If the natural world was explained in terms of matter and motion, knowledge could only be acquired through sensory experience. Being confined to the ends of the physical world, human appetites and desires necessarily became the standard of good and evil.⁴⁸

Gassendi redeemed Epicurean hedonism which Cicero had caricatured and brought into disrepute. Gassendi accounted for the first problem by synthesizing the atomistic worldview with theological voluntarism. Atoms did not randomly collide with each other; they were governed by God, but who was beyond human sensory comprehension. Gassendi accounted for the second problem by two arguments. First, he clarified that Epicurus' hedonism was not a recommendation of sensual pleasure, but, on the contrary, of virtue: happiness, that is, the state of bodily health and tranquility of mind, was attained not by

⁴⁷ For criticisms against the Aristotelian/Scholastic science, see for example, Gassendi, *The Selected Works of Pierre Gassendi*, and Joseph Glanville, *The Vanity of Dogmatizing* (London, 1661), chs.16 and 17. For Aristotle, in order to achieve understanding of something, one needed to explain its four causes: efficient, material, formal and final, or respectively, what brings it about, what it is made of, what its form is, and what it is for. See Aristotle's *Physics* in *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1941), bk.2 ch.3, 240-42. See also, R.S. Woolhouse, *Locke* (Brighton: Harvester Press, 1983), 67-8, and generally ch.8; Stephen Everson, 'Introduction', in *The Politics and the Constitutions of Athens* (Cambridge: Cambridge University Press, 1996), xxxii.

⁴⁸ Frederick Vaughan, *The Tradition of Political Hedonism from Hobbes to J.S. Mill* (New York: Fordham University Press, 1982). See also, Charles Harrison, 'The Ancient Atomists and the English Literature of the 17th Century', *Harvard Studies in Classical Philology* 45 (1934): 1-74; Thomas Mayo, *Epicurus in England* (Dallas: Southwest Press, 1934); Robert H. Kargon, *Atomism in England from Hariot to Newton* (Oxford: Oxford University Press, 1966); James Tully, 'Governing Conduct', in *Conscience and Casuistry in Early Modern Europe*, ed. Edmund Leites (Cambridge: Cambridge University Press, 1988); Howard Jones, *The Epicurean Tradition* (London: Routledge, 1989); Thomas Lennon, *The Battle of the Gods and Giants* (Princeton, Princeton University Press, 1993); Margaret Osler, *Divine Will and the Mechanical Philosophy* (Cambridge: Cambridge University Press, 1994); Parkin, *Science, Religion and Politics*, ch.5.

lustful desires, but by a virtuous life. Secondly, he argued that the soul was immortal and that there was a caring and superintending God who rewarded the just and punished the wicked.⁴⁹

Given his view concerning human ignorance of the nature of things and his nominalism, Locke could not build an argument upon the assumption that one could derive an intrinsic good perfective to human nature (this will be become clearer in the section where I will compare and contrast Cumberland and Locke). Therefore, the direction of Locke's development took an Epicurean rather than a Stoic/Scholastic route from the mid 1670s. However, at the same time, this development proceeded in opposition to that of Hobbes's. Thus, before we move on to consider the development of Locke's ethical hedonism, let us first examine that of Hobbes.

2. Hobbes's Hedonistic Ethics

In the *Leviathan*, Hobbes defined good as 'whatsoever is the object of any mans Appetite or Desire', and evil as the object of his 'Hate' or 'Aversion'. There was no common rule of good and evil 'to be taken from the nature of the objects themselves'. Thus, for Hobbes, good and evil existed only 'in relation to the person that useth them'; in the state of nature, this would be every person, and in a commonwealth, the civil sovereign.⁵⁰ In the state of nature, where 'private Appetite is the measure of Good, and Evill', the state of war inevitably followed because good and evil 'in different tempers, custumes, and doctrine of men, are different'. Indeed:

divers men, differ not onely in their Judgement, on the sense of what is pleasant, and unpleasant to the tast, smell, hearing, touch, and sight; but also what is conformable, or disagreeable to Reason, in the actions of common life. Nay, the same man, in divers times, differs from himselfe; and one time praiseth, that is calleth Good, what another time he dispraiseth, and calleth Evil.⁵¹

⁴⁹ Bernier, *The Discourse of Happiness*, ch.1; *Abrege de la Philosophie de Gassendi*, vol. 6 and 7. Osler, *Divine Will*, 36-77.

⁵⁰ Hobbes, *Leviathan*, 39.

⁵¹ *Ibid.*, 110-11.

Hobbes's hedonistic ethics was subjective; that is to say, the definition of good and evil were relative to the individual's own perception of pleasure and pain. But because this relativistic morality led to the state of war, Hobbes argued, '*consequently* (emphasis added) all men agree on this, that Peace is Good, and therefore also the way, or means of Peace, which...are *Justice, Gratitude, Modesty, Equity, Mercy, & the rest of the Laws of Nature, are good*'. Hobbes's point was that because the state of war was the most miserable condition possible, to avoid it, people would come to appreciate the pleasure of peace and everything which led to it.

Interestingly however, Hobbes showed traces of Stoic naturalism as well. In chapters 28 and 31 of the *Leviathan*, Hobbes expressed his thought on natural punishments. I quote the relevant passages in full. In chapter 31, he argued:

There is no action of man in this life, that is not the beginning of so long a chain of Consequences, as no humane Providence, is high enough, to give a man a prospect to the end. And in Chain, there are linked together both pleasing and displeasing events; in such manner, as he that will do any thing for his pleasure, must engage himselfe to suffer all the pains annexed to it; and these pains, are the Naturall Punishments of those actions, which are the beginning of more Harme than Good. And hereby it comes to passe, that Intemperance, is naturally punished with Diseases; Rashnesse, with Mischances; Injustice, with the Violence of Enemies; Pride, with Ruine; Cowardise, with Oppression; Negligent government of Princes, with Rebellion; and Rebellion, with Slaughter. For seeing Punishments are consequent to the breach of Lawes; Naturall Punishments must be naturally consequent to the reach of the Lawes of Nature; and therefore follow them as their naturall, not arbitrary effects.⁵²

In chapter 28 'rewards and punishments', Hobbes made a similar argument:

where as to certain actions, there be annexed by Nature, divers hurtfull consequences; as when a man in assaulting another, is himselfe slain, or wounded; or when he falleth into sicknesse by the doing of some unlawfull act;

⁵² Ibid., 253.

such hurt, though in respect of God, who is the author of Nature, it may be said to be inflicted, and therefore a Punishment divine.⁵³

However, in the Latin edition of the *Leviathan*, Hobbes substantially truncated the long list of natural punishments in chapter 31 following ‘Intemperance is naturally punished with Diseases’, replacing it simply with ‘&c’.⁵⁴ We may suspect that this was because he was uneasy with the potential implications of his political references (i.e. ‘Negligent government of Princes’ was punished with ‘Rebellion’). This is consistent with the fact that the section in chapter 28 remained unaltered, which had no political references. In any case, as it appears so far, Hobbes held on to the thought that there were natural punishments, which could be attributed to God, the author of the natural world.

However, there was a snag with Hobbes’s Stoic naturalism. For Cumberland and the Stoic/Scholastic naturalists, the study of nature revealed the divine will and could be adduced to explain the extent of moral obligation. Although Hobbes appeared to argue in the same vein, as we saw in Chapter One, the Hobbesian God was incomprehensible and had ‘no Ends’.⁵⁵ People neither had a positive idea of God nor a confirmation of His fixed purpose. Thus, for Hobbes, the civil sovereign, a mortal God, replaced God as legislator. In other words, Hobbes moved effective obligation from God to the civil sovereign. Because he took this step, he could explain terminative obligation in terms of the laws promulgated by the civil sovereign. God being absent from the equation, natural punishments were less moral obligations than mere rational precepts about the course of nature, unless they were the subject of the civil sovereign’s legislation. Thus, Hobbes’s Stoic naturalism was effectively reduced to a study of natural regularities devoid of moral content.

We have seen that there were two strands present in Hobbes’s ethical hedonism: there was the subjective strand where good and evil were defined in terms of an individual’s sense of pleasure and pain in the state of nature, and the civil sovereign’s will in a commonwealth; and there was the Stoic strand where an objective standard of good and evil could be discovered through the natural

⁵³ Ibid., 215.

⁵⁴ Hobbes’s Latin edition of the *Leviathan* in *Thomae Hobbes Malmesburiensis Opera Philosophica* (Amsterdam, 1668), 172. See also, Cumberland, *A Treatise*, 624-5 (5.51).

⁵⁵ Hobbes, *Leviathan*, 249.

pleasure and pain God had annexed to certain actions. However, Hobbes stripped away the moral content from the Stoic strand, replacing this with the civil sovereign's commands; he thereby reduced his ethical hedonism to human natural inclinations. Indeed, as Locke observed, 'a Hobbist, with his principle of self-preservation, whereof himself is to be judge, will not easily admit a great many plain duties of morality'.⁵⁶ We shall see in the next section how Locke's hedonistic development avoided this Hobbesian *reductio* of morality.

3. The Development of Locke's Hedonistic Ethics

I will now examine the development of Locke's hedonism in further detail and show how it differed from Hobbes. I will suggest that Locke made an important distinction between natural and moral good because he was aware of the Hobbesian implications of a morality based on natural inclinations, which led to moral relativism. We shall see how the natural and moral distinction provided Locke with the conceptual resources to delineate the content of natural law.

The notion of pleasure and pain had appeared in Locke's writings as early as the *Essays* and, as we have seen briefly, the *Drafts*. In the *Essays*, in the context of a discussion about God's existence and His rightful power over mankind, Locke connected pleasure and pain to the divine design. Since God has

created the soul and constructed the body with wonderful art, and has thoroughly explored the faculties and power of each, as well as their hidden constitution and nature, He can fill and stir the one with sorrow or delight, the other with pain or pleasure; He also can lift both together to a condition of the utmost happiness or thrust them down to a state of misery and torment.⁵⁷

In the *Drafts*, other than the passage concerning moral relations cited above, in the context of responding to the sceptics and Cartesians, Locke stressed that the evidence of 'pleasure or pain. i.e. happynesse or misery' was certain, 'beyond which we have noe concernment either of knowing or being'.⁵⁸ The references

⁵⁶ John Locke, 'Study (Extracts)', in *Political Essays*, ed. Mark Goldie (Cambridge: Cambridge University Press, 1997), 371.

⁵⁷ *ELN*, 155.

⁵⁸ *D*, 21.

to pleasure and pain were sporadic and we may indeed say that he had not yet developed a hedonistic system of morality in these earlier works. But it is not the case, as von Leyden amongst others have suggested, that when Locke fully adopted hedonism in the mid 1670s, he was importing something completely alien to his intellectual framework and subsequently struggling to fit it in. On the contrary, hedonism provided Locke with the missing piece to outline the moral content of natural law.⁵⁹

Locke's journal entry on 16 July 1676 marks his first recorded attempt at elaborating a hedonistic ethics. Here, Locke defined good and evil in terms of pleasure and pain. The pleasure and pain with which Locke was concerned were mainly those of the mind. The impressions made on the body needed to reach the mind in order to produce pleasure and pain, and pleasure and pain 'coming from the body is quite lost and perishes as soon as the mind ceases to be affected by them'.⁶⁰ For Locke, things could be 'good' in two senses. That which produced pleasure was 'properly and in its own nature good' and that which served to procure pleasure was also good. Locke called the former *bonum jucundum* (what is good because pleasurable). He sorted the latter into two: *utile* (what is good because useful) and *honestum* (what is good in itself). These latter goods were 'good', Locke argued, because they were 'ordained by God to procure the *jucundum*' and thus a 'means to help us to happiness'. Otherwise, Locke argued, 'I do not see how they would be reckoned good at all'.⁶¹ Thus, *utile* and *honestum* were reduced to *jucundum*.⁶²

Locke observed that people seek pleasure and shun pain. Happiness was the ultimate human goal. He developed on the assumption in the *Essays* that pleasure and pain were connected to the divine design: 'God has so framed the constitutions of our minds and bodies that several things are apt to produce in both of them pleasure and pain, delight and trouble, by ways that we know not, but for ends suitable to his goodness and wisdom'.⁶³ For Locke, the main work

⁵⁹ John Colman, 'Locke's Empiricist Theory of the Law of Nature', in *The Philosophy of John Locke: New Perspectives*, ed. Peter R. Anstey (London: Routledge, 2003), 115f.

⁶⁰ John Locke, 'Pleasure, Pain, the Passions', in *Political Essays*, ed. Mark Goldie (Cambridge: Cambridge University Press, 1997), 240.

⁶¹ *Ibid.*, 241.

⁶² Edward A. Driscoll, 'The Influence of Gassendi on Locke's Hedonism', *International Philosophical Quarterly* 12 (1972): 99-100.

⁶³ Locke, 'Pleasure, Pain, the Passions', 238.

hedonism was doing was to offer an account of moral psychology, that is, to show how people were motivated to perform a certain action: He maintained, ‘In *voluptas* and *dolor*, pleasure and pain...there are two roots out of which all passions spring and a centre on which they all turn. Where they are removed, the passions would all cease, having nothing left to wind them up or set them going’.⁶⁴ He maintained this view in a manuscript entry in 1693, ‘Voluntas’, where he noted that an agent was driven to an action not because of the moral rectitude of the action itself but because pleasure was annexed to its performance.⁶⁵ However, at the same time, pleasure and pain enlightened people as to what constituted a morally good or bad action by virtue of being an action stimulated by God. That is, if God had framed people so as to perform certain actions, then those actions could be deemed good. In this way, hedonism was useful to fill in the gap of the content of moral obligation.

However, Locke’s brand of hedonism stressed the pleasure and pain of the afterlife. Seeking pleasure in itself was not to be condemned. But it was to prefer ‘the momentary pleasures of this life to those joys which shall have no end’.⁶⁶ Indeed, in the *Essay*, noting that there were ‘Principles of Actions’ which were ‘lodged in Men’s Appetites’, Locke argued that ‘if they were left to their full swing, they would carry Men to the over-turning of all Morality’.⁶⁷ This fitted in with his claim that ‘a Hobbist, with his principle of self-preservation, whereof himself is to be judge, will not easily admit a great many plain duties of morality’.⁶⁸ The development of Locke’s hedonism (as we shall see below) suggests that he was aware of the Hobbesian implications of a morality based on natural good and evil, and thus he developed his thought in direct opposition to that of Hobbes.

There were two aspects to the development of Locke’s ethical hedonism during the 1670s and 80s: quantitative and qualitative. We shall see how understanding these two aspects helps us to see, against von Leyden’s view, that Locke’s hedonism and natural law theory were not at odds, but rather, that they supported each other. I will begin by considering the quantitative aspect. Locke

⁶⁴ Ibid., 238. See also, ‘Ethica B’, in *Political Essays*, 319-20.

⁶⁵ John Locke, ‘Voluntas’, in *Political Essays*, 321.

⁶⁶ John Locke, ‘Happiness B’, in *Political Essays*, 271. See also, ‘Thus I Think’, in *Political Essays*, 296-7.

⁶⁷ *E*, 1.3.13.

⁶⁸ Locke, ‘Study’, 371.

argued that there was nothing on this earth that was sought for and was not 'exposed by the pen of some writer or other'.⁶⁹ People in this world were 'still unsatisfied, uneasy, and far from happiness'.⁷⁰ Locke's valedictory speech as moral censor at Oxford put this point clearly: 'This life never brings anyone to a point where he can be content with himself, but sends him away panting and ever empty, after remote and future goods'.⁷¹ Locke thus argued that it was 'probable' that there would be a future state of happiness or misery, where one's fate depended on the 'ordering' of his or her actions in this terrestrial life.⁷² Otherwise 'repentance and sorrow for some would have but very little good in it' being pains, 'if it were not a means and way to our happiness'.⁷³ Locke's point was that the pleasures to be experienced in the afterlife far surpassed those of this present life. This was the quantitative aspect of Locke's hedonism. Let us turn to the qualitative aspect.

By the qualitative aspect, I am referring to Locke's distinction between natural and moral good. In the mid 1670s, Locke had not yet formulated a clear-cut distinction between natural and moral good and evil, though it was clear that in suggesting that our time on earth was a 'probationership' and that people were going to be accountable for their actions in the afterlife (that is, the ordering of their actions to God's law in this life determined their eternal fate in another), there was room for such a development.⁷⁴ These pleasures and pains were not merely products of natural regularities, but those which were annexed to eternal rewards and punishments in another world by God's will and power. Temperance, for example, 'serves to procure health and ease in this world *and* happiness in the other' (emphasis added) while gluttony 'does quite the contrary'.⁷⁵

In the mid 1680s, the natural/moral distinction became more and more apparent. There is an interesting journal entry, which has so far neither been published nor noted, entitled 'Natural' dated Thursday, 9 March, 1684, which shows Locke looking into the distinction between natural effects and constant

⁶⁹ John Locke, 'Happiness A', in *Political Essays*, 251-2.

⁷⁰ John Locke, 'Understanding', in *Political Essays*, 263.

⁷¹ *ELN*, 227.

⁷² Locke, 'Understanding', 263. See also, 'Morality', in *Political Essays*, 267-9.

⁷³ Locke, 'Pleasure, Pain, the Passions', 241.

⁷⁴ Locke, 'Understanding', 263.

⁷⁵ Locke, 'Pleasure, Pain, the Passions', 241.

divine intervention. He copied out a passage from Nicolas Malebranche's *De la Recherche de la Verite*, which read:

Les effets naturels sont ceux qui sont des suite des loix generales que Dieu a etablies pour la production et pour la conservation de toutes choses: Les effets surnaturels sont ceux qui ne dependent point de ces loix.⁷⁶

This quoted sentence came out in the original text as a reply to an argument which stated that bodies would require a certain nature to act with, and not by constant divine intervention, if the widely acknowledged distinction between natural and supernatural effect was to have any meaning.⁷⁷ Supernatural, for Malebranche, could be said to relate 'to future goods', 'the merits of Jesus Christ', 'the first and principal order in the intentions of God', and so on.⁷⁸ In noting this passage, we may speculate that Locke was thinking about how natural effects could be differentiated from heavenly rewards and punishments, which would be in the category of the supernatural. For Locke, who put emphasis on the sanctions of the afterlife, this was a useful and pertinent distinction he could take up.

By the late 1680s, Locke had fully developed the natural/moral distinction. In the well-discussed 'Of ethick in general' (1686-8), a manuscript intended for the final chapter of the *Essay*, Locke wrote:

The difference between moral and natural good and evil is only this; that we call that natural good and evil, which, by natural efficiency of the thing, produces pleasure and pain in us; and that is morally good or evil which, by the

⁷⁶ Ms. Locke f.8, p.33. The relevant translation is as follows: 'I say that this distinction is allowable in the mouth of theologians, if they mean that *natural* effects are those that are the consequences of the general laws that God has established for the production and preservation of all things, and that *supernatural* effects are those that do not depend on these laws. The distinction is genuine in this sense. Nicolas Malebranche, *The Search after Truth, Elucidations of the Search after Truth*, trans. Thomas M. Lennon (Columbus: Ohio State University Press, 1980), 'Elucidation Fifteen', 'On the third chapter of the second part of the sixth book. Concerning the efficacy attributed to secondary causes', 'Fifth Proof: Reply', 667-8.

⁷⁷ Ibid., 667, 'Fifth Proof': 'If bodies did not have a certain *nature* or *force* to act, and if God did all things, there would be only the supernatural in even the most ordinary effects. The distinction between natural and supernatural, which is so widely accepted and which is established by the universal assent of the learned, would be extravagant and chimerical'.

⁷⁸ Ibid., 668.

intervention of the will of an intelligent free agent, draws pleasure or pain after it, not by natural consequence, but by the intervention of that power.⁷⁹

So, for example, hangovers produced by overindulgence is a 'natural evil', but at the same time, it is a 'transgression of a law, by which a punishment is annexed to it', and thus, making it a moral evil. Although Locke submitted, as von Leyden notes, that 'good and bad, being relative terms, do not denote anything in the nature of the thing, but only the relation it bears to another, in its aptness and tendency to produce in it pleasure or pain', and so 'that which is good for one man is bad for another', he was sure that there was 'nothing morally good which does not produce pleasure to a man, nor nothing morally evil that does not bring pain to him'.⁸⁰ Moral good and bad actions always produced pleasure or pain respectively because moral ideas were defined in terms of a law set by God's will, and He had willed His law to be observed. Locke made this clear in the *Essay*, when he said that nobody 'can take us out of his hands'.⁸¹ So compliance (i.e. the compliance of a free agent) with it brought eternal rewards, and thus, eternal happiness, while noncompliance (of the same agent) brought eternal punishments, and thus, eternal misery.⁸² The consideration of these rewards and punishments would be the only motive for action of a free understanding agent.⁸³

Locke expressed his hedonistic views of morality in his published work as well. In the *Essay*, he argued:

Morally Good and Evil then, is only the Conformity or Disagreement of our voluntary Actions to some Law, whereby Good or Evil is drawn on us, from the Will and Power of the Law-maker; which Good and Evil, Pleasure and Pain,

⁷⁹ John Locke, 'Of Ethic in General', in *Political Essays*, 301. This is also reproduced in *John Locke: Writings on Religion*, ed. Victor Nuovo (Oxford: Clarendon Press, 2002), 9-14. For corrections to Nuovo's transcription, see M.A. Stewart, 'Review' of *John Locke: Writings on Religion*, *Locke Studies* 5 (2005): 247.

⁸⁰ Locke, 'Of Ethic in General', 301.

⁸¹ *E*, 2.28.8. Cf. Hobbes, *Leviathan*, 245: 'By denying the Existence, or Providence of God, men may shake off their Ease, but not their Yoke'.

⁸² It is unclear whether Locke believed in eternal punishments though. See for example, John Milner, *An Account of Mr. Lock's Religion* (London, 1700), chs.15 and 31, 186-8. *RCh*, lxxii-lxxiii; *PaN*, 'Introduction', 51-6; W.M Spellman, *John Locke* (Houndmills: Macmillan, 1997), 68. See also, Locke's manuscript 'Resurrectio et Quae Sequuntur', in *PaN*, 679-84.

⁸³ Locke, 'Of Ethic in General', 301.

attending our observance, or breach of the Law, by the Decree of the Law-maker, is that we call Reward and Punishment.⁸⁴

Once again the distinction between natural and moral good and evil was highlighted:

It would be in vain for one intelligent Being, to set a Rule to the Actions of another, if he had it not in his Power, to reward the compliance with, and punish deviation from his Rule, by some Good and Evil, that is not the natural product and consequence of the Action it self. For that being a natural Convenience, or Inconvenience, would operate of it self without Law. This, if I mistake not, is the true nature of all Law, properly so called.⁸⁵

Commentators such as von Leyden fail to see that Locke's hedonism and natural law theory can be reconciled because they overlook the natural/moral distinction. The natural/moral distinction was important for Locke because it enabled him to offer a solution to the problem of demarcating the content of natural law while distinguishing himself from Hobbes. It distinguished between the pleasure and pain of what was merely a result of a natural regularity and what was a result of a divine intervention. If natural good and evil became the standard of morality, as Hobbes had shown all too clearly, it would lead to moral relativism in the state of nature and absolutism in the commonwealth. Thus, the sanctions of the afterlife became important for Locke's hedonism. Although both Hobbes and Locke shared an Epicurean structure, in important ways, they differed.

This section concludes my examination of the development of Locke's hedonistic ethics and the first development noted above in relation to the problem of establishing the content of natural law. I will now move on to the second development where Locke developed his account of probability and knowledge of the sanctions of the afterlife with high probability. We shall see how this complemented the first development. But before moving on to this, I

⁸⁴ *E*, 2.28.5.

⁸⁵ *E*, 2.28.6.

will begin by considering why this second development was necessary for Locke – namely because his hedonism was accused of nothing short of Hobbism.

4. The Accusation of Hobbism

Despite his best efforts, Locke was often taken as a Hobbist. As I mentioned at the outset, Newton apologized for taking Locke for a Hobbist during his mental breakdown in the early 1690s. Tyrrell's correspondence with Locke in 1690 also shows that his *Essay* was charged with Hobbism. In this section, I will show why Locke was taken for a Hobbist and how Tyrrell thought Locke could avoid being identified with Hobbes. More broadly, I will show how Locke was operating with a similar hedonistic structure as Hobbes but wished to avoid his conclusions. This section will thus allow us to see how Locke wished to distinguish himself from Hobbes and how this led on to the development of his account of probability.

The central question of the exchange between Locke and Tyrrell was how one arrived at the knowledge of natural law and the sanctions annexed to it. Tyrrell reported that 'some thinkeing men at Oxford' who had read the *Essay* were 'dissatisfyed' with what Locke had said about the law of nature.⁸⁶ In the *Essay*, Locke identified three types of laws to which people related their actions: divine law, civil law, and philosophical law or the law of reputation. Respectively, people judged whether their actions were 'Sins or Duties', 'Criminal or Innocent', 'Vertues or Vices'. The divine law was, for Locke, 'the only true touchstone of *moral Rectitude*'. This was the law given by God to mankind. God enforced His law with rewards and punishments of 'infinite weight and duration, in another life'. It was according to this law that people judged of the 'most considerable *Moral Good or Evil* of their action'. The civil law was the 'Rule set by the Commonwealth'. This law engaged to protect the 'Lives, Liberties, and Possessions' of those who obeyed it, and could take away the same of those who disobeyed it. This law, Locke observed, 'no body overlooks'. The philosophical law or the law of opinion or reputation was the rule of virtue and vice determined by the 'praise and blame' according to 'Maxims, or

⁸⁶ *Corr.*, 1301, vol. iv, 101.

Fashions' of a certain society. This was the 'common *measure of Vertue and Vice*'.⁸⁷

According to Tyrrell and the Oxford men, Locke's suggestion that there were three laws to which people compared their actions was taken to imply that there was in fact no universal standard of good and evil. In their view, Locke 'resolved all vertue and vice, and the Law by which it is establisht [i.e. natural law], out of a commonwealth, and abstracted from divine Revelation; into the praise, or dispraise that men give to certaine actions in several clubs or societyes'. This came

very near to what is so much cryed out upon in Mr: Hobs; when he asserts that in the state of nature and out of a commonwealth, there is no moral good or evil: vertue, or vice but in respect of those person, that practice it or thinke it so.⁸⁸

However, as Locke defended himself, his point here was to show firstly 'how men came by moral Ideas or Notions', which he thought 'they did by comparing their actions to a rule', and secondly, 'what rules men take to be the standards to which they compare their actions to frame moral Ideas', which he thought were 'the divine law, the Municipal law and the law of reputation or fashion'.⁸⁹ In other words, his point was to show that *as a matter of fact* people relate and measure the rectitude of their actions to these various laws.

In his next letter to Locke, Tyrrell suggested that the root of the confusion between Locke and the Oxford men seemed to be his unconventional use of divine law. In their eyes, the Locke of the first edition of the *Essay* had not made the distinction between divine positive law and natural law clear. By divine law and a law given by God to mankind, the Oxonians took Locke to be referring not to the law of nature but to the revealed law of Moses, which was reinforced by Jesus Christ. This seemed to suggest that Locke left no room for

⁸⁷ *E*, 2.28.7-10.

⁸⁸ *Corr.*, 1301, vol. iv, 101-2. Indeed, this is the portrait of Locke depicted by Straussians such as Zinaich. Basing his evidence on 2.21.55 of the *Essay*, Zinaich argues that for Locke 'there is no agreement as to what the proper good of man is, but also that there is no proper good for man'. He goes on to argue that this view is 'inconsistent with a natural law theory', 137. See generally, chs.3 and 4.

⁸⁹ *Corr.*, 1309, vol. iv, 112.

natural moral obligations other than those prescribed by the law of reputation. Tyrrell interpreted that what Locke called the divine law was what 'others call the Law of nature'. Although Tyrrell accepted this definition (or rather, what he took to be Locke's definition), he had his doubts whether Locke could demonstrate the sanctions of the afterlife, and hence, a universally applicable law of nature. If Locke failed to demonstrate this, it would put him on a par with Hobbes. To rescue Locke from the charge of Hobbism, Tyrrell urged him to consider Richard Cumberland's *A Treatise of the Law of Nature*, which refuted the Hobbesian thesis by showing a system of deciphering the divine will from natural sanctions.⁹⁰

Locke's response to Tyrrell and the Oxonians was one of indignation. First, he directed them to the relevant passage in the *Essay* where he had affirmed a law of nature knowable by the light of nature (i.e. *E*, 1.3.13). He then picked up on their criticism that by divine law he could not have meant the law of nature because he had said it was 'a law given by God to mankind'. Sarcastically, he pointed out that the law of nature 'in these mens opinions, had not God for its author', because if it had, 'he gave it to *mankind*' (emphasis added). And just for the sake of argument, Locke remarked that one might even say that a law given to *mankind* would preclude the Mosaic or Gospel law, as they took him to have said, since the former was given particularly to the Israelites and the latter to people '2000 Years after Moses law, and 4000 years after the Creation', which makes it 'hard to conceive' that it was a law given to mankind.⁹¹

As to Tyrrell's suggestion that what he meant by divine law in 2.27.8 (or 2.28.8) of the *Essay* was really what 'others call the law of nature', Locke categorically rejected this as contrary to his purpose. By divine law, he had meant it 'indeffinetly': it included the Old and New Testament, 'the Alcoran of the Mahumetans', 'the Hanscrit of the Bramins', as well as the law of nature. Thus, he meant divine *laws*. Whether these revelations were 'true or false' was less an issue than whether people actually related their actions to them.⁹² It might seem in saying that he was 'talking not about the true law of God, but

⁹⁰ *Corr.*, 1307, vol. iv, 107-9.

⁹¹ *Corr.*, 1309, vol. iv, 110-11.

⁹² *Ibid.*, 112-13.

about the particular divine laws that happen to be respected in different societies', Locke was admitting that 'he had not identified a universally applicable moral law', as Wootton suggests.⁹³ But what Locke was trying to say in this context was that there were many divine laws to which people referred their actions, the law of nature being one of them. How to prove the true divine law was not the issue.

Next, Locke picked up on the Oxonians' second criticism, which was that by divine law he could not have meant the law of nature, because the only enforcements he referred to were rewards and punishments of another life, and he did not make it clear where to find this law except in the Scriptures. Locke firstly retorted that 'only' was Tyrrell's own insertion and not his. But he then argued that if these men were suggesting that the sanctions of the afterlife were no enforcement at all, 'they cannot but be very sincere and Zealous stiklers for a divine law of Morality only upon rewards and punishments of this life 'tis easy to see what a kinde of Morality they intend to make of it'. The development of Locke's thought suggests that he believed that worldly based ethics led to Hobbism; and to refute this, he needed to stress the sanctions of the afterlife. He corrected Tyrrell by noting that he never said that the content of the sanctions of the afterlife could be found in Scripture. And against Tyrrell's doubt whether he could prove these sanctions, Locke retorted that 'the probability of rewards and punishments in another life I should thinke might serve for an inforcement of the Divine law'.⁹⁴

Finally, Locke never responded to Tyrrell's invitation to adopt the ethical naturalism of Cumberland. In the light of the discussion above, we can conjecture the reason for Locke's silence. *Contra* Tyrrell, Locke thought he had things right in the first place. I will pursue this contention in the following two sections. In the next section, I will argue that Locke rejected Cumberland's ethical naturalism because it downplayed the importance of the sanctions of the afterlife, which in turn downplayed the important distinction between natural and moral good. Reducing God's sanctions to the perceivable natural phenomena led to Hobbism rather than departing from it. Then in the final section, I will show how probability had become central to Locke's moral

⁹³ Wootton, 'John Locke: Socinian or Natural Law Theorist?', 41.

⁹⁴ *Corr.*, 1309, vol. iv, 111-12.

epistemology. Thus, in this final section, I will be examining Locke's second development concerning the question of the content of natural law.

5. Locke and Cumberland Compared

Before considering why Locke rejected Tyrrell's invitation to join in the Cumberlandian enterprise, we should pause briefly to ask what the intellectual relationship between Cumberland and Locke was. The evidence suggests that the relationship was indirect rather than direct.⁹⁵ Most importantly, Locke did not possess a copy of Cumberland's *De Legibus Naturae*. He did purchase a copy on 15 May 1672, shortly after its publication, but this was not for himself but for his life-long friend John Strachey.⁹⁶ Edward Driscoll intimates that Locke may have read and absorbed the distinction between natural and moral good from Cumberland, pointing at the striking similarity between the two.⁹⁷ But as we saw above, the natural/moral distinction formally appeared in Locke's writings in the late 1680s; so given the timing and given also that other authors made similar distinctions, it is difficult to establish any conclusive link. Locke did possess a copy of Cumberland's *Jewish Measures and Weights* (1686), but this was not a work about natural law or moral epistemology as such. Thus, his main source(s) concerning Cumberland's natural jurisprudence and moral epistemology would likely be indirect, namely via Samuel Parker or Tyrrell. Locke possessed a copy of Parker's *Demonstration of the Divine Authority of the Law of Nature* (1681) which was a work modelled explicitly on Cumberland's *A Treatise*.⁹⁸ As regards to Tyrrell, in addition to the short remarks on Cumberland in his letters to Locke, Tyrrell also sent him a copy of his own work, *A Brief Disquisition on the Law of Nature* (1692) which was, like Parker, modelled on Cumberland as well. However, according to the surviving correspondence between Locke and Tyrrell, although Locke promised probably sometime shortly after 9 August 1692 to comment on the places that Tyrrell had drew upon Locke's works, he had not fulfilled his promise roughly five months

⁹⁵ This is also Murray Forsyth's view. See 'The Place of Richard Cumberland in the History of Natural Law Doctrine', *Journal of the History of Philosophy* 20 (1982): 37f.

⁹⁶ Ms. Locke f.48, fol.18. 'Mr Strachy. Cumberland agt-Hobbes May.15'.

⁹⁷ Driscoll, 'The Influence of Gassendi on Locke's Hedonism', 105n.

⁹⁸ Samuel Parker, *A Demonstration of the Divine Authority of the Law of Nature and of the Christian Religion* (London, 1681), 'Preface', ix.

later in 7 January 1692/3, causing Tyrrell to point out to him where exactly the relevant sections were.⁹⁹

What we do know is that Locke read Tyrrell's letter of 27 July 1690, which recommended him to follow Cumberland's lead; thus I will use this as the starting point for my investigation of the intellectual relationship between Locke and Cumberland. We have seen that Locke was enraged by the Oxford men's inference that basing the law of nature on the sanctions of the afterlife was in essence to deny any sanctions at all. Tyrrell's letter to Locke had made it clear that Cumberland had not denied the importance of the sanctions of the afterlife. Indeed, as Tyrrell noted, Cumberland maintained in *De Legibus* that God had introduced rewards and punishments to secure the end of the 'Common Good', and 'if any thing, necessary to this End, be wanting in this Life, it will be supplied by God in a Life to come'.¹⁰⁰ Parker, who followed Cumberland, was more forceful concerning the afterlife:

if there be a Deity, there must be a Law of Nature; and if a Law of Nature, a future State. And on the contrary, if no future State, no Law of Nature; and if no Law of Nature, no Deity.¹⁰¹

However, although not as egregiously as the Oxford men, Tyrrell portrayed the Cumberlandians as positing otherworldly sanctions as secondary:

But I conceive men for the most part lye under *sufficient* obligations to observe the Laws of nature from those natural rewards to Duty, and punishments for sin, which God hath by the natures of the things themselves appointed in this life; and where those fall short, that God will make it up in the life to comes, as Dr: Cumberland hath very fully proved in his booke of the Laws of nature against Mr: Hobs. and Dr: Parker as to the necessity of a future state hath more fully made out in his Demonstration of the Law of nature according to Mr: Cum Principles (emphasis added).¹⁰²

⁹⁹ *Corr.*, 1522, vol. iv, 494-5, (9 Aug 1692); 1589, vol. iv, 619-20, (7 Jan 1693). See also 1424, vol. iv, 323-4 (22 Oct 1691). Tyrrell had asked for Locke's comments before he sent it to the publisher, but apparently Locke did not do this for him.

¹⁰⁰ Cumberland, *A Treatise*, 5.19.

¹⁰¹ Parker, *A Demonstration of the Divine Authority*, 'Preface', xxii.

¹⁰² *Corr.*, 1307, vol. iv, 108-9.

In saying this, Tyrrell showed that the Cumberlandians effectively downplayed the afterlife because it was beyond the natural world, and thus, without natural effects.

If Tyrrell's letter was Locke's only contact with Cumberland, there is a slight suspicion that he may have got the wrong impression of Cumberland, albeit not an uncommon one, as one who posited the obligation of natural law to arise from its (natural) sanctions.¹⁰³ That neither Cumberland nor Tyrrell meant it in this way is clear since they both argued in their respective treatises that obligation arose from the will of God. Moreover, Tyrrell had stated so in the letter:

I fully agree with you in your definition...divine, or natural Law; since did it not proceed from God as a Lawgiver I am satisfied it could not properly be called a Law; and the not takeing God into this Hypothesis has bin the great reason of Mr: Hobs mistake that the Laws of nature are not properly Laws nor doe oblige mankind to their observation when out of a civil state, or commonwealth.¹⁰⁴

But immediately after saying this, Tyrrell continued '*But* I conceive men for the most part lye under *sufficient* obligations to observe the Laws of nature from those natural rewards to Duty' (emphasis added), which could be taken to imply that natural sanctions themselves could oblige people.

However, even if Locke did not construe Cumberland in this way – that is to say, even if we give a fair representation of Cumberland – the gap between the two men was irreconcilable. In his letter, Tyrrell touched on the key aspects of Cumberland's moral epistemology and what he said about Cumberland here was enough for Locke to have a good idea of Cumberland's project and also enough to disagree with him. However, to make the structural disagreement clearer, I will not confine myself to Tyrrell's letter but will also examine Cumberland's *De Legibus* and Tyrrell's *Brief Disquisition* in further detail. I

¹⁰³ Knud Haakonssen, 'The Character and Obligation of Natural Law according to Richard Cumberland', in *English Philosophy in the Age of Locke*, ed. M.A. Stewart (Oxford: Clarendon Press, 2000), 37f, 37n27.

¹⁰⁴ *Corr.*, 1307, vol. iv, 108.

will now show how Cumberland's natural and moral philosophy differed from that of Locke's, and how the important distinction between moral and natural good dissolved in Cumberland's theory. We shall see that in operating on Hobbes's terms, Cumberland approached, rather than distanced himself from Hobbes.

In *De Legibus*, Cumberland argued that the laws of nature could be reduced to one universal principle: that only by striving to promote 'the common Good of the whole System of rational Agents', of which God is a part, will people serve their own 'Happiness'. 'Contrary Actions' will only produce 'Misery'.¹⁰⁵ For Cumberland, 'benevolence', that is, the willing of good (i.e. an act of the will), and distinguished from love, played a key role:

The greatest Benevolence of every rational Agent towards all, forms the happiest State of every, and of all the Benevolent, as far as is in their Power; and is necessarily requisite to the happiest State which they can attain, and therefore the common Good is the supreme Law.¹⁰⁶

For Cumberland, God was the first cause (which could even be proven by Hobbes's principles) and from hence, he inferred that natural effects were reflections of the divine will.¹⁰⁷ He argued that from examining the 'nature of things' one could arrive at certain truths about what kind of actions were conducive to the common good.¹⁰⁸ Cumberland deployed the discoveries of modern science to prove this point (this is a process Tyrrell decided to skip).¹⁰⁹

It is quite clear why Locke did not pursue the Cumberlandian route: he was sceptical of the extent of the knowledge of natural philosophy. He had denied the ability to penetrate into the real constitution of natural things and had also denied any universals in nature. Tyrrell took note of this, and indeed when he came to write his *Brief Disquisition*, although he was optimistic of the similarities between Locke and Cumberland, he was well aware that Locke may have had some doubts about the Cumberlandian method. Thus in the *Brief*

¹⁰⁵ Cumberland, *A Treatise*, 1.9.

¹⁰⁶ *Ibid.*, 1.4.

¹⁰⁷ *Ibid.*, 'Introduction', section 7.

¹⁰⁸ *Ibid.*, 1.1, 2.

¹⁰⁹ Parkin, *Science, Religion and Politics*, 221.

Disquisition Tyrrell conceded: ‘our Faculties are not fitted to pierce into the internal Fabrick, and real essence of Bodies as the above-mentioned Author of the *Essay of humane Understanding* [i.e. Locke], hath very well observed’. Yet he quoted from Locke’s *Essay* with considerable latitude and tried to incorporate him into the Cumberlandian project:

That the knowledge we have of them [sc. natural things] is sufficient to discover to us the being of a God, and of a Divine Providence, and that that the knowledge of our selves, and the Nature of other things are sufficient to lead us into a full, and clear Discovery of our Duty towards him.¹¹⁰

Furthermore, in the main body of the *Brief Disquisition*, Tyrrell quoted a chapter from the *Essay* on the collective ideas of substances, which he used to show how the common good of mankind could be developed through an examination in which the natures of individual men were accumulated.¹¹¹ Tyrrell took these instances as evidence of the compatibility between Locke and Cumberland. However, he was apparently worried about Locke’s opinion of his use of the *Essay* in the *Brief Disquisition* and thus he urged him to confirm whether he had not mistaken his sense.¹¹² Locke made no reply.

The question that concerns us is whether Tyrrell’s optimism about the compatibility between Locke and Cumberland was justified. Locke and the Cumberlandians agreed on many points. For example, Tyrrell’s borrowing from Locke against innate ideas was predictable and unproblematic.¹¹³ However, their agreements were often less substantial than superficial. Here, I will consider the natural/moral good distinction. On the surface, Locke, Cumberland and Tyrrell could agree about the distinction between natural and moral good.¹¹⁴ However, a closer examination reveals that the distinction essentially dissolved on the Cumberlandian model. Given the importance of this distinction for Locke’s ethical hedonism, I argue that Locke and Cumberland were irreconcilable.

¹¹⁰ Tyrrell, *A Brief Disquisition*, ‘Preface to the Reader’. The ‘Preface’ is also reproduced in Mark Goldie, ed. *The Reception of Locke’s Politics*, 6 vols. (Brookfield, VT: Pickering and Chatto, 1999), I, 127-56. The quote appears on 154. References to Tyrrell’s *Brief Disquisition* hereinafter are to the original text.

¹¹¹ Tyrrell, *Brief Disquisition*, 215-17; cf. *E*, 2.24.

¹¹² *Corr.*, 1424, 1522, 1589.

¹¹³ Tyrrell, *Brief Disquisition*, 4, 195-7, 209, 211.

¹¹⁴ *Corr.*, 1307, vol. iv, 108. Tyrrell, *Brief Disquisition*, 119-21 (3.10).

For all three men, in contradistinction to natural good, moral good referred to the happiness gained through the conformity of a voluntary action to some law, namely law of nature.¹¹⁵ However, Cumberland and Tyrrell effectively diluted the distinction between the two goods. Natural and moral good was resolved into natural good. 'The Whole of moral Philosophy, and of the Laws of Nature', Cumberland argued, 'is ultimately resolv'd into natural Observations known by the Experience of all Men, or into Conclusions of true Natural Philosophy'.¹¹⁶ According to Cumberland, moral philosophy could be seen as an extension of natural philosophy because

altho the voluntary Actions of Men, whose Effects are external, do not take their Rise in the same manner with Motions merely natural, from the impulse of other Bodies, but are determin'd by our Reason and Free-will; nevertheless, since they are true Motions produc'd by, and receive their Measure or Proportion from, the Powers of our Body, which are of the same Nature with the Powers of other natural Bodies, they must, after once they exist, by a like Necessity and altogether in the same manner, as other natural Motions, produce their Effects according to the Laws of Motion.¹¹⁷

Cumberland's argument was that although moral acts were distinct as voluntary actions, they were nonetheless performed physically.¹¹⁸ Because moral actions have this physical aspect, they could be understood in terms of natural philosophy, which helped to 'discover the Causes of Generation, Duration, and Corruption' and 'demonstrate the necessary Connexions of such Effects with their Causes'.¹¹⁹ Thus, the good and evil of moral acts could be deciphered by a serious study of natural philosophy.

For Cumberland, natural good, in relation to created beings, was what preserved them, or made them more perfect or happy.¹²⁰ Naturally good things

¹¹⁵ *E*, 2.28.5; Cumberland, *A Treatise*, 5.9; Tyrrell, *Brief Disquisition*, 312. For Tyrrell, 'A moral Good is those voluntary Actions and Habits which are conformable to the Law of Nature, or Reason, considered as given by God, as a Law-giver, for a Rule of all our Humane, or voluntary Actions: For there are many natural Goods that conduce to a man's happiness, which are not morally good, nor are commanded by any Law'.

¹¹⁶ Cumberland, *A Treatise*, 1.3.

¹¹⁷ *Ibid.*, 1.17.

¹¹⁸ Parkin, *Science, Religion and Politics*, 180-1.

¹¹⁹ Cumberland, *A Treatise*, 1.17.

¹²⁰ *Ibid.*, 5.9.

were 'more general and first known in the order of Nature'. So, 'Things Naturally good' are

distinguish'd from things *Morally Good*"; for these are only *voluntary actions conformable to some Law*, especially, that of Nature. Therefore Good is not to be taken in this sense [sc. moral], when it is inserted in the Definition of the *Law of Nature*, because it is absurd, to Define any thing, by what supposes the thing Defin'd, already known. There are *many things Naturally Good*, that is such as contribute somewhat to the Happiness of Man, which are *not Morally Good*, as being either *not voluntary Actions*, or *not commanded* by any Law...On the contrary, I am of *opinion*, "That *no action* of the Will is enjoin'd or recommended by the Law of Nature, and, consequently, *Morally Good*, which does *not*, in its own nature, *contribute* somewhat to the *Happiness of Men*."¹²¹

What Cumberland meant here was that natural law could not be defined in terms of moral good because it was a special case of natural good, and being so, moral good had to suppose that natural good was already defined in order to know the effects of its goodness. Moral good could be subsumed under the head of natural good because it was a branch of goodness in that it was an effect created by a voluntary act, but shared the characteristic of preserving and leading the individual to happiness and perfection, and thus to the common good of rational beings. Both natural and moral good could be measured by their effects, that is, their contributory effects to the common good.

In this way, although distinguishing between natural and moral good, Cumberland blurred the distinction between the two and reduced the moral into the natural. This would have been problematic for Locke because although the Cumberlandians conceptually differed from Hobbes, on a more practical level, they came close to admitting that natural good could serve as the barometer of moral goodness, which was the Hobbist position. Tyrrell did note this:

The not taking notice of which distinction, between natural and moral Goods, hath been the occasion of another great Error in Mr. *H.* [i.e. Hobbes] when he

¹²¹ Ibid., 5.9. Cf. Tyrrell, *Brief Disquisition*, 'The Second Part', principle 6 section 7; see also, 1.19, 2.21, 3.11, 3.28, 4.27 (references by chapter and section).

makes that which seems good *to every man's own self, to be the only object of his desires*'.¹²²

But the distinction being blurred, it was hard to accept Cumberland's arguments as a refutation of Hobbes. The development of Locke's thought in the 1680s shows that for Locke it was vital to keep the distinction clear. Locke thought that this could be achieved by stressing the sanctions of the afterlife. The sanctions of the afterlife being important for his ethical hedonism, so proportionately his account of probability of the afterlife became important. I will now turn to consider Locke's account of probability and how it completed his ethical hedonism.

6. Probability

When, in July 1690, Tyrrell questioned whether Locke could demonstrate the sanctions of the afterlife of the law of nature, Locke's response was one of frustration:

Will nothing passe with you in religion or Morality but what you can demonstrate? If you are of so nice a stomach I am afraid If I should now Examine how much of your religion or Morality you could demonstrate how much you would have left, not but that I thinke that demonstration in those matters may be carried a great deale farther than it is.¹²³

Locke clarified his intention in the particular section of the *Essay* to which Tyrrell was referring: the 'demonstration of future rewards and punishments was no more my businesse than whether Squaring of the circle could be demonstrated or no'. His point here was that like any other relation, moral relations were demonstrable. If demonstration had been the business in hand, Locke stated that the 'probability of rewards and punishments in another life... might serve for an inforcement of the Divine law'.¹²⁴

These statements are telling of Locke's account of human understanding and probability. Much of the *Essay concerning Human Understanding* was more

¹²² Tyrrell, *Brief Disquisition*, 312.

¹²³ *Corr.*, 1309, vol. iv, 111.

¹²⁴ *Ibid.*, 112.

about human ignorance than human knowledge. Indeed, the *Essay* showed how much of the world remained unknowable to human mind.¹²⁵ To regulate one's belief, acting upon certainty was undoubtedly the best, but where certainty was lacking, people must let probability 'supply the defect of our knowledge'.¹²⁶ Locke's argument was that in the lamentable but unavoidable absence of certainty in the great proportion of human life, it was impracticable to try to act without basing one's assent on probability.¹²⁷

To the modern eye, an account of natural justice based on probable sanctions may seem flimsy, and most likely, an indication of failure.¹²⁸ However, probability had a different theoretical significance in seventeenth century England when Locke was writing than it does today. Probability in England as a popular resource in natural philosophy, ethics and theology only emerged recently in the mid century (although earlier instances of arguments using probability did exist, notably in the works by the members of the Tew circle), and as Locke's use of it showed, it was a 'new concept of rationality'.¹²⁹ It was consistent with what Locke took to be the reality of the state of human knowledge (or rather ignorance) and consistent also with God's purposive design, in which people were provided with the necessary wherewithal for the great concernment of life. Thus, one cannot conclude that in Locke's view his natural jurisprudence had failed simply on the ground that he resorted to probability.

What was Locke's ground for holding that the afterlife was probable? In the *Drafts*, Locke merely presupposed God's existence and His sanctions, and in the *Essays*, the immortality of the soul, and aborted any attempt to prove

¹²⁵ Richard Ashcraft, 'Faith and Knowledge in Locke's Philosophy', in *John Locke: Problems and Perspectives*, ed. John W. Yolton (Cambridge: Cambridge University Press, 1969), 195, *passim*.

¹²⁶ *E*, 4.15.4.

¹²⁷ *Ibid.*, 4.16.

¹²⁸ David Wootton, Personal communication. See also, Wootton, 'John Locke: Socinian or Natural Law Theorist?', 52-3.

¹²⁹ Ian Hacking, *The Emergence of Probability* (Cambridge: Cambridge University Press, 1975); Barbara Shapiro, *Probability and Certainty in Seventeenth-Century England* (Princeton: Princeton University Press, 1983). For earlier instances, see most notably William Chillingworth, *The Religion of Protestants a Safe Way to Salvation* (Oxford, 1638), 224, and more generally, Richard Tuck, *Natural Rights Theories* (Cambridge: Cambridge University Press, 1979), 101-18. For probability as a new concept of rationality, see James Tully, 'Governing Conduct', 25. For rationality of probability, see *E*, 4.16.5. See also the extensive list in Tully, 'Governing Conduct', p.26n for possible sources of influence and the circulation of the concept of probability.

them.¹³⁰ But in the *Essays* and *Essay*, he proved the existence of God to his satisfaction.¹³¹ In the *Essay*, he argued that God by definition was ‘most powerful’ and ‘most knowing’, existing from eternity and the Creator of all, the One ‘who governs all things’.¹³² Given Locke’s intellectual resources, from the existence of such a wise and superintending God, he could assume that God had a purpose, and willed His creation to carry out some role. And since it was meaningless without annexing rewards and punishments to compliance and deviation from His will, some sort of sanctions were probable. Since eternal sanctions outweighed temporal ones, one had good reasons to think that afterlife punishments were likely.

There is no denying that this was a long and tedious thought process, and so perhaps impracticable. But it fits the structure of Locke’s account of probability, in which probability was ‘the likeliness to be true, the very notation of the Word signifying such a Proposition, for which there be Arguments or Proofs, to make it pass or be received for true’.¹³³ Probability was

nothing but the appearance of such an Agreement, or Disagreement, by the intervention of Proofs, whose connexion is not constant and immutable, or at least is not perceived to be so, but is, or appears for the most part to be so, and is enough to induce the Mind to judge the Proposition to be true, or false, rather than the contrary.¹³⁴

The grounds of probability are first the ‘conformity of any thing with our Knowledge, Observation, and Experience’.¹³⁵ The deduction of the existence of God’s punishments from the existence of God could be placed in this category. The second ground was the ‘Testimony of others, vouching their Observation and Experience’. This depended on the credibility of the person(s) giving the testimony. Although this still lay in the future, Locke would write *The Reasonableness of Christianity* (1695) which relied on the credibility of the

¹³⁰ *D*, 41, 269; *ELN*, 173.

¹³¹ *ELN*, 151-7; *E*, 4.10.

¹³² *E*, 4.10.6, 19.

¹³³ *Ibid.*, 4.15.3.

¹³⁴ *Ibid.*, 4.15.1.

¹³⁵ *Ibid.*, 4.15.4.

Gospel writers.¹³⁶ However one wished to derive it, from the existence of God or by Scripture, there was an ample possibility of sanctions in the afterlife, at least, reasonable enough to regulate one's actions based on the supposition.

The development of Locke's thought in his manuscripts shows that he adhered to the probability of the existence of the afterlife in which happiness would be perfected. In a 1677 manuscript entry 'Understanding', Locke argued that because people were 'still...far from happiness' in this world, 'it seems probable that there should be some better state somewhere else'. It was 'certain...that there is a possibility of another state when this scene is over, and that the happiness and misery of that depends on the ordering of ourselves in our actions in this time of our probationership here'.¹³⁷ In 'Morality', a manuscript entry written probably in 1677, Locke argued that it was 'evident that there is pleasure an pain to be had in this life and that it is possible there may be a state after this life wherein men may be capable of enjoyments or sufferings'.¹³⁸

Locke's confidence in the probability of the afterlife continued into the 1690s. In a manuscript entry in 1693, 'Ethica B', Locke wrote: 'Happynesse is a continuation of content without any molestation very imperfect in this world noe body happy here. certain. may be perfect in an other world. possible. probable'.¹³⁹ In the same page, he wrote on the theme of 'censure' that 'every being capable of happinesse or misery asks for the avoiding of one to make way for the other. Happinesse & misery consists in & are made up of noe thing but pleasure & pain'. He then defined what happiness, perfect happiness, misery, and perfect misery were in turn, and ended with the final remark, 'In both kinds there may be infinite degrees', which was a reference to happiness and misery. When Locke referred to infinite happiness and misery, it most certainly meant the afterlife.

However, David Wootton argues that in 'Ethica A' of 1692, Locke explored 'the possibility of arguing in terms of worldly happiness alone', which, he notes, would have been 'unnecessary' had he argued from God's justice to a

¹³⁶ Hobbes, *Leviathan*, 48-9, 267. Hobbes too described that belief in the Scripture was not knowledge but faith (unless you were one of the writers to whom it was supernaturally revealed).

¹³⁷ Locke, 'Understanding', 263.

¹³⁸ *Ibid.*, 268.

¹³⁹ Ms. Locke c.28, fol.141. This is reproduced in part in John Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969), 1.

system of punishment.¹⁴⁰ According to Wootton, Locke presented the scheme of the sanctions of the afterlife ‘not as a view he is committed to, but as one that others...are obliged to put forward’. Indeed, we may say that of Locke’s manuscript entry ‘Voluntas’ 1693 as well, which asserted that God had annexed ‘punishments and rewards’ to ‘moral rectitude and pravity’ to move the human will, but did not mention anything of the otherworldliness of these sanctions.¹⁴¹

Two points deserve mentioning here against Wootton. The first point concerns the nature of manuscript entries. Although some of Locke’s manuscript entries were extensive, most of them were simply some occasional thoughts he had jotted down. There was no necessity of laying out all his presuppositions. Thus, given that his other manuscripts in the same time show that he believed that the afterlife was probable, we can still assume that he had not given up on developing an account of the sanctions of the afterlife based on probability. The second point concerns the nature of Locke’s argument. Wootton draws the conclusion that Locke had abandoned the attempt to build an account of natural justice based on the sanctions of the afterlife on the grounds that Locke considered formulating an argument of morality based on secular hedonism. But we should note that Locke never said that his brand of hedonism referred only to the sanctions of the afterlife. On the contrary, Locke castigated Tyrrell for misquoting him and taking him to have said that the divine law was *only* enforced by the sanctions of the afterlife. Locke noted that ‘only’ was Tyrrell’s own insertion, and ‘that’, he supposed, ‘would have as well Excluded the law of Moses as well as that of Nature, and I imagin the law of the Gospel too’.¹⁴² So one cannot immediately draw the conclusion that Locke had abandoned the attempt to build a system of ethics based on the sanctions of the afterlife, simply by the fact that he discussed the moral prospect of secular hedonism and said little about the afterlife. In any case, the purpose of the secular hedonistic argument in ‘Ethica A’ can be seen as an attempt to show that the logic of self-interest of ethical hedonism need not lead to purely egoistic conclusions.¹⁴³ Even so, Locke did not pretend that such a derivation was a complete account of

¹⁴⁰ Wootton, ‘John Locke: Socinian or Natural Law Theorist?’, 51.

¹⁴¹ Locke, ‘Voluntas’, 321.

¹⁴² *Corr.*, 1309, vol. iv, 111.

¹⁴³ John Colman, *John Locke’s Moral Philosophy* (Edinburgh: Edinburgh University Press, 1983), 235-6.

morality or carried the force of one. It is still clear that Locke thought that by bringing in the ‘necessity of another life (wherein God may put a distinction between those that did good and suffered and those who did evil and enjoyed by their different treatment there)’, morality would be enforced ‘the stronger’.¹⁴⁴

Locke had shown that people had good reasons to believe that there was an afterlife where they would be rewarded or punished according to their conduct on earth. By stressing the afterlife, he had shown that his ethical hedonism was different from the Hobbists and also the Cumberlandian strands. However, what his moral epistemology and natural jurisprudence still lacked was how the precise content of natural law, and thus, the precise extent of moral obligation, could be known. This posed a problem for Locke.

Through a holistic appreciation of Locke’s intellectual corpus, we can see that his immediate solution in the mid 1690s – although this was less a full solution than a supplement – was to show how reason and revelation supported each other – namely, the publication of the *Reasonableness of Christianity*.¹⁴⁵ Locke’s correspondence to his Dutch theologian friend Philipus van Limborch revealed that Locke’s immediate motive for writing this work was his interest in the theological question of justification.¹⁴⁶ Modern commentators suggest that this may have been triggered by the Antinomian controversy between Presbyterians and Independents during the winter of 1694-5, which revolved around the Calvinist doctrine of election and predestination. Another relevant event may have been the Deist Controversy, which emerged as a reaction to the exclusivism of the Calvinist doctrine of election.¹⁴⁷ However, the holistic method encourages us to escape the particular contexts and map the *Reasonableness* onto Locke’s wider project, thereby allowing us to see a wider significance to it.

The significance of the *Reasonableness* in relation to Locke’s moral epistemology was that it provided people with ‘a clear knowledge of their

¹⁴⁴ Locke, ‘Ethica A’, in *Political Essays*, 319.

¹⁴⁵ Takashi Kato, ‘The *Reasonableness* in the Light of the *Essay*’, *Locke Newsletter* 12 (1981); Harris, *The Mind of John Locke*, 277; Timothy Stanton, ‘Hobbes and Locke on Natural Law and Jesus Christ’, *History of Political Thought* 29 (2008): 65-88.

¹⁴⁶ *Corr.*, 1901, vol. v, 370; *W*, vol.7, 186-7.

¹⁴⁷ V. Nuovo, ‘Introduction’, in *The Reasonableness of Christianity* (Bristol: Thoemmes Press, 1997), x-xi; ‘Locke’s Theology, 1694-1704’, in *English Philosophy in the Age of Locke*, ed. M.A. Stewart, (Oxford: Clarendon Press, 2000), 195-7.

duty'.¹⁴⁸ In the *Reasonableness*, Locke maintained that there was a law known by the light of nature, which was 'the eternal, immutable Standard of Right'.¹⁴⁹ But he remarked that it was 'too hard a task for unassisted Reason, to establish Morality in all its parts upon its true foundations; with a clear convincing light'.¹⁵⁰ It was 'plain in fact, that humane reason unassisted, failed Men in its great and Proper business of *Morality*. It never from unquestionable Principles, by clear deductions, made out an entire Body of the *Law of Nature*'.¹⁵¹ Indeed, the 'greatest part of mankind want leisure and capacity for Demonstration'.¹⁵²

The philosophers of the past from '*Solon and Bias in Greece*', '*Tully in Italy*', and '*Confutius, as far as China*' have contributed their share to set out a moral code. However, the 'Opinion of this or that Philosopher, was of no Authority'.¹⁵³ For a law to be 'a standard to which Men should conform their Manners', its authority needed to come from 'Reason or Revelation'. It was 'not every Writer of Morals, or Compiler of it from others, that can thereby be erected into a Law-giver to Mankind'. In order to have one's 'Rules pass for authentique directions', one 'must shew, that either he builds his Doctrine upon Principles of Reason...Or must shew his Commission from Heaven; That he comes with Authority from God, to deliver his Will and Commands to the World'.¹⁵⁴ Locke held that nobody before Jesus' time ever succeeded in doing so.

Jesus Christ supplied for this deficiency: It was

a surer and shorter way, to the Apprehensions of the vulgar, and the mass of Mankind, that one manifestly sent from God, and coming with visible Authority from him, should as a King and Law-maker tell them their Duties; and require their Obedience; Than to leave it to the long, and sometimes intricate deductions of Reason, to be made out to them'.¹⁵⁵

¹⁴⁸ *RCh*, 147.

¹⁴⁹ *Ibid.*, 140.

¹⁵⁰ *Ibid.*, 148.

¹⁵¹ *Ibid.*, 149-50.

¹⁵² *Ibid.*, 157.

¹⁵³ *Ibid.*, 150-1.

¹⁵⁴ *Ibid.*, 152.

¹⁵⁵ *Ibid.*, 148.

Therefore, Jesus' mission, according to Locke, was to fully establish the law of nature. He clarified the extent of obligation required by God. Jesus 'was sent by God: His Miracles shew it; And the Authority of God in his Precepts cannot be questioned'. Hereby morality 'has a sure Standard, that Revelation vouches, and Reason cannot gainsay, nor question; but both together witness to come from God the great Law-maker'.¹⁵⁶

Revelation provided Locke with the missing piece of his moral epistemology and natural jurisprudence; how people could come to the knowledge of the content of natural law. The *Reasonableness* required assent to revelation, which in Locke's terms was 'faith'. A revelation from God was 'a settled and sure Principle of Assent and Assurance, and leaves no manner of room for Doubt or Hesitation'.¹⁵⁷ Faith was a matter of probability, but of the 'highest degree'.

Locke's solution did not show how the content of natural law could be known purely by natural reason and deduction. To this extent, it was only a partial solution. But this did not signify a departure from the rational project.¹⁵⁸ The *Reasonableness* tried to show that revelation was amenable to reason. In the *Essay*, Locke maintained that faith required the regulation of reason: 'Because though *Faith* be founded on the Testimony of GOD (who cannot lye) revealing any Proposition to us: yet we cannot have an assurance of the Truth of its being a divine Revelation, greater than our own Knowledge', or in other words, our 'Reason'.¹⁵⁹ This was a position he needed to maintain given his queasiness about enthusiasm (as we have seen in Chapter One), which was furthermore reinforced in his added chapter of the fourth edition of the *Essay*, 'Of Enthusiasm'.¹⁶⁰ Revelation that passed the test of reason was truly the object of faith in contradistinction to enthusiasm.¹⁶¹ By showing how revelation and

¹⁵⁶ Ibid., 153.

¹⁵⁷ *E*, 4.16.14. Although original revelation left no room for doubt or hesitation, the more the testimony removed away from its original witness, the more it weakened the force of the proof, Ibid., 4.16.10. However, the Gospels were written by the disciples who were first hand witnesses of divine revelation.

¹⁵⁸ See Stanton, 'Hobbes and Locke on Natural Law and Jesus Christ', 84. Cf. Wootton, 'John Locke: Socinian or Natural Law Theorist?'

¹⁵⁹ *E*, 4.16.14. Quote from 4.18.5.

¹⁶⁰ Ibid., 4.19.

¹⁶¹ M.A. Stewart, 'Revealed Religion: The British Debate', in *The Cambridge History of Eighteenth-century Philosophy*, ed. Knud Haakonssen (Cambridge: Cambridge University Press, 2007), 685-8.

reason were not mutually exclusive, but rather, complementary, Locke supplemented his ethical hedonism, and thereby, his response to the problem of terminative moral obligation.

7. Concluding Remarks

In this chapter, I examined the development of Locke's moral epistemology from the 1670s to the mid 1690s. I have shown how the development related to a problem about moral obligation, which he had encountered in the *Essays* of 1664. Specifically, the problem involved showing how natural law was terminatively obligatory, that is, showing the precise extent of what God had willed as moral laws. A common solution to this problem in the seventeenth century for those who rejected an innate natural law was ethical naturalism and hedonism. The assumption of this was that God had annexed pleasure and pain to certain actions, and this information in turn could be used to determine what He willed to be morally good or evil. Through the pleasure and pain the individual experiences, one could delimitate the extent of moral obligation. The naturalist project had two strands, both Christianized: Stoic/Scholastic naturalism, which presupposed the knowability of the nature of things, and the knowability of the good and evil through a study of this, and Epicurean hedonism, which denied this. Locke's early writings suggested a Stoic influence, but from the 1670s onwards, the Epicurean strand became increasingly prominent in his writings coinciding with his pessimism of certainty in natural philosophy.

Broadly conceived, Hobbes also fell into the Epicurean strand, but he pushed the implications to its extremes: he effectively took God out of the equation and made moral good and evil relative to the individual's experience of natural pleasure and pain. Locke's ethical hedonism, albeit sharing the Epicurean characteristics, developed in opposition to Hobbes. Locke distinguished between natural and moral good and argued that the pleasure and pain of moral good and evil were those of the afterlife. In doing so, he prevented moral goodness from being confounded with mere natural regularities or natural inclinations, which could lead to the overturning of all morality (a point that could be learnt from Hobbes).

However, Locke's critics did not think he had adequately distanced himself from Hobbes; instead they accused him of Hobbism. To rescue Locke from the charge of Hobbism, Tyrrell recommended him to model his natural jurisprudence on Cumberland, who, in Tyrrell's mind, had shown successfully that God's will could be discovered by natural sanctions. In other words, Tyrrell, who was familiar with Locke's earlier writings, thought Locke could develop the Stoic/Scholastic aspect of his naturalism. Locke's development suggested that he was not going to take the Cumberlandian route. Despite Tyrrell's optimistic assessment of the compatibility of the two men, Locke's nominalism and scepticism of the knowability of the nature of things was incompatible with Cumberland's natural philosophy. Furthermore, Cumberland's natural law theory blurred the distinction between natural and moral good, which undermined its effectiveness as a response to Hobbism.

Locke however faced another difficulty. Although he succeeded to distinguish his brand of hedonism from his contemporaries, he still had the problem of showing how the afterlife's divine sanctions could be known. Locke was doubtful that the bulk of humankind had the energy or the leisure to demonstrate a complete body of ethics. His solution thus depended on an account of probability. He used revelation to supplement the shortcomings of natural reason. By showing that probability was congruent with reason, and that faith was a matter of probability, he showed that revelation and reason were not mutually exclusive but worked together. Thus, although not in purely philosophical terms, he showed that the content of natural law could be made out rationally.

The purpose of this chapter was to show how the holistic approach could shed light on the development of Locke's thought. Seen in the light of holism, we can see that the development of Locke's hedonism, which is often simply seen as a theory of motivation, as a prolonged intellectual struggle, a struggle to respond to a problem of terminative obligation he encountered in his earlier writings. The approach also helps us to see that the development of probability and the *Reasonableness* not as an isolated theological inquiry but as a development related to the same problem, although at first sight the connection may have seemed to be remote.

Finally, through the application of the holistic approach, this chapter showed in what ways Locke's response to the problem of terminative moral obligation was original compared to those of his contemporaries. We saw that on his contemporaries' view, Locke failed to address the problem with the same sophistication as, say, Cumberland. As a result, he was often accused of falling inadvertently into Hobbism, which was seen less as a genuine solution than a *reductio*. But we saw in this chapter how Locke saw the deeper structural problem of ethical naturalism and how one needed to proceed in order to avoid Hobbism. In sum, we saw how Locke's thinking worked systematically as a whole and how it transcended his contemporaries.

CHAPTER FOUR

The Problem of Atheism

So far in this thesis, I have been examining the development of Locke's thought between the early 1660s and the mid 1690s and showing how his investigation into a political question – about the legitimate boundaries of civil authority and individual religious worship – led on to wider investigations into the character and the extent of the human understanding, the content of natural jurisprudence, and the grounds of moral obligation. We have seen that Locke's thinking developed in different directions around the settled conviction that there was a wise, purposive, almighty, and superintending God whose existence was the 'foundation of all morality'. Indeed, we saw in Chapter One that for this very reason, for Locke, 'a beleif in a deitie was not to be reconed amongst puerly speculative opinions'.¹ From early on in his intellectual life, Locke perceived atheism to be anathema to his intellectual framework.

The purpose of this chapter is to examine a puzzle concerning the significance of Locke's views about atheism. It is well-known that in his celebrated *Epistola de Tolerantia* or *Letter concerning Toleration* (1689), Locke denied toleration to atheists:

Those are not at all to be tolerated who deny the Being of a God. Promises, Covenants, and Oaths, which are the Bonds of Humane Society, can have no hold upon an Atheist. The taking away of God, tho but even in thought, dissolves all.²

This is a very important statement, and indeed, as we shall see, one that is crucial to understanding the trajectory of Locke's thought. Traditionally, however, commentators have dismissed Locke's statement and have said very little about it.³ The reasons for this are not difficult to speculate. For one, Locke himself said very little about atheism in general. Moreover, what he did say about it seemed to reproduce an erroneous seventeenth century commonplace,

¹ *ETol*, 308.

² *LcT*, 51.

³ For example, see notes 6, 7, 8, 9.

which, for one who is often hailed as the champion of toleration, is a great embarrassment. Against the traditional view, there are both Straussian and contextualist commentators who have attached a greater significance to Locke's denial of toleration to atheists. Straussian commentators have suggested that Locke's denial was more tactical than genuine. A general fear of God was a useful means of government.⁴ For Justin Champion, a recent contextualist commentator, the significance of Locke's exclusion of atheists lies in its brevity. By polemical brevity, Locke repudiated the conventional broad definition of an atheist and thereby widened the scope of toleration.⁵

My aim in this chapter is to show through a holistic reconsideration that Locke's denial of toleration to atheists was indeed significant and complicated but for different the reasons than those suggested in the literature hitherto. In maintaining the centrality of God in Locke's thought, by implication, I will be rejecting the Straussian narrative. Locke's exclusion of atheists is better supposed genuine than spurious. Also, while I will be acknowledging the validity of Champion's narrative, which highlights the polemical aspect of Locke's denial of toleration to atheists, I will show that there are other aspects to Locke's views, which help us to understand the trajectory of his mind. I will show that Locke's previous philosophical commitments created novel theoretical problems which required particular responses, particularly in the area of education. Thus, I will show against the dismissive traditional view that Locke *did* think carefully about the problem of atheism, and indeed, had a sophisticated account of how to deal with it. I will show how this account reveals a more interesting story about the development of Locke's mind than is usually suggested by Locke scholars. I will suggest in turn that Locke's confrontation with this new conceptual problem may help us to explain exactly why he, unlike his contemporaries, had very little to say about atheism despite the importance he clearly attached to it (what could possibly be more important than something that dissolves all?). My suggestion is that Locke may well have

⁴ Michael S. Rabieh, 'The Reasonableness of Locke, or the Questionableness of Christianity', *The Journal of Politics* 53 (1991): 933-57; Peter Josephson, *The Great Art of Government: Locke's Use of Consent* (Lawrence: University Press of Kansas, 2002), 257-60.

⁵ Justin Champion, 'Le culte prive quand il est rendu dans le secret: Hobbes, Locke et les limites de la tolerance, l'atheisme et l'heterodoxie', in *Les fondements philosophiques de la tolerance* vol. 1, eds. Y. Charles Zarka, Franck Lessay and John Rogers (Paris: Presses Universitaires de France, 2002).

been concerned about the dangerous implications of his own theory. In some ways, this narrative parallels the puzzle about Locke's intellectual relationship with Hobbes. Although Locke said little about atheism, he had reasons not to do so, just as in the case of Hobbes. By re-examining Locke's views about atheism through a holistic lens, I will contribute to a deeper understanding of the nature and extent of Locke's theory of toleration, and moreover, recover a portrait of a more meticulous, philosophical and systematic Locke. To fully appreciate the significance of the argument in this chapter, I will start by summarizing in greater detail the scholarship concerning Locke's discussion of atheism.

In the minds of the great majority of Locke scholars, Locke's exclusion of atheists was an embarrassing moment in an otherwise laudable liberal treatise. Thus, they have traditionally said relatively little about Locke's discussion of atheism apart from quoting the short paragraph from the *Letter* which we have seen above and accompanying it with an equally short commentary, and often, dismissive or unsympathetic.

The standard view of Locke's exclusion of atheists from the eighteenth century to the present is that while Locke was in many respects the champion of toleration, he was also, as Maurice Cranston remarks, 'very much a man of his time in thinking that people who did not believe in God could not be bound by oaths'.⁶ But this is not to deny that there was scope for tolerating atheists on (something approaching) Locke's own premises. For example, A. John Simmons argues that Thomas Jefferson, who extended toleration to atheists, 'expressed views more suitable than Locke's own to the principles of Locke's *Letter*'.⁷ The problem was that Locke's assessment of the danger posed by atheists was conditioned by the prejudices of the enthusiastic religious culture of seventeenth century England, and this prevented him from extending toleration to them. From a modern perspective, Locke's assessment is, and indeed, was, empirically false. Richard Dees asserts that Locke's claim that atheists had no

⁶ For eighteenth century critics of Locke, see John Marshall, *John Locke, Toleration, and Early Enlightenment Culture* (Cambridge: Cambridge University Press, 2006), 697. Marshall lists Thomas Jefferson and Joseph Priestley. Maurice Cranston, 'John Locke and the Case for Toleration', in eds. John Horton and Susan Mendus, *John Locke: A Letter concerning Toleration in Focus* (London: Routledge, 1991), 85.

⁷ A.J. Simmons, *On the Edge of Anarchy* (Princeton: Princeton University Press, 1993), 127. See also Alex Tuckness, 'Rethinking the Intolerant Locke', *American Journal of Political Science* 46 (2002). Thomas Jefferson, *Notes on the State of Virginia*, ed. Frank Shuffelton (London: Penguin Books, 1999), 165.

reason to keep their promises because they did not fear eternal damnation is 'simply false'.⁸ John Rawls suggests furthermore that 'presumably a greater historical experience and a knowledge of the wider possibilities of political life would have convinced [Locke] that [he] was mistaken'.⁹ The core claim of the standard view is that Locke's exclusion was a contingent judgment. It was based on an erroneous commonplace of the seventeenth century which could be overcome by modern empirical evidence of the existence of law-abiding atheists. It is therefore not a surprise that commentators often complement their criticism of Locke's traditionalism and conservatism with praise of his French Huguenot contemporary Pierre Bayle's modernism. Bayle, famously, had suggested that a society of atheists was a serious possibility.¹⁰

Against this standard view, John Dunn (most notably) has persistently argued that the assumption of God was absolutely central to Locke's moral and political thought.¹¹ And because this was so, Locke's exclusion of atheists was not 'a casual or neurotic spasm of superstition'.¹² It 'lay at the very foundation of his theory of the content and binding force of moral duty'. His was not a 'causal hypothesis' about the degree to which on any given occasion an atheist would misbehave, but rather, 'the rational implications of atheism for human practice'; once accepted, atheism logically '*should* affect men's demeanour as a whole dramatically for the worse'. This was what 'expelled it from the protected arena of free intellectual exploration'.¹³ When Locke asserted that the taking away of a God even only in thought dissolved all, 'he meant what he said': 'that the theoretical assumption of a godless universe must destroy the possibility of any integrated and authoritative normativity for human beings as such'.¹⁴

In the same vein, Jeremy Waldron has offered an extensive and sympathetic account of Locke's exclusion of atheists. Like Dunn, Waldron

⁸ Richard Dees, *Trust and Toleration* (London: Routledge, 2004), 110-11.

⁹ John Rawls, *A Theory of Justice*, rev. ed. (Oxford: Oxford University Press, 1999), 190.

¹⁰ Pierre Bayle, *Various Thoughts on the Occasion of a Comet*, trans. Robert C. Barlett (Albany: State University Press of New York, 2000). Cf. *Political Writings*, ed. Sally L. Jenkinson (Cambridge: Cambridge University Press, 2000), 312-20.

¹¹ This has been Dunn's claim throughout his career. See John Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969); *Locke: A Very Short Introduction* (Oxford: Oxford University Press, 2002).

¹² John Dunn, 'What History Can Show: Jeremy Waldron's Reading of Locke's Christian Politics', *The Review of Politics* 67 (2005), 448.

¹³ John Dunn, 'The Concept of "Trust" in the Politics of John Locke', in *Philosophy in History*, eds. Richard Rorty et al. (Cambridge: Cambridge University Press, 1984), 288.

¹⁴ Dunn, 'What History Can Show', 448.

shows that Locke's exclusion was an integral component of his thinking which held together the 'whole framework of natural law equality', or in other words, the 'fabric of Lockean politics and Lockean morality'.¹⁵ While Waldron maintains that the exclusion of atheism is 'not an option for us', he argues how Locke's reasons for their exclusion 'are still relevant to our philosophical enterprise of trying to arrive at a comprehensive grounding for and justification of our commitment to [the ideal of equality]'.¹⁶ Both Dunn and Waldron agree that 'it is far from clear' whether 'those of us who believe ourselves to inhabit a godless universe' have any intellectually good reasons to suppose that Locke's pessimism was, or is, unfounded.¹⁷

My own sympathy, *contra* the standard view, rests with Dunn and Waldron's view that Locke's moral and political thought necessarily entailed the exclusion of atheists. However, the purpose of this chapter is not to establish this point, which I take to have been established in earlier chapters. What is remarkable here is that even Dunn, who acknowledges the significance of Locke's assessment of atheism, remarks that 'there is no reason to believe that Locke thought very carefully about this question [i.e. the problem of atheism]'.¹⁸

A quick survey of seventeenth century writers on atheism suggests that Locke's discussion was unusually short, and appears to confirm that he had not reflected upon the problem extensively. In the latter half of the seventeenth century, many intellectuals were writing against atheism at great length: Henry More's *An Antidote against Atheism* (1653), Charles Wolseley's *The Unreasonableness of Atheism* (1669), and Ralph Cudworth's *The True Intellectual System of the Universe: wherein all the reason and philosophy of atheism is confuted and its impossibility demonstrated* (1678) are only some of the most famous examples.¹⁹

¹⁵ Jeremy Waldron, *God, Locke, and Equality* (Cambridge: Cambridge University Press, 2002), 228.

¹⁶ *Ibid.*, 235, and more generally, ch.8.

¹⁷ Dunn, 'What History Can Show', 448-9; Waldron, *God, Locke, and Equality*, 243. But cf. N.M. Stolzenberg and G. Yaffe, 'Waldron's Locke and Locke's Waldron: A Review of Jeremy Waldron's *God, Locke, and Equality*', *Inquiry* 49 (2006): 211-5. Stolzenberg and Yaffe question the validity of Waldron's claim against the possibility of a normative secular theory of equality.

¹⁸ John Dunn, 'What is Living and What is Dead in the Political Theory of John Locke?', in *Interpreting Political Responsibility* (Cambridge: Polity Press, 1990), 19.

¹⁹ Henry More, *An Antidote against Atheism* (London, 1653) and also, *An Explanation of the Grand Mystery of Godliness* (London, 1660); Charles Wolseley, *The Unreasonableness of*

However, I will show that there are good reasons to believe that Locke did think carefully about the problem of atheism, and indeed, that there was a complicated intellectual story behind his discussion, a story which has been hitherto overlooked. More specifically, I will show how Locke's philosophical commitment to the rejection of innate ideas gave rise to a new and disquieting conceptual problem of the 'speculative atheist', and also, how he responded to it. Commentators have often complained that there is such a lack of information that nothing revealing can be said about Locke's response to atheism. Richard Vernon writes for example: 'We just don't know ...what [Locke] thought "not tolerating" atheists entailed, exactly – and conclusions based upon inference are contestable'.²⁰ However, I will show that we can reconstruct Locke's thought from investigating his often neglected writings on education and the conduct of the understanding.²¹

I also hope to show how this narrative can perhaps help to explain Locke's peculiar terseness in discussing atheism in general despite the importance he clearly attached to it. I will suggest that Locke's encounter with the problem of the speculative atheist is the clue to understanding his reticence. The speculative atheist was someone who *seriously* denied the existence of God. Atheism of this sort was usually presumed to be impossible in the seventeenth century. One major reason for this was that many intellectuals assumed that the idea of God was innate (in the sense that it was imprinted upon the mind or it received immediate assent).²² In showing that there were no innate ideas, Locke also created the conceptual space to say that people could be without the idea of God, and moreover, that they could come to seriously deny His existence. I will suggest that Locke may have wished to say little about atheism because he did not want to give it undue attention. People might come to think it was something

Atheism (London, 1669); Ralph Cudworth, *The True Intellectual System of the Universe* (London, 1678).

²⁰ Richard Vernon, *The Career of Toleration* (Montreal and Kingston: McGill and Queen's University Press, 1997), 147.

²¹ *STE* and *CU*.

²² See generally, David Berman, *A History of Atheism in Britain* (London: Croom Helm, 1988), ch.1. John Marshall notes the problem of the impossibility of speculative atheism but fails to see that Locke opened such a possibility by rejecting innate ideas. See Marshall, *John Locke, Toleration, and Early Enlightenment Culture*, 694f.

respectable if others were taking great effort to refute it.²³ Indeed, Cudworth's *True Intellectual System* had 'earned a less welcome reputation as a book that was a little *too* effective in describing the arguments of the atheist'.²⁴

This chapter has two main parts. In the first part, I will make the case for my interpretation of Locke's discussion of atheism and show how his developing philosophical commitment patterned the nature of this discussion. More specifically, I will analyze Locke's definition of an atheist, show how he differentiated different species of atheists, and explain how these distinctions can be explained in reference to specific developments in his thought. In the second part, I will show how Locke addressed the problem of the speculative atheist. I will argue that Locke's distinction between the different species of atheists had implications for how he thought one ought to deal with them. The question of how to treat an atheist for Locke depended on what species a certain atheist belonged to, or in other words, what stage of atheism an atheist was at. To make this point clearer, I will consider how on Locke's account an atheist becomes 'truly' an atheist. Finally, I will consider the reasons behind the brevity of Locke's explicit discussion of atheism.

1. Locke and the Speculative Atheist

As Foucault once remarked: 'People know what they do; they frequently know why they do what they do; what they don't know is what what they do does'.²⁵ This was essentially Anthony Ashley Cooper, the third Earl of Shaftesbury's criticism of his former tutor, Locke. Locke 'struck at all Fundamentals, threw all *Order* and *Virtue* out of the World, and made the very *Ideas* of these (which are the same as those of God) *unnatural*, and without Foundation in our Minds'.²⁶ According to Shaftesbury, in rejecting innate ideas, Locke had given momentum

²³ Thus, David Berman suggests that some intellectuals who did not support the idea of innate ideas nevertheless denied that speculative atheism was possible to try to repress it from proliferating. Berman, *A History of Atheism in Britain*, 34.

²⁴ Jon Parkin, *Taming the Leviathan* (Cambridge: Cambridge University Press, 2007), 334. Locke possessed a copy of Cudworth's *True Intellectual System*. Harrison, John and Laslett, Peter, *The Library of John Locke*, 2nd ed. (Oxford: Oxford University Press, 1971), 119, no.896. Locke was also familiar with Cudworth's arguments. Aaron, R.I. and Gibb, Jocelyn, *An Early Draft of Locke's Essay* (Oxford: Clarendon Press, 1936), 118. Locke was close to Cudworth's daughter, Damaris Cudworth, later to be Lady Masham.

²⁵ Hubert Dreyfus and Paul Rainbow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Brighton: Harvester Wheatsheaf, 1982), 187.

²⁶ See note 72 below.

to atheism and moral relativism, despite his sincerity as a Christian. In this section, I will show how *avant la lettre*, Locke was aware of the kind of problem posed by Shaftesbury; that is, that the rejection of innate ideas would have subversive consequences for morality and religion, and indeed, that it would give rise to a new conceptual problem, the problem of the ‘speculative atheist’.

First, let us look at what Locke said about atheists in the *Letter concerning Toleration* once again. Here, he memorably asserted:

Those are not at all to be tolerated who deny the being of a God. Promises, covenants, and oaths, which are the bonds of human society, can have no hold upon an atheist. The taking away of God, though but even in thought, dissolves all. Besides also, those that by their atheism undermine and destroy all religion, can have no pretence of religion whereupon to challenge the privilege of a toleration.²⁷

As we can see, his discussion was short, and at first sight, one is inclined to conclude that this was simply because he knew that the untrustworthiness of atheists was such a widely accepted belief that he thought he did not need to say much about it. Indeed, Greg Forster claims that Locke’s argument against atheism in the *Letter* was ‘brief’ because ‘the principle for which he was arguing was so widely accepted at the time that it must have come across as a truism’.²⁸ It is definitely true that atheists were in general held to be intolerable. But a closer examination reveals that Locke was not merely reproducing an erroneous commonplace but doing something rather different and subtle.

Let us consider Locke’s definition of an atheist in the *Letter*. The key sentence is this: atheists are those ‘who deny the being of a God’. To a modern reader, this may appear as uncontroversial as the statement that bachelors are those who are unmarried. However, once we put this into the context of the seventeenth century, we can begin to see a different story. Justin Champion, who is to my knowledge the only commentator to have carefully contextualized Locke’s discussion of atheism, takes note of the peculiarity of defining atheism

²⁷ *LcT*, 51.

²⁸ Greg Forster, *John Locke’s Politics of Moral Consensus* (Cambridge: Cambridge University Press, 2005), 175-6.

simply as the denial of 'the being of a God'.²⁹ It is important to register that the concept of atheism was not at all straightforward in the seventeenth century. An atheist could refer to someone who did not necessarily deny the existence of God, but nevertheless acted as though He did not exist. This was known as 'practical atheism'.³⁰ Used polemically, an atheist could also refer to someone who subscribed to (what Trinitarian Anglicans and Puritans commonly regarded as) a heterodox Christian doctrine, such as Socinianism, Arianism, and Deism.³¹ Indeed, Locke himself was accused by John Edwards, an Anglican clergyman of intemperate disposition, of being 'all over Socinianized', and thus, tending towards atheism.³² These doctrines were considered to be atheistical because they cast doubt on orthodox beliefs such as the Trinity and also because they were closely associated with philosophical positions which made God's existence irrelevant, for example, arguing against the immateriality of the soul.³³ The upshot is that one did not necessarily need to deny the existence of God to be considered an atheist: one only needed to deny through action or thought that His existence made a difference to what, here and now, human beings ought to do. Champion tellingly observes that 'defending the *authenticity of Scripture* was central to all the major acts of legislation against blasphemy between 1648 and 1697' (emphasis added).³⁴ Given this context, for Champion, Locke's definition is significant because by narrowing the type of atheism not to be tolerated, i.e. those who *only* denied the *being of a God*, it broadened the scope of toleration. If Locke had understood 'atheist' in the wider polemical sense, a great many more groups of people would have been excluded from the benefits of toleration. Thus, Champion believes that Locke defined atheism 'in such a restricted way because he wanted to broaden the category of speculative opinion that could be embraced within legitimate belief'.³⁵

²⁹ Champion, 'Le culte prive'.

³⁰ Berman, *A History of Atheism in Britain*, 2.

³¹ See for example, John Edwards, *Some Thoughts concerning the Several Causes and Occasions of Atheism* (London, 1695), 64, 120; Richard Bentley, *Eight Boyle Lectures on Atheism* (New York: Garland Pub., [1692-3] 1976), 6.

³² Edwards, *Some Thoughts*, 113.

³³ David Wootton, 'New Histories of Atheism', in *Atheism from the Reformation to the Enlightenment*, eds. Michael Hunter and David Wootton (Oxford: Oxford University Press, 1992), 25-6.

³⁴ Champion, 'Le culte prive', 236.

³⁵ *Ibid.*, 236.

As we can see, focusing on ‘the being of a God’ in the definition helps us to clarify what exactly the ‘atheist’ Locke was talking about was denying, and through this, what he considered to be *absolutely* incompatible with civil society (the fact that he prefaced his discussion of the atheist with ‘those are *not at all* to be tolerated’ suggests as much). While granting the importance of this focal point, I will leave this head, and in the remaining space of this section, focus on the sense and significance of the word ‘deny’ in the definition, which the holistic perspective enables us to see, and show how this reveals yet another dimension to Locke’s position about toleration.

Intolerable atheists, for the Locke of the *Letter*, are those who *deny* the being of a God. To suggest that one could deny the existence of God was significant because intellectuals in the seventeenth century usually argued that it was *impossible* to genuinely deny His existence, or in other words, to be a speculative atheist. By the impossibility of speculative atheism, writers often meant either that it was *conceptually* impossible or *logically* contradictory and untenable. In the latter sense, Ralph Cudworth, most notably, devoted the entire voluminous fourth chapter of his *True Intellectual System* (which amounted to a massive 450 pages) to demonstrate that atheism was built upon ‘contradictory’ propositions.³⁶ Robert Boyle also wrote in *Some Considerations Touching the Usefulness of Experimental Naturall Philosophy* that the atheists’ ‘paradoxes have been looked upon as so irrational, that, as soon as they have been proposed, they have been disdainfully rejected and condemned by all the rest of mankind, who have looked upon the patrons of them as monsters, rather than philosophers’.³⁷

One major reason for its purported conceptual impossibility was the belief that the idea of God was innate. Pierre Nicole (whose work Locke had translated) wrote, for example:

What pains soever atheists take to rase out of the minds of men that general apprehension of a deity, which the very view of the world naturally imprints

³⁶ Cudworth, *The True Intellectual System of the Universe*, *passim*.

³⁷ Robert Boyle, *Some Considerations Touching the Usefulness of Experimental Naturall Philosophy* (Oxford, 1663), ‘Essay 5’, 101.

there, they have not been able to extirpate, or wholly efface those characters that are stamped so clear, and are sunk so deep.³⁸

Richard Bentley also noted in the first of his Boyle Lectures, 'The Folly of atheism', when commenting on the text of Psalm 14, 'The fool hath said in his heart, there is no God', that he did not know 'any Interpreters that will allow it to be spoken of such as flatly deny the being of God'. Bentley surmised that these interpreters were induced to this conclusion 'from the commonly received notion of an Innate Idea of God, imprinted upon every Soul of Man at their Creation, in Characters that can never be defaced'. Thus, it followed for these interpreters that

Speculative Atheism doth subsist only in *our* Speculation: whereas really Human Nature cannot be guilty of the crime: that indeed a few sensual and voluptuous Persons may for a season eclipse this native Light of the Soul; but can never so wholly smother and extinguish it, but that at some lucid intervals it will recover it self again, and shine forth to the conviction of their Confidence.³⁹

Bentley therefore concluded that on this understanding, there could only be practical atheists, that is, those who 'believing his Existence, do yet seclude him from directing the Affairs of the World, from observing and judging the Actions of Men'.

We should pause for a moment to clarify what exactly was at stake here. We may wonder why it should have mattered to the deniers of speculative atheism whether such a thing could actually exist or not. One possible reason for their denial is logical consistency. Believing that the idea of God was innate, intellectuals were committed to maintaining that it was impossible for individuals to be without the notion of God or that they could blot it out from their mind by denying His existence.⁴⁰ However, I believe that intellectuals were concerned about something more than just logical consistency (although this

³⁸ Pierre Nicole, *Discourses on the being of a God* (London, 1712), 1.5; John Marshall, *John Locke: Resistance, Religion and Responsibility* (Cambridge: Cambridge University Press, 1994), 136.

³⁹ Bentley, *Eight Boyle Lectures on Atheism*, 4.

⁴⁰ Berman, *A History of Atheism in Britain*, 34.

was important). There is evidence to suggest that they were concerned about securing the belief of the *naturalness* of the idea of God.

Philosophers and theologians were keen to show that belief in God was natural. For example, one of Henry More's key aims in *An Antidote* was to demonstrate 'that the *Notion* or *Idea* of *God* is as Naturall, Necessary and Essentiall to the Soul of Man, as any other *Notion* or *Idea* wh'tsoever'.⁴¹ Edward Stillingfleet maintained in the *Origines Sacrae* that a belief in God was 'so consonant with human nature'.⁴² In the same vein, Ralph Cudworth defended in the *True Intellectual System* the 'naturalness of the idea of God'.⁴³ To their minds, it was necessary to show that the idea of God was natural to human nature to show in turn that morality and religion was natural to mankind, which, intellectuals agreed, upheld human society. There was a general consensus (excluding Bayle) that without a belief in God or religion, morality and human society would collapse. More, for example, claimed that if people came to think that there was no God or religion, they would consider themselves 'free from all wringings of conscience, trouble of correcting their lives, and feare of being accountable before that great Tribunall'.⁴⁴ Stillingfleet likewise argued: 'The *foundations* of all *religion* lie in *two* things; *that there is a God* who rules the world, and that the *souls of men are capable of subsisting after death*'.⁴⁵ Quoting Cicero, he went on to argue: '*Take away the being and providence of God out of the world, and there follows nothing but perturbation and confusion in it; not only all sanctity, piety and devotion is destroyed, but all faith, vertue, and humane Societies too*'; 'which', for Stillingfleet, 'are impossible to be upheld without Religion, as not only *he* [i.e. Cicero] but *Plato, Aristotle, and Plutarch* have fully demonstrated'.⁴⁶

To show that belief in God was natural to human nature, there was a widespread tendency amongst philosophers and theologians to argue that the idea of God was innate, which, they argued, could be proved by the universal consent of mankind. Stillingfleet, a strong proponent of universal consent, argued that one could prove '*That God hath imprinted an universal character of*

⁴¹ More, *An Antidote*, 19.

⁴² Edward Stillingfleet, *Origines Sacrae* (London, 1662), 366.

⁴³ Cudworth, *The True Intellectual System of the Universe*, 7, and more generally, ch.4.

⁴⁴ More, *An Antidote*, 2.

⁴⁵ Stillingfleet, *Origines Sacrae*, 361.

⁴⁶ *Ibid.*, 394.

himself on the minds of men' by the fact that 'the whole world hath consented in it'. He maintained: 'we assert this *universal consent* of mankind, as to the existence of a *Deity*, to be a thing so consonant to our natural *reason*, that as long as there are men in the world it will continue'.⁴⁷ Boyle, who rarely commented on innate ideas, wrote: 'The Knoledg of God is Threefold: Inborn, which all men bring into the World with them', which 'is euident in all Nations'.⁴⁸ In this context, the existence of speculative atheists would have inauspicious implications because it would undermine the universal consent of mankind concerning the existence of God. Universal consent undermined, the innateness of the idea of God would be threatened, and this, in its turn, would give cause to question the naturalness of the idea of God.⁴⁹

Although Locke believed that the notion of a God was 'agreeable to the common light of Reason, and naturally deducible from every part of our knowledge' and also that there was something very close to a general consensus concerning the existence of God, he opposed this traditional intellectual framework, which relied on innate ideas.⁵⁰ He devoted the entire first book of the *Essay* to rejecting innate ideas, and to make his case stronger, showed that the idea of God was not innate.⁵¹ He also rejected universal consent as proof of innateness.⁵² As we have seen in the previous chapters, Locke's objection to an innate law of nature dated back to 1664; his antipathy to innate ideas in general probably goes back to the same time, certainly to 1671 as the *Drafts* show very

⁴⁷ Ibid., 384-5.

⁴⁸ Robert Boyle, 'Of Piety', in *The Early Essays and Ethics of Robert Boyle*, ed. John T. Harwood (Carbondale: Southern Illinois University Press, 1991), 170.

⁴⁹ Stillingfleet insisted that 'we have no *evidence* at all' of 'any whole *Nation*, which have *consented* in the *denyal* of a *Deity*'. But even if speculative atheists did exist, he did not think that this would disprove the universal acceptance of the idea of God: 'For I demand of the greatest *Atheist*, Whether it be sufficient to say, that it is not *natural* for men to have *two legs*, because some have been *born* with *one*'. Stillingfleet, *Orgines Sacrae*, 392. This was a clumsy argument because it gave rise to two questions: If there was universal consent concerning the existence of God, who was he arguing against? And wasn't it a circular argument to say that unbelief in God was unnatural when he was trying to prove that belief in God was natural? These considerations have led David Berman to conjecture that there was a 'repressive tendency' amongst intellectuals; that is, in denying that speculative atheists could exist, or even if they did, arguing that they were brutes, intellectuals were repressing the thought that atheism was a rational belief they could endorse, thereby defending the naturalness of a belief in God. Berman, *A History of Atheism in Britain*, esp. ch.1.

⁵⁰ Quote from *E*, 1.4.9; on general consensus, *ELN*, 109; *W*, vol.4, 494.

⁵¹ *E*, 1.4.

⁵² *ELN*, 165; *E*, 1.2, 1.4.

plainly.⁵³ I will now argue that in rejecting innate ideas, Locke in fact helped to create the conceptual problem of the speculative atheist, that is, one who seriously denied the existence of God in word and thought. I will argue that Locke was denying toleration to this particular species of atheist, which, I will show, was a significant break from his contemporaries. And because he was making this move, I will argue, he had a strong motive not to say much about atheism in general to avoid drawing too much attention to its potentially subversive implications for morality and religion.

As we saw above, intellectuals insisted that one could not really deny the existence of God if this was presumed to be innate. Locke, however, rejected that there were innate ideas. For Locke, it was a given fact (something we might, following R.G. Collingwood, call an 'absolute presupposition')⁵⁴ that people appropriated and derived ideas in their minds, which became the building blocks of knowledge, from sense experience and rational reflection. Moreover, Locke postulated that people's natural faculties were God-given, and God being veracious, their faculties, when employed properly, were reliable (i.e. not deceptive) and would reveal 'Whatsoever is necessary for the Conveniences of Life, and Information of Vertue'.⁵⁵ Given his confidence that sense experience and reason were sufficient to lead to all the necessary knowledge for this life and the next, Locke argued that it was incompatible with the idea of a wise and purposive God that He should do something redundant as to provide people with innate ideas in addition to their natural faculties.⁵⁶

Next, Locke went on to show how common experience reinforced his case against innate ideas. For Locke, innateness implied that an idea or principle was universally present and accepted. However, although universal consent was a necessary corollary of an idea being innate, it was not sufficient as a proof of its innateness: an idea being universally accepted did not prove that it was innate, if one could show that the same knowledge could be attained by an alternative way, which Locke believed it could.⁵⁷

⁵³ *ELN*, no.3; *D*, 103f.

⁵⁴ R.G. Collingwood, *An Autobiography*, intro. Stephen Toulmin (Oxford: Clarendon Press, 1978), ch.7, esp. 66-7; *An Essay on Metaphysics*, rev. ed., ed. Rex Martin (Oxford: Clarendon Press, 1972), chs.4, 5, esp. 31-3.

⁵⁵ *E*, 1.1.5.

⁵⁶ *D*, 119; *E*, 1.2.1.

⁵⁷ *E*, 1.2.3.

In any case, Locke argued that there was no universal consent concerning, amongst other things, the existence of God and a law of nature. From early on in his intellectual career (as we have seen in Chapter One), Locke had realized that what people called right reason, which was traditionally equated with an innate natural law, was no more than the dictates of their self-fashioned self-interests.⁵⁸ In the *Essays*, the *Drafts* and the *Essay*, he cited instances recorded in the travel literature of whole nations without the notion of God.⁵⁹ Moreover, he observed that few children seemed to have the idea of God or the idea that He ought to be worshipped.⁶⁰ The lack of universal agreement concerning the idea of God and natural law indicated that there were no innate ideas in general.

Locke objected to the doctrine of innateness whether in its 'naïve' form, which claimed that certain ideas were imprinted on the mind at birth by God or in its more sophisticated 'dispositional' form, which claimed that there were certain ideas easily assented to when occasioned by external stimuli.⁶¹ Locke's objection against the naïve form was this: if ideas were stamped on people's minds at birth, in principle, these ideas should be present in children, idiots, and savages as well as adults, the fit-minded and the civilized, which he observed was not the case. His objection against the dispositional form was this: if certain ideas were assented to upon external stimuli, this would imply that every idea to which people ever assented was innate, which for Locke was an odd position to adopt; it would also imply that the ideas and principles became clearer by teaching, which would undermine the authority of such impressions.⁶² Moreover, if it was assumed that people assented to certain ideas upon external stimuli, for example the idea of God, it could not explain why there were some nations totally unresponsive to the greatness of creation.

Now in rejecting innate ideas in its various forms, Locke also helped to create the conceptual problem of speculative atheism. It should be noted here that part of his proof against innate ideas rested on the fact (for him) that there

⁵⁸ *Corr.*, 81, vol. i, 123.

⁵⁹ *ELN*, 173, 175; *D*, 104-6; *E*, 1.4.8.

⁶⁰ *E*, 1.4.19.

⁶¹ John W. Yolton, *John Locke and the Way of Ideas* (Oxford: Clarendon Press, 1968), 29; Daniel Carey, *Locke, Shaftesbury, and Hutcheson* (Cambridge: Cambridge University Press, 2006), 51f.

⁶² *E*, 1.2.21.

were actually people without the notion of a God. To be sure, this was an empirical claim counterposed against another empirical claim that there were innate ideas. Thus, there was still scope for the innatists to retort to Locke's criticism and deny that speculative atheism was a genuine possibility. For example, they could contest (as John Milner would do later on) the validity of the travel literature from which Locke cited his examples of peoples without the notion of a God, or they could argue that the atheistical 'profligate Wretches' Locke observed in contemporary English society was no proof of the existence of speculative atheists unless he could show that they were not practical atheists, so to speak, talking tough. Although, for Milner, Locke's atheists were acting or speaking as if God's existence had no influence over their lives here and now, deep down in their hearts, they had a notion of God which they could not erase.⁶³

Whether Locke's criticism of innatism itself was open to criticism is beside my point. The main point I want to make here is simply that Locke had a different view about human understanding from his contemporaries, and in thinking differently, he created a problem which others neither wanted nor needed to face – the problem of the speculative atheist.

How did the rejection of innate ideas create the conceptual possibility of speculative atheism? This question is linked to the question about how the atheist becomes truly an atheist, which I will discuss in greater depth in the next section. Here, I will highlight the conceptual point. For Locke, because there were no innate ideas, people were born without any ideas; famously, the mind was, as it were, a 'white paper'.⁶⁴ Thus, people were all born ignorant of the knowledge of God, a 'fault' (i.e. shortcoming), he later noted in the *Third Letter for Toleration*, 'that which we were every one of us once guilty of'.⁶⁵ Locke believed the people were all capable of eventually arriving at the knowledge of a

⁶³ John Milner, *An Account of Mr Lock's Religion* (London, 1700), 8. Milner argued that Locke could not claim that there were genuine atheists unless Locke 'could assure us (which he cannot) that their Atheistical Discourse is the Language of their Hearts, as it is too plainly the Language of their Lips and Lives. For any thing that he knows, their Hearts may give their Tongues the Lye, and there may be inward Fears and Whispers that there is a God, at the same time that they most stoutly deny it: or if not at the same time, yet afterward Sickness, or the Approach of Death, may awake the Sense of a Deity, which they hop'd they had laid asleep, never to awake; and make the Notions and Characters which they had labour'd to obliterate, as legible as ever'.

⁶⁴ *E*, 2.1.2.

⁶⁵ *W*, vol.6, 233.

God through their natural faculties, but at the same time, he acknowledged that there would be a stage in their lives in which they would be inevitably without the notion of God. Hereby, he firstly created the possibility of what I will call the 'ignorant' atheist, an atheist who has simply not yet developed the notion of a God. I distinguish this kind of atheism from speculative atheism, which for Locke was absolutely incompatible with civil society. Locke clearly thought that ignorant atheists were qualitatively different from speculative atheists, and also, less threatening to religion and civil society than them. He wrote:

It being less dangerous to religion in general to have men ignorant of a Deity, and so without any religion, than to have them acknowledge a superior Being, but yet to teach or allow them to neglect or refuse worshipping him in that way that they believe he requires, to render them acceptable to him: it being a *great deal less* fault...to be ignorant of him, than, acknowledging a God, not to pay him the honour which we think due to him (emphasis added).⁶⁶

Thus it is misleading when Waldron writes, '[a]fter all, we were all atheists once, says Locke', as if Locke had suggested that the two kinds of atheism were the same.⁶⁷ I will show how this characterization is unhelpful especially considering the issue of how to treat atheists, which we shall discuss in the next section.

Locke's rejection of innate ideas created the space for ignorant atheists. Although Locke maintained that people were capable of coming to the knowledge of God through sense experience and reason, precisely because there was reasoning involved, there was also scope for error. An agent could reason himself into believing that God did not exist, and because he could *reason* himself into believing so, he could obstinately adhere to his view. Of course, it was possible on earlier accounts to suggest that agents could error and even deny God's existence. However, innatists were able to respond by claiming that whatever such an agent may have been saying aloud, deep in his heart, he had the notion of God imprinted and thus could not have been seriously denying the existence of God. No longer able to adduce innate ideas, Locke was faced with the problem of the speculative atheist.

⁶⁶ Ibid., 233.

⁶⁷ Waldron, *God, Locke, and Equality*, 234.

To be sure, Locke's intention was not to encourage atheism. But in rejecting innate ideas, he removed the conceptual bulwark which previously made the denial of atheism possible, thereby casting doubt on the naturalness of the belief in God. Whether before or after the publication of the *Letter* and the *Essay* in 1689, rejecting innate ideas would have met with hostility on account of weakening the proof of the existence of God. According to William Molyneux's observation, writing to Locke in 1696: 'He that, even ten years ago, should have Preachd, that the Idea Dei non est Innata [i.e. the idea of God is not innate], Had certainly drawn on him the Character of an Atheist'.⁶⁸ Still in 1697, to argue against the innate idea of God was received with hostility: against Locke's design to prove that there was no innate idea of God, Stillingfleet, now the bishop of Worcester, argued:

But doth not this [i.e. to argue against the innate idea of God] however take off from the force of an Argument some have used to perswade Men that there is a God [i.e. universal consent]? I meddle not with *Innate Ideas*; but have not some Persons of Note, in these Matters, used the Argument from the *Mark and Character of God imprinted on the Minds of Men* to prove his Being? And have you not set your self to disprove it?⁶⁹

William Sherlock equated Locke's *Essay* to 'the Old Atheistick Hypothesis, which banishes Original Mind and Wisdom out of the World, and therefore not the Maker of it'.⁷⁰ And 'when Men who profess to believe a God and another World, advance such Principles as tend to overturn, or at least very much weaken the Belief of both, it is fitting upon such an Occasion, to consider what they have to say'.⁷¹ Stillingfleet and Sherlock's criticism makes clear that

⁶⁸ *Corr.*, 2131, vol. v, 702. But by this time, Bentley and Whiston were 'very large upon it [the rejection of innate ideas]'. Also by this time, an abridgement of the *Essay* was making its way into the Oxford curriculum. *Corr.*, 1887, vol. v, 351. Yet significantly, the first book, which attacked the idea of innate ideas, was abridged. This may suggest that there was still resistance against the polemic against innatism amongst the Oxford dons. See G.A.J. Rogers's 'Introduction' to *An Abridgement of Mr Locke's Essay concerning Human Understanding* (Bristol: Thoemmes, 1990).

⁶⁹ Edward Stillingfleet, *The Bishop of Worcester's Answer's to Mr Locke's Letter* (London, 1697), 90.

⁷⁰ *Corr.*, 2202, vol. vi, 5; William Sherlock, *A Discourse concerning the Happiness of Good Men* (London, 1704), 124.

⁷¹ Sherlock, *A Discourse concerning the Happiness*, 124-5.

writers were profoundly suspicious of arguments that took away the building blocks of the naturalness of the belief in God.

Perhaps one of the severest criticisms levelled against Locke (although he did not live to see it) was by the third Earl of Shaftesbury, the grandson of Locke's patron the First Earl of Shaftesbury. According to Shaftesbury, writing to a young protégé in 1709, though he could attest to Locke's 'Sincerity as a most zealous *Christian* and Believer', it was not, as it was commonly supposed, Hobbes, but Locke who had destroyed the foundation of morality. For Shaftesbury, Locke 'struck the home Blow'. Hobbes's 'Character and base slavish Principles in Government took off the poyson of his Philosophy'. But Locke 'struck at all Fundamentals, threw all *Order* and *Virtue* out of the World, and made the very *Ideas* of these (which are the same as those of God) *unnatural*, and without Foundation in our Minds'.

Innate is a word he poorly plays upon; the right word, though less used, is connatural. For what has birth or progress of the foetus out of the womb to do in this case? The question is not about the time the ideas entered, or the moment that one body came out of the other, but whether the constitution of man be such that, being adult and grown up, at such or such a time, sooner or later (no matter when), the idea and sense of order, administration, and a God, will not infallibly, inevitably, necessarily spring up in him.

Shaftesbury observed that Locke, 'who had more Faith, and was more learn'd in Modern *Wonder-writers* [i.e. the travel literature], than in Antient philosophy, gave up an Argument for the *Deity*, which CICERO (tho' a profess'd *Sceptick*) would not explode'. The upshot of Shaftesbury's criticism of Locke was that in rejecting innate ideas, he had effectively made the notion of God unnatural, thereby destroying the foundation of morality and advancing the cause of moral relativism and atheism.⁷²

⁷² See Shaftesbury's *Several Letters Written by a Noble Lord to a Young Man at the University* (London, 1716), 39-40. This is also reprinted in *The Life, Unpublished Letters, and the Philosophical Regimen of Anthony, Earl of Shaftesbury*, ed. B. Rand (London, 1900), 403-5. Cf. *Ibid.*, 4-5. In a previous letter dated 24 February 1706/7, Shaftesbury did speak favourably of Locke's *Essay*. 'HOWEVER, I am not sorry, that I lent You Mr. LOCKE'S *Essay of Human Understanding*; which may as well qualify for Business and the World, as for the Sciences and a University. No one has done more towards the Recalling of Philosophy from Barbarity, into Use and Practice of the World, and into the Company of the better and politer Sort; who might well

We have now seen how Locke created the conceptual problem of the speculative atheist and the critical responses it would attract. The question then is: how did he deal with it? This is the subject of the next section.

2. Locke's Response to Speculative Atheism

In the previous section, we saw that a consideration of Locke's wider thought enabled us to see a unique aspect of his discussion of atheism. We saw how in rejecting innate ideas, Locke also created the conceptual problem of speculative atheism. For many intellectuals in the seventeenth century, this problem did not arise because they, unlike Locke, postulated that the idea of God was innate. Without innate ideas, Locke had to entertain the possibility that people could reason themselves into atheism. In other words, because he could not adduce innate ideas, speculative atheism was a genuine problem for him.

The question I will investigate in this section is this. Given that Locke created the problem of speculative atheism, how did he think that it should be dealt with? We know from the *Letter* that Locke thought that atheism was absolutely incompatible with civil society, and thus, argued that it was not to be tolerated by the magistrate. But what exactly did 'not to be tolerated' entail? As I have noted at the outset of this chapter, modern commentators have been perplexed as to what exactly Locke thought we ought to do with atheists.

Now, much of what Locke did say about atheism may initially give the impression that in his view, atheists were to be treated violently and harshly. His tone was usually impatient and potentially destructive. In *A Vindication of the Reasonableness of Christianity*, Locke maintained that atheism was a 'crime', which, 'for its madness as well as guilt, ought to shut a man out of all sober and civil society'.⁷³ He frequently compared those who disbelieved in the existence of God and the law of nature to 'brutes' or 'wild beasts'. In the *Essay*, he wrote that nobody is 'so brutish as to deny' that 'God has given a Rule whereby Men should govern themselves'; and indeed, that it was a surprise that 'a whole Nation of Men should be any where found so brutish, as to want the Notion of a

be ashamed of it in its other Dress. No one has opened a better or clearer Way to Reasoning. And above all, I wonder to hear him censured so much by any Church of ENGLAND-Men, for advancing Reason, and bringing the Use of it so much into Religion; when it is by this only that we fight against the *Enthusiasts*, and repel the great Enemies of our Church'.

⁷³ *W*, vol.7, 162.

God'.⁷⁴ In 'An Essay', he asserted that without the belief of a deity, 'a man is to be counted noe other then one of the most dangerous sorts of wild beasts & soe uncapeable of all societie'.⁷⁵ And if we consider the fact that in the *Two Treatises*, Locke argued that one who has renounced 'Reason, the common Rule and Measure, God hath given to Mankind', may be destroyed as a 'wild Savage Beast', we might well speculate that Locke thought that atheists, whom he equated with wild beasts, should be destroyed.⁷⁶

As far as the secondary literature is concerned, however, although atheists lose the great majority of human rights, and their belief (or disbelief) is to be suppressed by the magistrate, there is no explicit indication that atheists were to be treated like warmakers, who were also compared to wild beasts, or that they could be slaughtered at will.⁷⁷ But beyond this point, commentators have struggled to say anything constructive.

In what follows, I will show how a holistic consideration of Locke's thought, particularly a consideration of his often neglected (that is, in the context of a discussion about atheism) writings on education and the conduct of the understanding, can help to shed light on the question of the treatment of atheists.⁷⁸ We shall see that for Locke, atheism was an indication of people failing to use their faculties properly. His response was therefore to show how one's faculties could be trained through education. As the secondary literature suggests, there is no indication of bigotry on Locke's part and indeed, I will show that when coercion is hinted, there was an educative purpose behind it

⁷⁴ *E*, 2.28.8; 1.4.9.

⁷⁵ *ETol*, 308.

⁷⁶ *TTG*, II. 11.

⁷⁷ Dunn, 'What is Living and What is Dead in the Political Theory of John Locke?', 19; Simmons, *On the Edge of Anarchy*, 127n; Vernon, *The Career of Toleration*, 147.

⁷⁸ There is a manuscript entitled 'Deus' dated 1696 which I want to take note here. Ms. Locke c.28, fols. 119-20. In this manuscript, Locke examined the validity of Descartes's proof of the being of God against the atheists. According to Locke, the atheists – a reference to Hobbes and the Hobbists – were not questioning the existence of an eternal Being, but suggesting that this Being was a 'Senseless material Substance'. After pointing out the deficiencies of Descartes's proof of the being of God from the idea of necessary existence as a response to the atheists, Locke argued as follows: 'internall perception self consiousnesse or intuition from whence therefore may be drawn by a traine of Ideas the Surest and most incontestible proof of the Existence of God'. This is a revealing passage and one which seems useful and relevant in an investigation about Locke's conceptual response to speculative atheism. An examination of this manuscript is surely an important element in a holistic investigation and I consider this a complementary project to mine. However, in this chapter, I focus on the role of education in Locke's dealing with the problem of speculative atheism to bring to light, in the limited space of the chapter, one neglected aspect of Locke's thought which shows how a seemingly peripheral area of his thought may help to shed light on his wider intellectual concerns.

(whether this is of any comfort to the modern day atheist reading Locke is a different matter).

I will first consider how, on Locke's account, atheists become atheists, that is, given their natural faculties, how do they go wrong? I will then consider Locke's response to this problem. Finally, I will say something about Locke's general terseness about the issue of atheism.

3. The Atheist becomes an Atheist

In reconstructing a story about Locke's discussion about atheism, two of his later works are of particular interest: namely, Locke's *Some Thoughts concerning Education*, which was published in 1693 but written from 1684 for Edward Clarke, giving recommendations as to how to rear and educate his young son, and his *Of the Conduct of the Understanding*, which was published posthumously but was written in 1697 as it was originally intended to be a chapter in the *Essay*. What kind of story do these works tell about how Locke thought atheists became atheists? The general story developed by Locke suggests that he thought atheists were simply people who were lazy and did not use their faculties properly.

In his *Conduct of the Understanding*, Locke argued that besides one's professional calling, everyone 'has a concern in a future life which he is bound to look after'.⁷⁹ Religion is man's 'calling as he is a man in the world'.⁸⁰ Thus, 'it mightily lies upon him to understand and reason right': he 'cannot be excused from understanding the words and framing the general notions relating to religion right'.⁸¹ Locke believed that 'everyone has enough to get as much knowledge as is required and expected of him, and he that does not that is in love with ignorance and is accountable for it'.⁸² Locke saw no reason for 'the meaner sort of people' to give themselves up to a 'brutish stupidity' in their 'nearest concernment'. He noted that the Huguenot peasantry – whose plight he reckoned to be much worse than the 'day-labourers in England' – demonstrated splendid competence 'to learn to understand their religious duties', possibly

⁷⁹ *CU*, 8.

⁸⁰ *Ibid.*, 19.

⁸¹ *Ibid.*, 8.

⁸² *Ibid.*, 37.

surpassing those of a 'higher condition' among the English population.⁸³ The English and Europeans were particularly fortunate, on Locke's account, because Christianity was very much a part of their everyday life. Divine revelation was in a hand's reach. The 'one day of seven, besides other days of rest' allows enough time for people to set their mind on their religious duties, if they

would but make use of these vacancies from their daily labour and apply themselves to an improvement of knowledge with much diligence as they often do to a great many other things that are useless, and had but those that would enter them according to their several capacities in a right way to this knowledge.⁸⁴

In short, Locke's point was that 'any human being who cared enough about the goal and took sufficient trouble could reconstruct themselves to do so'.⁸⁵

As with the expectation that all should be religious beings, Locke had the same expectation for people doing theology, that is, natural theology. Theology, a science 'incomparably above the rest', contains 'the knowledge of God and His creatures, our duty to Him and our fellow creatures and a view of our present and future state'. It is

the comprehension of all other knowledge directed to its true end, i.e. the honour and veneration of the Creator and the happiness of mankind. This is that noble study which is every man's duty and everyone that can be called a rational creature is capable of.⁸⁶

As we can see, Locke was saying that one who could not gather the minimal knowledge of one's natural duties to God was simply not using his faculties properly. 'We are born to be, if we please, rational creatures', Locke said; but 'it is use and exercise only that makes us so, and we are indeed so no further than industry and application has carried us'.⁸⁷ As Geraint Parry notes, 'proper use',

⁸³ Ibid., 8; John Dunn, 'Bright Enough for All Our Purposes: John Locke's Conception of a Civilized Society', *Notes and Records of the Royal Society* 43 (1989): 143.

⁸⁴ *CU*, 8; see also, *E*, 4.20.3.

⁸⁵ Dunn, 'Bright Enough for All Our Purposes', 143.

⁸⁶ *CU*, 23.

⁸⁷ Ibid., 6.

for Locke, implies 'consistency and industry'.⁸⁸ Thus, the problem with the atheists on Locke's account was that they are lazy when it comes to the care of their souls.

Locke identified three 'miscarriages' of which people could be guilty in relation to the use of their reason.⁸⁹ First, there were those who hardly reasoned at all and followed the paths laid down by others. This was a fault Locke observed in Catholics.⁹⁰ Secondly, there were those who put passion in the place of reason. This was a fault the enthusiasts made.⁹¹ Thirdly, there were those who sincerely attempted to reason, but were nonetheless misled because they lacked a full view of all that pertained to that which was the subject of inquiry. This partiality to opinions was prejudicial to knowledge and improvement.⁹² Because 'everyone in his private affairs uses some sort of reasoning', he tends to be denominated as being 'reasonable'. However, that 'one who is found reasonable in one thing is reasonable in all' was, for Locke, a false inference. Locke remarked:

it is true that he who can reason today about one sort of matters cannot at all reason today about others, though perhaps a year hence he may. But wherever a man's rational faculty fails him and will not serve him to reason, there we cannot say he is rational, how capable soever he may be by time and exercise to become so'.⁹³

Impartiality in one's enquiry was not easy, Locke admitted, but it was 'the right way to truth', which people 'must follow who will deal fairly with their own understandings and their own souls'.⁹⁴

The timing of the *Conduct of Understanding* suggests that it was this third miscarriage that Locke thought that the atheist was guilty of committing. It is well-known that Locke took particular interest in the case of the Scottish

⁸⁸ Geraint Parry, *John Locke* (London: G. Allen & Unwin, 1978), 42.

⁸⁹ *CU*, 3.

⁹⁰ *LcT*, 49-51; *E*, 4.20.10; Philippus van Limborch, 'Extracts from *A Compleat System, or Body of Divinity*', in *John Locke and Christianity*, ed. Victor Nuovo (Bristol: Thoemmes Press, 1997), 63-4.

⁹¹ *E*, 4.19 .

⁹² *CU*, 22.

⁹³ *Ibid.*, 6.

⁹⁴ *Ibid.*, 35.

student Thomas Aikenhead 'the Atheist', who was executed for blasphemy on 8 January, 1697.⁹⁵ Reflections upon this incident may well have prompted Locke to write the *Conduct of the Understanding* in early April 1697.⁹⁶ We know from his correspondence with James Johnston, Secretary of State for Scotland from 1691 to 1696, that Locke avidly collected documents and papers pertaining to this trial.⁹⁷ His collection included the 'Paper', which gave an account by Aikenhead himself of 'how he had arrived at his sceptical opinions'. Importantly, the 'Paper' stressed 'his insatiable inclination to truth'. Contemporary witnesses also testified that Aikenhead was 'not vicious, and extremely studious'.⁹⁸ Aikenhead allegedly derived his thoughts by the reading of 'some atheistical books', perhaps provided by his colleague Mungo Craig. Locke's comments in the *Conduct of Understanding* suggest that he had in mind somebody like Aikenhead, who had a strong passion for truth, yet nonetheless reasoned himself into atheism. The *Conduct of Understanding* suggests that Locke would have applauded Aikenhead's courage to investigate the truth and fight against received opinions and dogmatism.⁹⁹ But he wrote: 'We should contend earnestly for the truth, but we should first be sure that it is truth, or else we fight against God, who is the God of truth'; and 'the reason why some men of study and thought that reason right and are the lovers of truth do make no great advances in their discoveries' is because 'they converse but with one sort of men' and 'they read but one sort of books'.¹⁰⁰ The lack of impartiality was, for Locke, a fault, and a fault which, as the Aikenhead case showed, could lead to atheism.

⁹⁵ Michael Hunter, 'Aikenhead the Atheist: The Context and Consequences of Articulate Irreligion in the Late Seventeenth Century', in *Atheism from the Reformation to the Enlightenment*, eds. Michael Hunter and David Wootton (Oxford: Oxford University Press, 1992). Another marginal case of heterodoxy in which Locke took an interest was the German Balthasar Bekker, a minister of the Public Church in Amsterdam, who was accused of undermining the authenticity of Scripture and being an 'advocate of atheism' for denying the influence of evil spirits. *Corr.*, 1409, vol. iv, 294-301.

⁹⁶ *Corr.*, 2243, vol. vi, 87 (10 April 1697). 'I have lately got a little leisure to think of some additions to my book, against the next edition, and within these few days have fallen upon a subject that I know not how far it will lead me. I have written several pages on it, but the matter, the farther I go, opens the more upon me, and I cannot yet get sight of any end of it. The title of the chapter will be Of the Conduct of the Understanding, which, if I shall pursue, as far as I imagine it will reach, and as it deserves, will, I conclude, make the largest chapter of my Essay'.

⁹⁷ *Corr.*, 2207, vol. vi, 17-19 (27 February 1697). See list of documents on page 17.

⁹⁸ Hunter, 'Aikenhead the Atheist', 230.

⁹⁹ *CU*, 11.

¹⁰⁰ *Ibid.*, 11; 3.

We now have a general idea of Locke's explanation of how atheists became what they were, that is, deniers of the being of a God: namely that they were partial and lazy when it came to examining about their natural religious duties *qua* man. Let us now take some time to inquire further into the question of what, on Locke's account, the cause of atheism was. For Locke, the mind was something that needed to be 'set right', so that 'on all Occasions it may be disposed to consent to nothing, but what may be suitable to the Dignity and Excellency of a rational Creature'.¹⁰¹ From this claim, we might expect some kind of causal story of the development of misguided minds, i.e. of the atheists. But 'one feature of a growth theory that Locke does little to delineate', as John and Jean Yolton, the modern editors of Locke's *Some Thoughts* observe, 'is the acquisition of beliefs'.¹⁰² Indeed, this is a frustrating reality for the student of Locke. However, I will show that a closer examination of his writings on education reveals how he thought atheists acquired an unfavourable habit of reasoning.

In Locke's view, the education children receive from their parents plays a significant part in the beliefs they acquire and the ways in which they learn to reason. In the *Two Treatises*, Locke argued that parents have a duty to take care of their children during their 'imperfect state', and 'inform the Mind and govern the Actions of their yet ignorant Nonage, till Reason shall take its place'.¹⁰³ However, after the child reaches the age of reason, he is free and is on equal status as his father.¹⁰⁴ To let the child yield to 'an unrestrain'd Liberty, before he has Reason to guide him' is not to make him free, but contrariwise, 'to thrust him out amongst Brutes, and abandon him to a state as wretched, and as much beneath that of a Man, as theirs'.¹⁰⁵

It is important to register the point that for Locke, '[t]o guide one's self by the law of nature and reason is not merely to live an orderly and virtuous life: it is to have the very essence of humanity'.¹⁰⁶ From what we have seen in Chapter One, for Locke, God was the author of the law of nature and reason, and so, being a 'man' in his terms implied that one acknowledged His existence.

¹⁰¹ *STE*, 31.

¹⁰² John W. and Jean S. Yolton, 'Introduction', in *STE*, 39.

¹⁰³ *TTG*, II. 58.

¹⁰⁴ *Ibid.*, 59.

¹⁰⁵ *Ibid.*, 63.

¹⁰⁶ Yolton and Yolton, 'Introduction', 25.

Thus, in *A Second Vindication of the Reasonableness of Christianity*, Locke asserted: ‘As *men*, we have God for our King, and are under the law of reason’; and so ‘he that believes one eternal, invisible God, his Lord and King, ceases thereby to be an atheist’ (emphasis added).¹⁰⁷ In this light, we see that education, that is, teaching how to reason properly, literally ‘humanizes’ the child.¹⁰⁸ We see that much responsibility lies with parents and educators. How did Locke suggest they should educate their children?

In *Some Thoughts*, Locke recommended that the ‘true Notion of *God*’ – that is, ‘as of the independent Supreme Being, Author and Maker of all Things, from whom we receive all our Good, who loves us, and gives us all Things’ – should be ‘imprinted on’ the child’s mind at an early stage to secure the foundation of virtue.¹⁰⁹ He advised the parents that on this occasion the child need only be told that God ‘made and governs all Things, hears and sees every Thing, and does all manner of Good to those that love and obey Him’.¹¹⁰ He warned that ‘unseasonably’ teaching more may be damaging: the nature of the ‘infinite Being’ being ‘incomprehensible’, those ‘who have not strength and clearness of Thought, to distinguish between what they can and what they cannot know, run themselves into Superstition and Atheism, making *God* like themselves,¹¹¹ or (because they cannot comprehend any thing else) none at all’.¹¹² The child must be taught only ‘as far as his Age is capable’.¹¹³ Adults, like children, were also prone to falling into atheism by being taught things above their strength: As early as 1667, Locke had conjectured that

the defineing & undertakeing to prove severall doctrines which are confesd to be incomprehensible & to be noe otherwise knowne but by revelation, &

¹⁰⁷ *W*, vol.7, 229.

¹⁰⁸ Yolton and Yolton, ‘Introduction’, 25; see also John W. Yolton, *Locke: An Introduction* (Oxford: Blackwell, 1985), 37.

¹⁰⁹ *STE*, 136.

¹¹⁰ *Ibid.*, 136.

¹¹¹ One major problem Locke had with polytheism was that it made the gods essentially human. *ELN*, 175. Polytheism was for Locke essentially the same as atheism.

¹¹² *STE*, 136. Similar ideas can be found in the additional chapter ‘Of Association of Ideas’ in the *Essay*: ‘Let custom from the very Childhood have join’d Figure and Shape to the *Idea* of God, and what Absurdities will that Mind be liable to about the Deity?’. *E*, 2.33.17.

¹¹³ *STE*, 139.

requiring men to assent to them in the termes proposd by the Doctors of your severall churches, must needs make a great many atheists.¹¹⁴

As it was the case with teaching basic natural theology, Locke cautioned parents to take extra care with the method of teaching Christianity, lest it led to irreligion.¹¹⁵ Children should learn the Lord's Prayer, the Creeds, and Ten Commandments 'perfectly by heart'.¹¹⁶ They should also read the Bible (and perhaps *only* the Bible until they are ready to read Cicero's *On Duties*).¹¹⁷ However, Locke went far as to say that 'the promiscuous reading of it [sc. the Bible] through, by Chapters, as they lie in order, is so far from being of any Advantage to Children' for 'principaling their Religion, that perhaps a worse could not be found'. He went on to say that he was 'apt to think, that this in some Men has been the very Reason, why they never had clear and distinct Thoughts of it all their Life-time'.¹¹⁸

The passages we have just been looking at are tremendously important because they give us a vivid idea of how Locke thought that people fell into atheism. To sum up, Locke's claim was that excessive attempts to reason about God's nature (i.e. engaging in complicated natural theology) at a premature stage could lead to a false notion of God or even atheism itself. Locke intimated that the causes of this excessive reasoning were internal and external to the individual. The internal cause was 'curiosity'. Concerning curiosity, Locke remarked that it should be 'as carefully *cherished* in Children, as other Appetites suppressed'.¹¹⁹ On Locke's account, therefore, the parents have a great responsibility to inform the child of what they want to know, but not to give them more than they can take in. Excessive curiosity may be one of many biases in the child's natural tempers, which he may be unavoidably born with; and 'either to take off, or counter-balance' these natural inclinations was the 'Business of Education'.¹²⁰ The external cause was the religious and educational

¹¹⁴ *ETol*, 302.

¹¹⁵ *STE*, 158.

¹¹⁶ *Ibid.*, 157.

¹¹⁷ *Ibid.*, 185.

¹¹⁸ *Ibid.*, 158.

¹¹⁹ *Ibid.*, 108.

¹²⁰ *Ibid.*, 139.

environment in which the child happened to be placed. Parents, tutors, and local priests may overzealously introduce religious doctrines to a child.

We may infer from the above consideration that on Locke's account, the inquisitive but ignorant reasoning of a child could become the arrogant and stubborn reasoning of an adult. Because his beliefs were instilled in childhood, and 'riveted there by long Custom and Education', he was inclined to think that these beliefs were innate principles. Once this has happened, Locke observed, it was 'beyond all possibility of being pull'd out again'.¹²¹ Because such a person has absolute faith in his reasoning, he will abandon the passion for truth and further inquiry, and will fail to see that his knowledge was partial. At this point, he becomes a stubborn speculative atheist, one that is truly menacing to civil society. His false reasoning, his failure to come to the knowledge of God and the law of nature renders him a 'madman' and one who ought never to have been set free from parental government.¹²²

4. Treatment of Atheists

We have now seen how on Locke's account, an atheist becomes an atheist. Next, I will consider how Locke thought atheists should be treated. In considering how Locke thought we should deal with atheists, we need to distinguish between the ignorant atheist – that is, an atheist by virtue of his unavoidable ignorance in nonage or an atheist by virtue of not yet having seriously contemplated his religious duties – and the speculative atheist. As we saw above, from what Locke said in the *Third Letter*, the ignorant atheist was less damaging to religion and less faulty than a hypocritical worshipper. The *Conduct of the Understanding* advanced a view consistent with this. Here, Locke wrote: 'it being of worse consequence to steer one's thoughts by a wrong rule than to have none at all, error doing to busy men much more harm than ignorance to the slow and sluggish'.¹²³ For Locke, it was imperative that one guided oneself by the right rule, namely the law of nature and reason. Those transgressing the law of nature declared themselves 'to live by another Rule, than that of *reason* and common Equity, which is that measure God has set to the actions of Men, for

¹²¹ *E*, 4.20.9.

¹²² *Ibid.*, 2.11.13, 2.33.4; *W*, vol.7, 162; *TTG*, II. 60.

¹²³ *CU*, 13.

their mutual security'; and thus, a man 'becomes dangerous to Mankind'.¹²⁴ The speculative atheist did just this. The speculative atheist was one who 'rationally' reached the wrong conclusion that God does not exist, and obstinately held fast to this view. This was the atheist as such and the truly intolerable atheist. As we shall see, Locke differentiated the way in which we should treat the ignorant atheist and the speculative atheist. Here, 'obstinacy' is the key word.

Locke's response to children and 'very mean' people, that is, those who fit the description of the ignorant atheists was patient. In a discussion of correcting the child, he remarked in *Some Thoughts*:

Nor is that hastily to be interpreted obstinacy, or wilfullness, which is the natural product of age or temper. In such miscarriages they are to be assisted, and helped towards amendment, as weak people under a natural infirmity; which though they are warned of, yet every relapse must not be counted a perfect neglect.¹²⁵

In the case of the 'very mean' people, Locke considerably argued: 'they would be found not to want understanding fit to receive the knowledge of religion, if they were a little encouraged and helped in it as they should be'.¹²⁶

But his attitude was much more impatient with the stubborn speculative atheist. Because the stubborn atheist was convinced that his or her own rule is right, he or she was of much worse consequence than one who was merely ignorant of the rule of reason. In the *Essay*, Locke suggested that it was commendable that the magistrate should suppress atheism:

we should have too much Reason to fear, that many, in more civilized Countries, have no strong, and clear Impressions of a Deity upon their Minds; and that the Complaints of Atheism, made from the Pulpit, are not without Reason. And though only some profligate Wretches own it too barefacedly now; yet, perhaps, we should hear, more than we do, of it, from others, did not the fear of the Magistrate's Sword, or the Neighbour's Censure, tie up Peoples

¹²⁴ *TTG*, II. 8.

¹²⁵ *STE*, 80.

¹²⁶ *CU*, 8.

Tongues; which, were the Apprehensions of Punishment, or Shame taken away, would openly proclaim their *Atheism*, as their Lives do.¹²⁷

This way of dealing with the atheist is strikingly similar to the way he dealt with the obstinate child in *Some Thoughts*.¹²⁸ Locke was famously against whipping as a means of education. But there was ‘one Fault’ which he thought it appropriate to whip the child: ‘*Obstinacy or Rebellion*’. Stubbornness, and an obstinate disobedience ‘must be master’d with Force and Blows: For there is no other Remedy’.¹²⁹

However, Locke insisted that the ‘shame of Whipping, and not the Pain, should be the greatest part of the Punishment’.¹³⁰ Locke was well aware of people’s inclination to seek the approbation of others while shunning anything that might bring shame upon them. Locke’s approval of the use of shame against atheists was no coincidence. Thus, it is extremely unhelpful when Waldron deleted the references to public opinion and ‘shame’, and focused exclusively on the magistrate’s sword.¹³¹ One of Locke’s arguments in the *Letter* is that force cannot change people’s inward persuasion.¹³² Though Locke later conceded through his exchange with Jonas Proast that force did have an effect on belief, he still resolutely believed that it was likely only to produce hypocrisy. This is where public opinion played a crucial role. The uniqueness of *Some Thoughts* was with its use of the agent’s desire for approbation as a means to create virtue within the agent.¹³³ Although reputation is ‘not the true Principle and Measure of Vertue’, it is nevertheless that ‘which comes nearest to it’.¹³⁴ By deploying shame, Locke tried to motivate the atheists to turn their eyes to their primary duty as men. The fact that people were moved by esteem was distasteful for Locke, but he took this disposition to his advantage and used it for his purpose.¹³⁵ For coercion, in the end, may only make the atheist a hypocrite.¹³⁶

¹²⁷ *E*, 1.4.8.

¹²⁸ *STE*, 78-80.

¹²⁹ *Ibid.*, 78.

¹³⁰ *Ibid.*, 78.

¹³¹ Waldron, *God, Locke, and Equality*, 234.

¹³² *LcT*, 27.

¹³³ Ian Harris, *The Mind of John Locke*, rev. ed. (Cambridge: Cambridge University Press, 1998), ch.9.

¹³⁴ *STE*, 61.

¹³⁵ Harris, *The Mind of John Locke*, 283.

Unless atheists are genuinely brought out of their misconception, there remained a grave danger to civil society.¹³⁷ Locke seems to have taken seriously the idea that ‘A little leaven leaveneth the whole lump’ (Gal 5:9). He would have been all the more certain about this when he immersed himself in the study of Paul’s epistles. In this work, he paraphrased: ‘the influence of one man enterteind among you may mislead you all’.¹³⁸ That there were people who sincerely denied God’s existence ‘though but even in thought’ was an alarming situation. The atheist needed either to be corrected or hindered from voicing his opinion in public – more so, if his argument had the appearance of rationality, or perhaps even more so, if he was a gentleman. For Locke wrote: ‘For if those of that Rank [sc. Gentlemen] are by their Education once set right, they will quickly bring all the rest into Order’. Surely this logic could work for the worse.¹³⁹

5. Locke’s Brevity

This last point about the impact of public opinion brings us to the question about the peculiar brevity of Locke’s discussion of atheism. Compared to his contemporaries who dealt with the problem of atheism extensively, Locke said very little explicitly about it. This seems odd given the importance he clearly attached to the problem of atheism. In light of the considerations hitherto, I will consider the reasons that may have been behind his terseness.

We have seen above that Locke’s rejection of innate ideas created the ignorant atheist and thereby the possibility of the speculative atheist. Given that the idea of God was not innate, there was a possibility that people could genuinely reason themselves into atheism, that is, deny the being of a God. Locke’s own philosophical commitment showed that speculative atheism was possible, but it would not have been a problem to which he would want to draw

¹³⁶ A crucial point highlighted in the recantation of Daniel Scargill, a professed atheist and Hobbist was that ‘recanting Hobbists are intrinsically unreliable’. Recantation ‘was always a flawed punishment for a Hobbist, because Hobbes had famously suggested that under the order of the civil magistrate it was permissible to give an external profession without actually internally subscribing to the view expressed’. Jon Parkin, ‘Hobbism in the Later 1660s: Daniel Scargill and Samuel Parker’, *Historical Journal* 42 (1999): 95.

¹³⁷ Once oath taking (and the like) is ‘looked on as Formalities of Law’, or once ‘Custom of straining Truth’ has ‘dipt Men in Perjury, and guilt with Temptation has spread it self very wide, and made it almost fashionable in some Cases, it will be impossible for the Society...to subsist’. *M*, 213.

¹³⁸ *PaN*, 151.

¹³⁹ *STE*, ‘Epistle Dedicatory’. Cf. David Wootton, ‘Introduction’, *Political Writings* (Indianapolis: Hackett, 2003), 109.

attention. We have seen that, for many seventeenth century intellectuals, opening up the possibility of speculative atheism would cast doubt on the naturalness of the notion of God and with it, morality and religion. Thus, one reason Locke did not address the issue of atheism at length may have been to avoid drawing attention to the possibility of atheism itself.

Connectedly, and perhaps more crucially, Locke may have avoided an extensive discussion of atheism because he did not want people to think that speculative atheism was a respectable opinion that could be embraced. A serious refutation of atheism could have the unintended effect of providing ammunition against religion and theology. If Locke, a gentleman, took up atheism as an opinion requiring serious refutation, it would give it undesirable respectability as a view that one could rationally and seriously entertain, or at least, something worth reflecting upon.

This thesis is all the more plausible given the example of Ralph Cudworth. As I have noted above, Cudworth wrote the *True Intellectual System* wherein he refuted the 'reason and philosophy' of atheism. However, he desisted from publishing the second part of the *True Intellectual System* because the first part had undesirably given ammunition to atheistic arguments in extensively discussing it.¹⁴⁰ Indeed, Henry Atherton, possibly with Cudworth in mind, observed that:

those very Arguments which have been made use of to confute one *Atheist*, have made twenty; for the less curious and examining (which certainly are far the greater number) seeing learned persons start so many difficulties, and spend so much time and labour in the Argumentative part to convince, do from thence conclude that the thing is at least dubious.¹⁴¹

If atheism was out for serious public scrutiny, Locke feared, given the force of public opinion, it could gain currency. Therefore, atheism could not be treated seriously.¹⁴²

¹⁴⁰ William Warburton, *Divine Legation of Moses Demonstrated*, 2 vols. (London, 1742), II, x-xii; Berman, *A History of Atheism in Britain*, 62-3; Parkin, *Taming the Leviathan*, 334.

¹⁴¹ Henry Atherton, *The Christian Physician* (London, 1683), 4.

¹⁴² Wootton, 'Introduction', 109.

The narrative of Locke's terseness concerning atheists parallels his terseness concerning Hobbes. As we have seen, rejecting traditional arguments for theism in favour of new ones was seen as compromising theism itself and a vindication of atheism. Likewise, departing from traditional ways of thinking and sharing many similar conceptual resources with Hobbes, Locke would have wanted to avoid drawing attention to these similarities to avoid incurring the charge of atheism with which Hobbes was associated. Moreover, a serious rebuttal of Hobbes would effectively draw attention to his arguments rather than discrediting them.

6. Concluding Remarks

In this chapter, I examined the development of Locke's discussion of atheism. Locke's view on atheism has usually been treated dismissively by modern commentators and brushed aside as an anomalous reproduction of an erroneous seventeenth century commonplace by an otherwise liberal (even on modern standards) thinker. Moreover, the fact that he, unlike his contemporaries, did not discuss this important issue at length seemed to confirm that he had not seriously reflected upon it.

The purpose of this chapter was to show through a holistic analysis that there is a more complicated intellectual story behind Locke's discussion of atheism. I showed how a holistic analysis could help us to learn more about Locke's views on atheism in general, that is, what exactly Locke's atheists believed or disbelieved, how they became what they were, and how Locke thought we should deal with them. Previous scholarship had struggled to say anything concrete about these issues not least because of the paucity of information provided by Locke in his writings about toleration. However, a consideration of his often neglected writings on education and the conduct of the understanding suggested that there was a sophisticated intellectual story behind his view on atheism. One of the ways in which atheists could become atheists was through partiality in their consideration. The causes of this may also be multiple, but one was getting involved in difficult considerations about the deity when one was still intellectually unprepared. Locke distinguished between the ignorant and speculative atheists, and offered different ways in which we should treat them. Concerning the ignorant atheist, it was suggested that the educator be

patient and gradually train the atheist in the skills needed to inquire into issues more broadly. Concerning the speculative atheist, it was suggested that they be treated as an obstinate child, but the punishment imposed on them stressed the educative purpose behind it, and used public opinion to encourage the atheist to rethink again.

Through this reconsideration, the holistic perspective also helped us to think intelligibly about Locke's peculiar silence concerning the issue of atheism in general. Because Locke was aware that in denying innate ideas, he had created the conceptually new possibility of the speculative atheist, and because the existence of this possibility cast doubt on the naturalness of the idea of God, and in turn, on the naturalness of morality and religion, he did not want to draw attention to it. An extensive discussion would not only draw attention to the possibility of speculative atheism, but also, would also give it undue respectability: the fact that one had to offer an extensive argument against atheism would suggest that it was a view that needed to be taken seriously.

Finally, I should like to note the implication that follows from this chapter concerning the coherence of Locke's thought. Through the above considerations, this chapter showed how Locke pursued the implications of his philosophy and how this patterned the way in which he thought about the limits of toleration. It also showed how Locke's politics centred on the notion of a God and how education could be both the problem and remedy of fostering that notion. In other words, this chapter showed, contrary to the almost universally held view that Locke never seriously reflected on the problem of atheism, that he *did* think hard about this problem, and that he did so in a way that connected with his wider thought. This chapter therefore helps us to appreciate that Locke was a much more coherent, meticulous and philosophical thinker than we have been encouraged to believe.

CHAPTER FIVE

Reconciling Human Freedom and Human Sinfulness

The purpose of this chapter is to examine a particular puzzle about the coherence of Locke's revealed theology in relation to his wider thought. More specifically, it examines a puzzle about the coherence of Locke's views on human freedom and human sinfulness with particular reference to Locke's *A Paraphrase and Notes on the Epistles of St Paul*. This issue has attracted little attention to date, but as far as the existing literature is concerned, contextualists have traditionally claimed that in Locke's later theology there exists a tension between human freedom and human depravity. The implication of this view is that at the end of his life Locke came to adopt a view of human sinfulness that undermined the entire fabric of his thought which rested, amongst other things, upon the assumption that people were free and responsible agents. My aim in this chapter is to show through a holistic analysis that although Locke was convinced of human corruption, his religious thought in fact developed in a way that was consistent with his previous assumptions about human freedom. I will also suggest that this narrative may help us to see the structural anti-Hobbism of Locke's thought.

The selection of this puzzle is not without reason. First, the problem of human freedom in the *Paraphrase* is an exemplary case where a tension in Locke's writings is identified by a narrow contextualist approach, but which, through a holistic examination, can be rendered coherent. Thus, it is a case that shows the limits of particular methodologies and shows how the holistic approach can help us to see different intimations of Locke's overall coherence.

Moreover, the *Paraphrase* itself has been neglected in Locke scholarship. This case study fills in this gap by casting light not only on the often neglected *content* of Locke's revealed theology, but also, its *role* in his wider thought. This last point is particularly significant in the context of recent studies of Locke's religious thought. Ever since Geraint Parry's observation in 1978 that a 'profound study of Locke's theology [was] a striking gap in the literature',

numerous invaluable studies on Locke's religious thought have been published.¹ However, the more recent studies on Locke's revealed theology tend to be narrowly focused on very specific issues, and as a result, have encouraged a culture which ghettoizes it from his wider thought. The example I have in mind is the major debate over whether Locke was a Socinian, more specifically, whether he was a Unitarian or not.² Although such a debate is invaluable for making clearer judgments about Locke's religious orthodoxy (or rather, heterodoxy), without further explicating what the significance of his being a Unitarian would be for his thought as a whole, it tends to promote the idea that Locke's revealed theology had little, if any, impact beyond itself.

The third and last significance of this puzzle is that it offers an alternative approach to the one above that tends to consider Locke's religious thought in isolation. The problem of human freedom provides a clear example of how Locke's revealed theology was connected to his wider thought, and this in turn helps us to see how Locke's whole intellectual system in fact developed in opposition to Hobbism, and not towards it.

The traditional view concerning Locke's revealed theology is that it was inconsistent with his other intellectual commitments.³ For example, David Wootton has suggested in his article 'John Locke: Socinian or natural law theorist?' that from the early 1680s Locke was a fideistic Socinian for whom there was no universally binding moral law known to mankind before Christ, and therefore, knew all along that his claim for a deductive science of morality was 'deeply problematic and perhaps false'. On this account, Locke had 'no

¹ Geraint Parry, *John Locke* (London: G. Allen & Unwin, 1978), 28. See for example, Arthur Wainwright, 'Introduction', in *PaN*; W.M. Spellman, *John Locke and the Problem of Depravity* (Oxford: Clarendon Press, 1988); John Marshall, *John Locke: Resistance, Religion and Responsibility* (Cambridge: Cambridge University Press, 1994); Maurice Wiles, *Archetypal Heresy: Arianism through the Centuries* (Oxford: Clarendon Press, 1996); John C. Higgins-Biddle, 'Introduction', in *RCh*; Victor Nuovo, 'Locke's Theology, 1694-1704', in *English Philosophy in the Age of Locke*, ed. M.A. Stewart (Oxford: Clarendon Press, 2000); Goko Seno, *Rokku shukyo shiso no tenkai [The Development of Locke's Religious Thought]* (Suita: Kansai University Press, 2005); Peter Harrison, *The Fall of Man and the Foundation of Science* (Cambridge: Cambridge University Press, 2007), 216-33.

² John Marshall, 'Locke, Socinianism, "Socinianism", and Unitarianism', in *English Philosophy in the Age of Locke*, ed. M.A. Stewart (Oxford: Clarendon Press, 2000); Nuovo, 'Locke's Theology'.

³ Peter Laslett, 'Introduction', in *TTG*, 88-9; David Wootton, 'John Locke: Socinian or Natural Law Theorist?', in *Religion, Secularization and Political Thought: Thomas Hobbes to J.S. Mill*, ed. James E. Crimmins (London: Routledge, 1989). However, cf. Peter A. Schouls, *Imposition of Method* (Oxford: Clarendon Press, 1980) and *Reasoned Freedom* (Ithaca: Cornell University Press, 1992).

good grounds for confidence in the natural law position adopted in the *Two Treatises*'.⁴ This suggestion is coupled by a further one that Locke was a Hobbiist, albeit 'narrowly interpreted' as one denying a universally binding moral law, possibly by 1690, and definitely by the time he wrote his final theological work, the *Paraphrase*.⁵ The upshot of Wootton's argument is that Locke's natural law project and Socinian religious thought were at odds; that is, to be consistent, Locke needed *either* to be a natural law theorist *or* a fideistic Socinian and/or a Hobbiist. However, according to Wootton, Locke seemed to have contented himself with believing 'different things when dealing with different problems'. Indeed, the 'problem of resolving the contradictions', Wootton suggests, may be seen as Locke's 'bequest to posterity'.⁶

Wootton illustrates the general problem that Locke's religious thought was inconsistent with his wider commitments. The aim of this chapter is to examine Locke's revealed theology through the holistic perspective and show, *contra* Wootton's general portrait of Locke, that it was consistent with his previous commitments. Since it is beyond this chapter to offer a general account of Locke's revealed theology, I will concentrate on a particular puzzle which will illustrate this point most clearly. To this end, I will consider Locke's account of human freedom, and connectedly, his account of original sin and predestination, particularly in reference to the *Paraphrase*. Let us turn to the details of this puzzle.

According to commentators such as Arthur Wainwright and John Marshall, the portrait of an incoherent Locke is reinforced when we turn to Locke's account of human freedom in the *Paraphrase*. Wainwright and Marshall have noted that Locke's account of human freedom advanced in this work is at odds with his account in the *Essay concerning Human Understanding*.⁷ In their view, the account articulated in the *Paraphrase* indicates that towards the end of his life, Locke came to adopt a deterministic view of human sinfulness approaching Calvinism and Jansenism, of men and women woefully enslaved by sin. Through his later exegetical studies, Locke was finding it increasingly difficult to reconcile his commitments to human

⁴ Wootton, 'John Locke', 39.

⁵ *Ibid.*, 43.

⁶ *Ibid.*, 61.

⁷ Wainwright, 'Introduction', 56-7 and Marshall, *John Locke*, 432-4.

freedom and natural jurisprudence with Pauline theology. The implication of Wainwright and Marshall's account is profound: if Locke was adopting this grim view of human freedom and sinfulness, it meant he was rejecting his commitment to human freedom which was underwriting not only his morals and natural jurisprudence, but also his anti-Calvinistic liberal theology until that point. Thus, Wainwright and Marshall's account of Locke in the *Paraphrase* confirms Wootton's thought that Locke was an incoherent thinker.

In this chapter, I will re-examine Locke's discussion of human freedom in the second edition of the *Essay* (and onwards) and the philosophical exchange between Locke and Philippus van Limborch in the early 1700s. This holistic examination of Locke's thought will show that Wainwright and Marshall's account was based on a narrow reading of Locke's concept of will, and moreover, show, *contra* Wainwright and Marshall, that Locke's account of human freedom in the *Paraphrase* was consistent with his *Essay*. I will therefore show through this analysis that Locke's revealed theology was very much in line with his previous commitments, thereby suggesting that Wootton's portrait of Locke misrepresents the nature of Locke's religious thought.

The chapter will proceed as follows. After discussing Locke's commitment to human freedom, I will examine Locke's account of original sin articulated in his religious writings and manuscripts and consider how this account reflected his previous interests. I will then go on to demonstrate that the same is true of his account of predestination. Having shown how Locke's revealed theology bore the impress of his previous thought, I will go on to examine the problematic statements in the *Paraphrase* which at first sight undermine his coherence. Against Wainwright and Marshall, I will show how Locke's account of 'uneasiness' in the *Essay* and his exchange with van Limborch on the issue of free will can offer the conceptual resources to re-read the *Paraphrase* in a different light, reconciling the tension between it and the *Essay*, and more generally, his wider thought. Finally, in the concluding section, I will draw out the wider implications of this chapter, noting how it can tell a story not only about Locke's coherence but also how his thought developed systematically in opposition to Hobbes.

1. Locke and Human Freedom

In this section, I will very briefly review Locke's philosophical commitment to human freedom and natural jurisprudence. This will help us to see more clearly, in the next section, how Locke's revealed theology – more specifically, his accounts of original sin and predestination – patterned itself after this commitment. It will also help us to see Locke's structural opposition to Hobbes.

Locke believed in human freedom. This was a crucial assumption for his morals and natural jurisprudence. Locke believed that God created mankind and endowed them with a rational nature. God, being purposive, did not create men and women without a purpose. He bound them by a law suitable to their nature, i.e. the rule of morals or the law of nature, and enforced this law by meting out rewards and punishments in accordance with men's obedience or disobedience. For Locke, God was not only purposive, but also just; it followed that if He had put people under a law, He would also make them capable of lawful conduct.⁸

Locke believed that morality was possible only if people were free agents. We can reconstruct Locke's own train of thought on the relation between morality and free agency from a logical sequence he used in the *Essay*: '*Men shall be punished, God the punisher, just Punishment, the Punished guilty, could have done otherwise, Freedom, self-determination*'.⁹ Locke's logic here was that without human freedom, there could be no moral responsibility; without moral responsibility, there could be no just punishments; and without just punishments, there could be no morality as such, or to say the least, no point in having a law of morals. For Locke, God required of men 'no more than we are able to do, and sees what was, and what was not in our power'.¹⁰ God's justness implied that people would have the necessary capability to act according to His requirements. Indeed, it was 'necessary', Locke maintained, 'for the vindication of God's justice and goodness, that those who miscarry should do so by their own fault, that their destruction should be from themselves, and they be left inexcusable'.¹¹ This suggested that if there was a law of nature prescribed by God, people would not only be able to know the content of the law, but also be able to act

⁸ *ELN*, 157, 199.

⁹ *E*, 4.17.4.

¹⁰ *Ibid.*, 2.21.53.

¹¹ *W*, vol.6, 160.

according to it. Human freedom was a necessary assumption for Locke's morals and natural jurisprudence.

Conversely in Locke's view, those who denied human freedom made 'Men no other than bare Machins' and took away 'all Moral Rules whatsoever', leaving 'not a possibility to believe any such, to those who cannot conceive, how any thing can be capable of a Law, that is not a free Agent'. On this ground, the deniers 'must necessarily reject all Principles of Vertue, who cannot *put Morality and Mechanism together*; which are not very easy to be reconciled, or made consistent'.¹²

Locke did not explicitly say who the deniers of human freedom were, but his *Remarks upon some of Mr. Norris's Books* suggest he had determinists like Hobbes and Spinoza in mind. Criticizing John Norris's claim that people were occasional causes for God's producing thoughts in motion in them, Locke wrote:

A man cannot move his arm or his tongue; he has no power; only upon occasion, the man willing it, God moves it. The man wills, he doth something; or else God, upon the occasion of something, which he himself did before, procured this will, and this action in him. This is the hypothesis that clears doubts, and brings us at last to the religion of Hobbes and Spinoza, by resolving all, even thoughts and will of men, into an irresistible fatal necessity.¹³

For Locke, human freedom upheld morals and natural jurisprudence. We shall see in the next section how Locke's revealed theology reflected this interest.

2. Locke and Original Sin

As we have seen, Locke believed in human freedom. There is a question whether Locke's account of human freedom was philosophically coherent or not. However, for the purpose of this section, it need only be said that he *believed* that people were free agents. In this section, I will consider how Locke's belief

¹² *E*, 1.3.14.

¹³ *W*, vol.10, 255-6. Hobbes had maintained that every act of will was necessary, which proceeded from a cause, and that cause from another, continually until it reached the first cause, God. Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press), 146-7 and more generally *Hobbes and Bramhall: On Liberty and Necessity*, ed. Vere Chappell (Cambridge: Cambridge University Press, 1999). Locke was familiar with the latter work, which is suggested by the fact that there is a passage from this work copied in one of his interleaved Bibles. Higgins-Biddle, 'Introduction', lxxxvii.

in human freedom was reflected in his revealed theology, starting with his account of original sin.

To begin with, what was original sin? Original sin (or birth sin) usually referred to the involvement of all mankind, in some fashion, in the consequence(s) of Adam's sin. This view was regarded as orthodox in Locke's day, and was the position adopted by Anglicans, Puritans, and Catholics. Occasionally, original sin referred only to Adam's personal sin, and thus, on this view, there was no involvement of mankind in the consequence(s) of Adam's sin. This view, on the contrary, was regarded as unorthodox, and was the position adopted by Pelagians and Socinians. Two views were common in Locke's day, which opposed this latter view. Against the claim that Adam's sin was personal, there were those following St Augustine who argued that Adam sinned *qua* representative of mankind, and thus, that all posterity were imputed with the guilt of this first sin. There were those following Augustine and Calvin who went further and argued that human nature was corrupted after Adam's sin, and that all posterity inherited a sinful nature.¹⁴

For those who believed in human freedom, the Augustinian and Calvinistic account of inherited human corruption was anathema. As we shall see, although Locke never denied that people were sinful, he did not adduce the traditional explanation of inherited human depravity through original sin. Let us retrace his views from his earlier writings before turning to his major theological works, the *Reasonableness of Christianity* and the *Paraphrase*.

The *Two Tracts on Government* were indeterminate about original sin. In the *English Tract*, Locke referred to the Fall in passing while making a point about human corruption: 'we cannot doubt there can be anything so good or innocent which the frail nature or improved corruption of man may not make use of to harm himself or his neighbour'. To this claim he added, '[e]ver since man first threw himself into the pollution of sin, he sullies whatever he takes into his hand'.¹⁵ However, although these statements show Locke's conviction in human sinfulness, they were by no means causal explanations of it. They did not state that people were sinful *because of* the Fall, only that they *were* sinful

¹⁴ Gilbert Burnet, *An Exposition of the Thirty-Nine Articles of the Church of England* (London, 1699), 108-10.

¹⁵ *G*, 155.

after it. Likewise, the *Essays on the Law of Nature* were equally inconclusive. Locke's only reference to the Fall in the *Essays* was its irrelevance as a defence of an innate moral law.¹⁶

In a letter he wrote in March 1678, Locke indirectly expressed views which were in opposition to original sin. Replying to Denis Grenville's question, whether people were obliged 'strictly and precisely at all times to do that which in it self is absolutely best', Locke answered that while sometimes the best action was obvious and clear, in the course of daily life, God had allowed considerable latitude in people's actions. This was because Locke could not imagine that

God who has compassion on our weaknesse and knows how we are made, would put pore man nay the best of men, those that seeke him with sincerity and truth under almost an absolute necessity of sining perpetually against him, which will almost inevitably follow if there be noe latitude allowed us in the occurrences of our lives.¹⁷

Likewise, in a journal entry of August 1680, reflecting on God's goodness and wisdom, Locke commented that he could not imagine that God 'hath made anything with a design that it should be miserable, but that he hath afforded it all the means of being happy that its nature and state is capable of'. Moreover, he could not suppose that the exercise of God's justice 'should extend further than his goodness has need of it for the preservation of his creatures in the order and beauty of that state that he has placed each of them in'.¹⁸ It is hard to imagine how these comments, which elaborate on God's good will to mankind, could be compatible with a doctrine of necessary sinning.

The whole tenor of *Two Treatises of Government* and *Some Thoughts concerning Education* suggests a similar opposition to original sin, or at least, to its effects. The *Two Treaties* presupposed rational people capable of morals. For Locke, God, having given man 'an Understanding to direct his Actions, has allowed him a freedom of Will, and liberty of Acting, as properly belonging

¹⁶ *ELN*, 139.

¹⁷ *Corr.*, 374, vol. i, 557.

¹⁸ John Locke, 'The Idea We have of God', in *Political Writings*, ed. David Wootton (Indianapolis: Hackett, 2003), 237-8.

thereunto, within the bounds of that Law he is under'.¹⁹ Moreover, the *Two Treatises* spoke of 'the *Golden Age*' which existed 'before vain Ambition, and *amor sceleratus habendi*, evil Concupiscence, had corrupted Mens minds into a Mistake of true Power and Honour'.²⁰ This golden age was clearly a description of post-lapsarian men, given that it referred to 'Governours' and 'Subjects', i.e. government.

Although *Some Thoughts* did refer to natural biases, the claim that education could make people 'Good or Evil, useful or not' suggested that whatever debility people had inherited, it was not devastating – certainly not an inherited necessity to sin (as the *Two Tracts* had referred to 'improved corruption'). Moreover, the suggestion that there were 'some [albeit few] Mens Constitutions of Body and Mind so vigorous, and well framed by Nature, that they need not much Assistance from others, but by the strength of their natural Genius, they are from their Cradles carried towards what is Excellent' could hardly be compatible with the view that all post-lapsarian men were inclined to nothing but evil.²¹

Thus, it is not hard to imagine, given the general direction of his views so far, that when Locke came to write about the Fall more explicitly and extensively in his major theological work the *Reasonableness of Christianity*, his account would reflect his previous views and reject the doctrine of total human corruption.

In the 'Preface' to the *Reasonableness*, Locke revealed that it was the 'little Satisfaction and Consistency' he had found 'in most of the Systems of Divinity' which had driven him to a consideration of the Christian religion through 'the sole Reading of the Scripture'.²² The central question that the *Reasonableness* addressed was that of the faith required for justification and salvation. For Locke, it was obvious from the New Testament that this question presupposed that people were in a state from which they were in need of being restored and saved. Thus, before considering what Jesus Christ had restored, Locke turned to consider what people had lost by Adam's Fall.²³

¹⁹ *TTG*, II.58.

²⁰ *Ibid.*, II.111.

²¹ *STE*, 1.

²² *RCh*, 3.

²³ *Ibid.*, 5.

Locke maintained that it was clear to an ‘unbiased’ reader of the Scripture that Adam fell from a ‘state of perfect Obedience, which is called *Justice* in the New Testament’ (according to Locke, the word ‘Justice’ should be translated ‘*Righteousness*’). By the Fall, Adam lost Paradise, ‘wherein was Tranquility and the Tree of Life’, or in other words, ‘Bliss and Immortality’. In the Garden, God had put Adam and Eve under a law and had annexed a penalty to the breach of this law. According to this law, Adam and Eve were forbidden to eat from the tree of knowledge. God had forewarned Adam that ‘in the day that thou eatest thereof [i.e. the forbidden fruit] thou shalt surely die’ (Gen 2:17).²⁴ The crucial question that needed to be addressed was: what was meant here by ‘death’? Here, there was disagreement amongst theologians.

For Locke, the meaning of death was straightforward. It was to be construed literally as ‘a state of Death and Mortality’; that by Adam’s transgression, ‘all Men are Mortal, and come to die’.²⁵ Locke observed, however, that for some, it was ‘a state of guilt, wherein not only [Adam], but all posterity was so involved, that every one descended of him deserved endless torment in Hell-fire’.²⁶ This was the view Locke had introduced at the outset of the *Reasonableness* as one of ‘two Extrems’ concerning Adam’s Fall and which, according to Locke, ‘shook the Foundations of all Religion’. Although Locke never formally labelled this group (or the other), this was likely a reference to the supporters of strict Calvinism in his day, who ‘would have all *Adam’s* Posterity doomed to Eternal Infinite Punishment for the Transgression of *Adam*, whom Millions had never heard of, and no one had authorized to transact for him, or be his Representative’.²⁷

Against this imputationist interpretation, Locke questioned whether this could be consistent with the ‘Justice and Goodness’ of God. Locke objected that it was a ‘strange way of understanding a Law’, ‘that by *Death* should be meant Eternal Life in Misery’: ‘Would any one think himself fairly dealt with’, he

²⁴ Ibid., 6.

²⁵ Ibid., 6-7.

²⁶ Ibid., 7.

²⁷ Ibid., 5. The other ‘extreme’ view ‘made Christianity almost nothing’. This was likely a reference to the Deists, who ‘made Jesus Christ nothing but the Restorer and Preacher of pure Natural Religion’. For the Calvinism in Locke’s day see *The Confession of Faith*, 3rd ed. (London, 1688). For Locke’s relation to Calvin, see Merwyn S. Johnson, *Locke on Freedom* (Austin, Texas: Best Printing, 1978), 163-4.

asked rhetorically, if the word death was 'so used'? For Locke, the imputationist view was not a tenable position.²⁸

Next and more relevant for my discussion about human freedom, Locke noted that death, for this group, also signified 'a state of necessary sinning'.²⁹ For Locke, this was an even 'harder sense of the word *Death*' than that of imputationism. Could the aforementioned punishment threatened to Adam really mean: 'thou and thy Posterity shall be ever after incapable of doing any thing, but what shall be sinful and provoking to me, and shall justly deserve my wrath and indignation'? Locke argued that it was difficult to see how a 'Righteous God', who was already displeased by Adam's disobedience, could be supposed to 'put Man under a necessity of sinning continually', thereby 'multiplying the Provocation'. Furthermore, this view was not scripturally warranted, at least on a reasonable reading. According to Locke, one could attribute this 'strange Interpretation' to 'some mistaken places of the New Testament' (although he never pointed out where these were in the *Reasonableness*). Again, if the death threatened to Adam connoted the 'Corruption of Humane Nature in his Posterity', it was 'strange', he contested, that 'the New Testament should not anywhere take notice of it, and tell us, that Corruption seized on all because of *Adam's* Transgression, as well as it tells is so of *Death*'. As far as he remembered, Locke argued, the Scripture indicated that 'every ones sin [was] charged upon himself only'.³⁰

In the light of Locke's commitment to human freedom, we can see that he was consistent in rejecting the view of original sin which postulated a necessity of sinning. In opposition to this view, he advanced a minimalist account of original sin; that is, as we have seen, death solely as 'ceasing to be, the losing of all actions of Life and Sense'.³¹ People were responsible for the care of their *own* souls, as they were to be judged by Christ according to their

²⁸ Ibid., 7-8. See Ian Harris, 'The Politics of Christianity', in *Locke's Philosophy: Content and Context*, ed. G.A.J. Rogers (Oxford: Clarendon Press, 1994), 197-215, for an extensive account of Locke's rejection of the imputationist account of original sin. Harris's argument in a nutshell is this. Locke's political agenda to object to Sir Robert Filmer and his claim that absolute monarchical power was derived from Adam required Locke to adopt a view of Christianity that discredited the Augustinian theology of Adam as mankind's representative and the imputation of the first sin.

²⁹ *RCh*, 8.

³⁰ Ibid., 8-9.

³¹ Ibid., 8.

own deeds. And it was assured by Christ himself, 'who knew for what he should condemn Men at the last day', that the 'Sentence of Condemnation passes only on the *workers of Iniquity*, such as neglected to fulfil the Law in acts of Charity'.³² There was no mentioning of being punished for Adam's sin here. The idea of being imputed for Adam's sin or being necessitated to sin because of his sin was on Locke's account incompatible with responsibility and free agency, and thus, morals and religion.

When we turn to Locke's *Paraphrase*, we can see Locke basically reiterating the same views concerning the effect of Adam's Fall in this work as the *Reasonableness*. As it was in the *Reasonableness*, so the punishment for Adam's disobedience in the *Paraphrase* was natural death; although his offspring inherited his mortality, they were not guilty of his sin. For example, let us look at Romans 5:12, the classic proof text of the doctrine of original sin: 'Wherefore as by one man sin entred into the world, and death by sin; and so death passed upon all men, for that all have sinned'. Locke paraphrased this verse:

by the act of one man Adam the father of us all, sin entered the world, and death, which was the punishment annexed to the offence of eating the forbidden fruit entered by that sin for that Adams posterity thereby became mortal.³³

In the annotation to this verse, Locke wrote that he had rendered 'have sinned' (original text) as 'became mortal' (Locke's paraphrase) because he believed that this brought out Paul's sense more accurately.³⁴

It is clear from what we have seen hitherto that Locke rejected the doctrine of original sin in the traditional senses of imputed sin and corrupted human nature. However, it is important to register the point that Locke nevertheless believed in the universality of sin; that is to say, that all humanity had sinned and continues to sin. In the *Reasonableness*, Locke observed 'how

³² Ibid., 11.

³³ *PaN*, 523.

³⁴ Moreover, in this annotation, Locke sketched out Paul's logic as to how Adam's posterity inherited his mortality: 'A mortal father, infected now with death, being able to produce noe better than a mortal race'. Nonetheless, like the *Reasonableness*, Locke maintained that Adam's posterity did not inherit Adam's mortality on account of Adam's sin, and thus, rejected that imputationism accurately represented Paul's sense. Ibid., 524 (Rom 5:12*f).

liable [people were] to mistakes, how apt to go astray, and how easily to be turned out of the paths of Virtue'.³⁵ Indeed, Locke cited Romans 3:23, 'for all have sinned, and come short of the glory of God', as key scriptural proof of the universality of sin.³⁶

Locke's assumption of human sinfulness was significant because it showed that mankind was in need of a saviour who would deliver them from this state – Jesus Christ. Indeed, as Locke maintained, Christ's coming was 'to reform the corrupt state of degenerate Man'.³⁷ One may wonder at this point why God had given 'so hard a Law to Mankind, that to the Apostles time no one of *Adam's* Issue had kept it'. To this query Locke replied: 'It was such a Law as the Purity of God's Nature required', and thus, 'must be the Law of such a Creature as Man, unless God would have made him a Rational Creature, and not required him to have lived by the Law of Reason'.³⁸ But the Lockean God was a compassionate God. Considering

the frailty of Man, apt to run into corruption and misery, he promised a Deliverer, whom in his good time he sent; And then declared to all Mankind, that whoever would believe him to be the Saviour promised, and take him now raised from the dead, and constituted the Lord and Judge of all Men, to be their King and Ruler, should be saved.³⁹

Locke's assumption of human sinfulness meant that mankind was in need of a saviour. This had wider implications. It suggested that Locke would have a view about how God's grace would be meted out and who would be the recipients of it. In theological terms, this connected to issues about free will and predestination. Thus, in the next section, we shall see how Locke's commitment to human freedom not only shaped the development of his views about original sin but also predestination.

³⁵ *RCh*, 163.

³⁶ *Ibid.*, 13, 18, 117.

³⁷ *Ibid.*, 119.

³⁸ *Ibid.*, 13. Cf. *ELN*, 199.

³⁹ *RCh*, 169.

3. Locke and Predestination

The previous section showed how Locke's belief in human freedom was reflected in his account of original sin. In this section, we shall see how human freedom also had implications in other areas of his revealed theology. Thus, I will show how Locke's belief in human freedom was reflected in his account of predestination. This will help us to see further how Locke's thought developed in a way that was centred upon the assumption of human freedom. More specifically, we shall see how the traditional Calvinistic doctrine of predestination threatened human freedom and how it was incompatible with Locke's thought. I will show how Locke's account of predestination in the *Paraphrase* developed in opposition to it.

In Locke's day, there were four current views about predestination. The first view maintained that God had decreed the eternal fate of mankind from all eternity as fitted His glory. This was the view of the Supralapsarians. The second view maintained that God had pitied the fall of mankind and thus had provided the means to salvation for a great number of people. But for the others, God did not devise a plan concerning their salvation. This was the view of the Sublapsarians. Reformist theologians following Calvin usually embraced one of these two views. Against the Calvinist doctrines, there were two more views. The third view maintained that God created man free, but foreseeing how this freedom would be used, provided a way to salvation and sufficient assistance to obtain it. This was the views of Remonstrants and Arminians. The fourth view maintained that God had only decreed general facts about salvation and thus denied the predestination of individuals and the necessity of grace. This was the view of the Socinians.⁴⁰ We shall see that Locke's views developed in a way compatible with the third view and in opposition to the first two.

Let us now look at the development of Locke's views on predestination. In the early 1690s, Locke was at a complete loss concerning human freedom and God's omniscience. In a letter to his friend William Molyneux, Locke confessed that he could not reconcile what he considered to be two undeniable truths; that is, reconciling human freedom with God's omniscient omnipotence. On this point, he acknowledged his weakness of his understanding: 'though it be

⁴⁰ Burnet, *An Exposition*, 146-7.

unquestionable that there is omnipotence and omniscience in God our maker, and I cannot have a clearer perception of any thing than that I am free', 'yet', he wrote, 'I cannot make freedom in man consistent with omnipotence and omniscience in God, though I am fully persuaded of both as of any truths I most firmly assent to'. That is, if Locke denied God's omniscient omnipotence, he would salvage human freedom and self-determination at the cost of the idea of a perfect God. On the other hand, if he defended God's omniscience, he would salvage the idea of a perfect God at the cost of human freedom and self-determination, and thus, morals and religion. If God foreknew or decided before the Creation who would or would not be saved, there would be little point in talking about people acting or not acting in accordance with His law. On this particular occasion, Locke did not inquire any further into the dilemma but resolved it thus: 'that if it be possible for God to make a free agent, then man is free, though I see not the way of it'.⁴¹

By the mid 1690s, Locke had a clear view about predestination, and one which opposed the strict Calvinistic doctrine. In the 'Adversaria Theologica', he pursued the negative implications of the Calvinistic view under the title 'Electio'. It is worth quoting this in full:

I cannot see of what use the Doctrine of Election & Perseverence is unlesse it be to lead men into praesumption & a neglect of their dutys being once perswaded that they are in a state of grace, which is a state they are told they can not fall from. For since noe body can know that he is Elected but by having true ffaith & noe body can know when he has such a faith that he can not fall from Common & Saving faith (as they are distinguished) being soe a like that he that has faith cannot distinguish whether it be such as he can fall from or noe. Vid. Calv: Inst. L.3.c.2sec12 Who is elected or had faith from which he cannot fall can only be known by the event at the last day & therefor is in vain talked of now till the marks of such a faith be certainly given JL.⁴²

⁴¹ *Corr.*, 1592, vol. iv, 625-6. Cf. John Bramhall, *Hobbes and Bramhall: On Liberty and Necessity*, ed. Vere Chappell (Cambridge: Cambridge University Press, 1999), 13. On the question 'how liberty may consist with the prescience and decrees of God', Bramhall argued that 'we ought not to desert a certain truth because we are not able to comprehend the certain matter'.

⁴² John Locke, 'Adversaria Theologica', in *John Locke: Writings on Religion*, ed. Victor Nuovo (Oxford: Clarendon Press, 2002), 32-3.

Here, Locke is noting how Calvinist predestination effectually falls into antinomianism and enthusiasm.⁴³ In a presumed state of grace, Locke saw that there could be no reason why people had to be bound by moral laws. So whatever the direction of the development of Locke's own doctrine about predestination was going to be, it was clear at this stage that it was not going to be a doctrine about the predetermined salvation of certain individuals or communities.

When we turn to Locke's views on predestination in the *Paraphrase*, we can see how he tried to salvage human freedom and God's omniscience, while simultaneously eschewing the antinomian conclusions of Calvinism. Whereas the Calvinist doctrine of predestination concerned the salvation of individuals, Locke's predestination applied to the favour God showed to certain nations; it did not concern the individual's eternal fate. For example, Let us consider Locke's paraphrase of Romans 9:13 – 'as it is written, Jacob I have loved, but Esau I have hated' – the classic text supporting the strict doctrine of election. Calvin, for one, adduced this verse in support of his interpretation that God 'does not with indiscriminate grace effectually elect all'. For Calvin, God had 'established by his eternal and unchangeable plan those whom he long before determined once for all to receive into salvation, and those whom, on the other hand, he would devote to destruction':

For all are not created in equal condition; rather, eternal life is foreordained for some, eternal damnation for others. Therefore, as any man has been created to one or the other of these ends, we speak of him as predestined to life or to death.⁴⁴

By contrast, Locke took Romans 9:13 to have concerned the favour God showed to certain nations: 'as it is written Jacob have I loved so as to make his posterity

⁴³ Antinomianism was an extreme form of Calvinism. Antinomians were strong believers in the doctrine of free grace, and believed that 'faith and obedience were neither conditions nor evidence of divine grace'. They were often associated with lawlessness. Nuovo, 'Locke's Theology', 195n; Dewey Wallace Jr., *Puritans and Predestination: Grace in English Protestant Theology, 1525-1695* (Chapel Hill: University of North Carolina Press, 1982), 113-20.

⁴⁴ Jean Calvin, *Institutes of the Christian Religion*, ed. John T. McNeill (Philadelphia: Westminster Press, 1960), 3.21.7; 3.21.5; 3.21.7.

my chosen people, and Esau I put so much behind him as to lay his mountains and his heritage wast', annotating to this:

Jacob have I loved and Esau I have hated are to be taken in a national sense for the preference God gave to the posterity of one of them to be his people and possess the promised land before the other.⁴⁵

For Locke, God had in the first instance taken into favour the nation of the Jews, then the Gentiles (and a small remnant of the Jews) to be His people.

In his summary of Romans 9, Locke argued that predestination concerned God's will for nations, and only in a way affecting their worldly state and not their eternal destination:

What is said of gods exerciseing of an absolute power according to the good pleasure of his will, relates onely to nations or bodys politique of men incorporated in civil societies, which feel the effects of it onely in prosperity or calamity they meet with in this world, but extends not to their eternal state in an other world considerd as particular persons wherein they stand each man by himself upon his own bottom and shall so answer separately at the day of judgment.⁴⁶

Moreover, the effects of God's will for nations had an effect on individuals only in a secondary sense. Locke remarked that individuals may be punished with their 'fellow citizens as a part of a sinful nation'; but this was, so to speak, only a 'temporal chastizement' intended for their own good, and did not in itself preclude them from eternal salvation.⁴⁷

We can see that God's foreknowledge bore significantly different meanings for Locke and Calvin. For Calvin, foreknowledge was 'a reference to God's choice or adoption of the elect'; thus, all those who were foreknown by God 'will ultimately be saved'.⁴⁸ By contrast, Locke's understanding of foreknowledge in the first instance referred to God's prescience, but also, to His 'intention of kindness' to the preordained ones. In this way, Gentiles were to be

⁴⁵ *PaN*, 565 (13*).

⁴⁶ *Ibid.*, 560-1.

⁴⁷ *Ibid.*, 561.

⁴⁸ *Ibid.*, 791.

called and be His chosen people under Jesus the Messiah ‘before the Law was’, or ‘even before the Foundation of the World’.⁴⁹ But in relation to the individuals’ salvation, foreknowledge was irrelevant, and did not guarantee their eternal dwelling in heaven.

So far, we have seen how Locke’s view about predestination developed in a way that would allow space for human freedom and self-determination concerning individual salvation. For Locke, God had knowledge of all future events and had pre-scripted or predetermined the general course of history, but this did not disable an individual’s capacity to attain eternal salvation. As we shall see now, although the *Paraphrase* also presented a deeply pessimistic view of human sinfulness and Locke’s strong sense of the need of divine grace, Locke secured the conceptual space needed to maintain human freedom. That is, in Locke’s view, although individuals were deeply mired in sin without God’s grace, they were nevertheless responsible for choosing to accept or resist this grace. To this extent, people could be seen as free agents responsible for their eternal fate.

A sense of human sinfulness prevailed in the *Paraphrase*, and with it, the necessity of divine grace. For example, in an annotation to Romans 7:24, where Paul wrote, ‘O wretched man that I am, who shall deliver me from the body of this death!’, Locke inquired:

What is it that St. Paul so pathetically desires to be delivered from? The state he had been describing was that of humane weakness, wherein notwithstanding the law [i.e. the Mosaic Law] even those who were under it and sincerely endeavoured to obey it were frequently carried by their carnal appetites into a breach of it. This state of frailty he knew men in this life could not be delivered from.⁵⁰

Human frailty and sinfulness, Locke concluded, could only be remedied by God’s grace: ‘[t]is the favour of God alone through Jesus Christ that delivers

⁴⁹ ‘intention of kindness’, *Ibid.*, 558 (Rom 8:29); ‘before the Law was’, *Ibid.*, 614 (Eph 1:4).

⁵⁰ *Ibid.*, 546 (24*).

frail man from death'; 'it is grace alone through Jesus Christ that accepting of what the frail man can do delivers from the body of death'.⁵¹

Similarly Locke's annotations to Ephesians 2:5 to 8 reinforced this thought: 'it was all purely the Work of Grace, for they were all dead in Trespasses and Sins, and could do nothing, not make one Step or the least Motion towards it [i.e. the Kingdom of God]'.⁵² Faith, 'which alone opened the Kingdom of Heaven to Believers, was the sole Gift of God; Men by their natural Faculties could not attain to it'.⁵³ '[Q]uickened' by the Spirit of God, people were 'made capable, if they would, to live to God, and not to obey Sin in the Lusts thereof, nor yield their Members Instruments of Sin unto Iniquity; but to give themselves to God, as Men alive from the Dead.'⁵⁴ People's sinful desires and habits could only be removed by accepting God's assistance through the Holy Spirit.

Thus we see that there was a strong sense of the need of God's grace present in Locke's thought. But nonetheless, Locke left room for human determination. Traditionally, grace was conceived in two ways: operative and co-operative.⁵⁵ In the former case, God ensured that an agent wills to do good. This will was conferred by God to certain people who He had willed to be saved. By contrast, in the latter case, God provided an agent with a good will as a guide and the assistance of the Spirit, yet ultimately left it in the hands of the agent to cooperate with Him or not. This was the distinction separating the Calvinist theologians, who conceived grace in the former sense, and the counter-reformists such as the Remonstrants and the Arminians, who conceived it in the latter sense. As we shall see, Locke saw grace as co-operative activity, rather like his Remonstrant friend van Limborch, who maintained that faith was a 'voluntary Act of Obedience', an 'Act of our Obedience proceeding from the Will, which is excited and assisted by the Divine Grace', and hence, not 'a

⁵¹ Ibid.

⁵² Ibid., 628 (8c).

⁵³ Ibid.

⁵⁴ Ibid. 627-8 (5y).

⁵⁵ Calvin, *Institutes of the Christian Religion*, 2.2.6. Cf. E.J. Bicknell, *A Theological Introduction to the Thirty-nine Articles of the Church of England* (London: Longmans, Green, 1932), 243-4.

Divine Gift as is wrought in us without our Co-operation', nor 'a Habit infus'd into us by God'.⁵⁶

Locke believed that God had provided men and women with the light of reason.⁵⁷ Unless people deliberately resisted God's grace, they could accept it and be responsible for their decision. In an annotation to Romans 6:14 and 15, Locke took Paul to be saying that unless people willfully and voluntarily chose to enthrall themselves into the drudgery of sin, sin 'shall not be [their] absolute master to dispose of [their] members and faculties in its drudgery and services as it pleases', and they 'shall not be under its controle in absolute subjection to it'.⁵⁸

Locke's paraphrase of Romans 8:30 also showed that it was up to the individual to accept God's calling or not: 'Many are called and few are chosen says our Saviour Mat XX.16...therefore...Tis those who are chosen who he saith are justified: i.e., such as were called, *obeyed*, and consequently chosen' (emphasis added).⁵⁹ God's predestination did not automatically guarantee the individual's salvation; only if he obeyed and accepted God's grace would he be justified.⁶⁰

This was also consistent with Locke's *Reasonableness*. One of the advantages of a Saviour, on Locke's account, was 'the promise of assistance': Locke argued that 'if we do what we can, [Jesus Christ] will give us his Spirit to help us to do what, and how we should'.⁶¹ From what we have just seen above, the 'if we do what we can' clause suggests people's act of obedience, that is to say, to accept Jesus as their Saviour by submitting themselves to the law of faith. Again, people were called, obeyed, and *then* they were chosen and justified. The act of one's willingness to obey therefore preceded the acknowledgment of election. In other words, although people were mired in sin, people were free and thus ultimately responsible for their eternal destiny.

⁵⁶ Philippus van Limborch, 'Extracts from *A Compleat System, or Body of Divinity*', in *John Locke and Christianity*, ed. Victor Nuovo (Bristol: Thoemmes Press, 1997), 76, 74.

⁵⁷ *PaN*, 153 (Gal 5:16).

⁵⁸ *Ibid.*, 534 (14*).

⁵⁹ *Ibid.*, 559 (30*).

⁶⁰ *Ibid.*, 791-2.

⁶¹ *RCh*, 163. 'If we do what we can' is an allusion to the medieval theological phrase, '*facere quod in se*' ('to do what one can'). See *Ibid.*, 163n. Cf. *E*, 2.21.53.

In this section, we have thus seen how Locke's views on predestination developed upon the presupposition that people were free agents responsible for the care of their own souls and how it opposed the strict Calvinist doctrine of election. Locke's God did intervene in the world, but His power was directed towards nations rather than individuals; even then, it did not determine the final eternal destiny of nations or individuals. Locke however took into account the sinfulness of humanity and their continuing failure to meet God's holy standard. But grace was provided for all upon the act of acceptance. Thus, people were not necessitated to sin but could choose as free agents whether they would enslave themselves in sin or receive God's assistance to live a holy life.

4. Locke and Human Sinfulness

So far we have seen how Locke's revealed theology developed in a way that was consistent with his commitment to human freedom. However, commentators such as Wainwright and Marshall have questioned the consistency of Locke's views based upon their reading of the *Paraphrase*. In fact, as this section will show, Locke's theology is consistent with his philosophy on this issue.

As we have seen, Locke postulated human freedom. However, in the *Paraphrase*, more than ever, Locke stressed humanity's sinfulness, and thus, put a limit to this freedom. Let us consider Locke's paraphrase of Romans 7:14-17 for example:

[14] For we know that the law is spiritual requiring actions quite opposite to our carnal affections. But I am so carnal, as to be enslaved to them, and forced against my will to doe the drudgery of Sin as if I were a slave that had been sold into the hands of that my domineeringemie. [15] For what I doe is not of my own contrivance. For that which I have a mind to, I doe not; and what I have an aversion to, that I doe. [16] If then my transgressing the law be what I in my mind am against, it is plain that consent of my mind goes with the law, that it is good. [17] If so then it is not I a willing agent of my own free purpose, that do what is contrary to the law; but as a poor slave in captivity not able to follow my own understanding and choice forced by the prevalency of my own sinful affections, and sin that remains still in me notwithstanding the law.⁶²

⁶² *PaN*, 545.

Wainwright and Marshall have argued that these statements in the *Paraphrase* ‘conflict’ or are ‘difficult to reconcile’ with the *Essay*.⁶³ The crucial statements were ‘forced against my will’ and ‘not I a willing agent of my own free purpose’. Wainwright notes that ‘in normal circumstances’, i.e. unless one is prevented by some physical disability, agents ‘perform whatever actions they have willed’. Both Wainwright and Marshall suggest that Locke presented a grimmer – indeed, almost a Calvinistic – view of human sinfulness in the *Paraphrase* under the influence of St Paul. Marshall suggests that

[t]here seems little doubt that in his study of Paul’s thought Locke did come to place a heavier stress upon man’s sinfulness, a stress that his substantial reading of Paul’s thought helped to create, as it had helped to create that of Luther, Calvin and Nicole.

Indeed, he claims that ‘[a]t this point of the *Paraphrase* a greater explicit stress had been laid upon the power of men’s sinfulness than at any other point during Locke’s thought’.⁶⁴ Given that Locke’s thought had developed in support of human freedom and in opposition to the grim Calvinistic view of human sinfulness (indeed, as we have seen, in the *Paraphrase* itself), we are left with the impression that Locke had abandoned his earlier commitment and thus the coherence of his project.

In what follows, I will show how the holistic perspective can cast a different light upon the controversial statements in the *Paraphrase* and suggest that Locke’s thought was in fact consistent with his previous commitments. This will involve an examination of Locke’s view of the origin of human sinfulness, a question that is rarely addressed in Locke scholarship. To this end, I will turn to Locke manuscript, ‘Homo ante et post lapsum’. I will then show how this manuscript invites us to consider Locke’s concept of ‘uneasiness’. I will show how the concept of uneasiness helps us to make sense of what Locke thought the origin of human sinfulness was, and through this, make sense of the controversial statements in the *Paraphrase*.

⁶³ Wainwright, ‘Introduction’, 56-7; Marshall, *John Locke*, 432-3.

⁶⁴ Marshall, *John Locke*, 433.

5. 'Homo Ante et Post Lapsum'

In a manuscript entry 'Homo ante et post lapsum', dated 1693, Locke reflected on Adam's condition before and after the Fall, and also, how corruption had come to prevail over mankind. Thus, this manuscript is an invaluable source (and perhaps the only one) for considering what Locke believed to be the origin of human sinfulness.

In this manuscript, Locke maintained that 'Man was made mortal' and

put into a possession of the whole world, where in the full use of the creatures there was scarce room for any irregular desires but instinct & reason caried him the same way & being neither capable of coviteousnesse or ambition when he had already the free use of all things he could scarce sin.

God therefore introduced a 'probationary law', whereby man was 'restrained from one only fruit, good wholsom & tempting in it self'. The punishment annexed to the breach of this law was 'natural death'. Although man was made mortal, it was God's plan to make him immortal should he observe this law 'to a sufficient testimony of his obedience'. However, man sinned and was excluded from the tree of life. By this sin, man also came to know the difference between good and evil. Upon realizing the magnitude of their offence, Adam and Eve became afraid to face God. This 'lessened their love' for God and turned their minds towards worldly things. With the rise of private property and labour,

which now the curse on the earth had made necessary, by degrees made a distinction of conditions, it gave roome for coviteousnesse pride & ambition, which by fashen & example spread the corruption which has soc prevailed over man kind.⁶⁵

It is unclear whether Locke reconciled the view about Adam's mortality in this manuscript and the *Reasonableness*.⁶⁶ But what concerns us here is something different. 'Homo ante et post lapsum' made clear that private property and social distinctions made room for sinful desires to grow. In a state

⁶⁵ John Locke, 'Homo Ante et Post Lapsum', in *John Locke: Writings on Religion*, 231.

⁶⁶ See Victor Nuovo, 'Introduction', in *John Locke: Writings on Religion*, liv.

of perfect bliss, wherein Adam had free access to all the things necessary for life, he had no need to covet anything, and thus, to sin. But we see that as soon as God introduced a probationary law, Adam sinned. What this suggests about Adam's psychology is that he had what Jeremy Taylor suggested a 'natural tendency to forbidden things'.⁶⁷ This would explain why Adam's posterity, who shared this nature, and being exposed to much more temptation, would be mired in sin.

In fact, Locke had been discussing the issue about the determination of the will in the *Essay* and in the second edition of the *Essay*, which he was preparing roughly at the same time as this manuscript,⁶⁸ and had suggested that 'uneasiness' was what determined the will. The language of uneasiness is consistent with the manuscript. Locke could say that various temptations produced 'uneasiness' in an agent. Uneasiness, for Locke, explained how God had constituted human beings so that they could subsist. This natural tendency, or uneasiness, when exposed to temptation, could also explain why people were driven into sinning. In the same way that the concept of uneasiness helps to elucidate Locke's account of human sinfulness in 'Homo ante et post lapsum', it gives us a clue to how to read the account of human sinfulness in the *Paraphrase*. Let us then consider the concept of uneasiness in detail.

6. Uneasiness: the *Essay*

I will now examine the concept of uneasiness in the *Essay*, and show how this can link up to a discussion of the origin of human sinfulness. This will help us to see that the *Essay* and the *Paraphrase* were in fact compatible. Before delving into Locke's concept of uneasiness, I will briefly go over some terms and distinctions Locke made in the *Essay* and his later correspondence relevant for the present discussion.

⁶⁷ Spellman, *John Locke and the Problem of Depravity*, 101. 'The soul was created simple and pure, but fell into vice by the evil combination with the flesh. But if at first the appetites, and necessities, and tendencies of the body, when it was at ease, and health, and blessed, did yet tempt the soul to forbidden instances; much more will this be done, when the body is miserable and afflicted, uneasy and dying'. Jeremy Taylor, *Unum Necessarium*, 4th ed. (London, 1705), 409.

⁶⁸ Locke was thinking about preparing a second edition of the *Essay* as early as late 1692 and had formulated an account of uneasiness by August 1693. *Corr.*, 1583 and 1655, vol. iv, 609 and 722.

First, the 'will' is the 'power to begin, to stop, or to forbear' any action of the mind or body. The actual exercise of the will is called 'volition' or 'willing'.⁶⁹ Next, an action is 'voluntary' if it is a consequent of the command of the mind; it is 'involuntary' if it is not performed 'without such a thought of the mind'.⁷⁰ Not all voluntary actions are free actions, however. We may see this in the case of a man who is carried into jail while he was fast asleep. Thereafter when this man awakes, he voluntarily stays in jail being 'glad to find himself in so desirable Company'. However, Locke argued that the man is nevertheless unfree because he has no choice to leave, being locked in there.⁷¹ By contrast, all involuntary actions are necessary. Finally, a free agent is one who has the power to act or not act according to the preference of his or her mind.⁷² Bearing these terms and distinctions in mind, let us now move on to consider the concept of uneasiness.

The concept of uneasiness appeared for the first time in published form in the second edition of the *Essay*. In the second edition, Locke abandoned his previous view in the first edition that the 'greater good' alone determined the will.⁷³ In the first edition, Locke was very close to Hobbes, who likewise endorsed the causal determination of the will and that the will was determined by what one conceived to be the greatest good.⁷⁴ In response to Locke's first edition of the *Essay*, William Molyneux suggested that Locke seemed 'to make all sins to proceed from our understandings, or to be against conscience; and not at all from the depravity of our wills', and went on to say, 'it seems harsh to say, that a man shall be damned, because he understands no better than he does'.⁷⁵ The same concern was also raised by William King, bishop of Derry and a friend of Molyneux. He argued that Locke's argument ran into fatalism:

Sect. 29 good then, greater good, is that alone determines the will. this good is from the idea impressed on the mind, and the idea is impressed on the mind by outward objects and outward objects ordered by God in an absolutely necessary

⁶⁹ *E*, 2.21.5; *Corr.*, 2979, vol. vii, 403.

⁷⁰ *E*, 2.21.5.

⁷¹ *Ibid.*, 2.21.10,11.

⁷² *Ibid.*, 2.21.8.

⁷³ *E*, 1st ed., 2.21.29.

⁷⁴ Wolfgang von Leyden, *Hobbes and Locke* (Houndsmill: Macmillian Press, 1981), 56.

⁷⁵ *Corr.*, 1579, vol. iv, 601.

chain and so God necessitates a man as much to kill his father as the sun to move. and this is the perfection of man that he is as necessarily damned as born.⁷⁶

Taking the advice of his 'judicious friend', Locke put his theory 'upon a stricter review'.⁷⁷ As a result of his renewed investigation, in the second edition of the *Essay*, Locke radically changed his case. He now argued that it was not the greatest good but always some 'uneasiness' that determined the will.⁷⁸ Locke still maintained that the contemplation of the good and evil did work upon the mind. But that which 'immediately determines the *Will*, from time to time, to every voluntary Action' was the present uneasiness. The uneasiness a man is at present under produces a desire for an 'absent good'. This is 'the great motive that works on the Mind to put it upon Action', or in other words, this is what determines the will and 'sets us upon those Actions, we perform'.⁷⁹

Uneasiness, Locke explained, included 'all pain of the body of what sort soever, and disquiet of the mind'. Uneasiness was always accompanied by a desire equal to the experienced pain. Hence, Locke claimed that desire was 'scarce distinguishable' from uneasiness, desire being 'nothing but an uneasiness in the want of an absent good'.⁸⁰ However, Locke maintained that desiring and willing were not to be confounded.⁸¹ Although he admitted to using expressions such as 'choosing, preferring' and like terms to signify desiring and volition (willing), for him, they were two distinct acts. This was because while desiring was 'directed to the agreeable' (i.e., longing for something, not necessarily within the agent's power), willing was 'directed only to the action' (i.e., commanding that something must be done, thus implying something was within the agent's power).⁸²

⁷⁶ *Corr.*, 1544, vol. iv, 541.

⁷⁷ *E*, 2.21.71. The 'judicious friend' was likely Molyneux. Locke believed that King had misunderstood him. *Corr.*, 1583, vol. iv, 608-9. 'I suppose that learned gentleman if he had had the leisure to read my *Essay* quite through would have found several of his objections might have been spared'.

⁷⁸ *Ibid.*, 2.21.29, 31.

⁷⁹ *Ibid.*, 2.21.29, 31, 33.

⁸⁰ *Ibid.*, 2.21.31. Locke vacillates whether desire is uneasiness (2.21.32), or whether it is something that accompanies it (2.21.31). Vere Chappell, 'Locke on the Intellectual Basis of Sin', *Journal of the History of Philosophy*, 32 (1994): 203.

⁸¹ *E*, 2.21.30.

⁸² *Ibid.*, 2.21.15, 30; *Corr.*, 2925, vol. vii, 327.

According to Locke, there were two types of uneasinesses: 'natural' and 'fantastical'. Natural uneasinesses included 'hunger, thirst, heat, cold, weariness' and 'sleepiness' and were implanted by God for the preservation of the human species. By contrast, fantastical uneasinesses included one's 'itch after honour, power, or riches, etc.' and were 'acquired habits by fashion, example, and education'.⁸³ We can see that there was still a deterministic element present in Locke's moral psychology of the second edition of the *Essay*: people were driven to action by uneasinesses which were introduced outside their control.⁸⁴ But here, Locke introduced man's power to suspend the execution of his desires. Free will, or 'liberty' as Locke called it, was the ability to suspend the various desires that arose from our uneasiness and to 'examine, view, and judge, of the good or evil of what we are going to do'. By exerting this power of suspension and deliberation, an agent could 'stop' his desires from determining his will until he fully considered what made a real part of his greatest good. It was not a 'fault', but a 'perfection' of human nature 'to desire, will, and act according to the last result of a fair examination'.⁸⁵ Insofar as this power could be wielded, Locke believed that people were free agents.

Although people were free agents, they deviate into sin. How does the concept of uneasiness help us to make sense of this? Locke claimed that people could determine right from wrong by due examination.⁸⁶ However, the reason why people often chose wrongly was because the desire to ease their *present* uneasiness moved the will before due examination took place. To the question, 'whence the various uneasinesses, that determine the will in the preference of each voluntary action, have their rise?', Locke gave a twofold reply: one form of uneasiness arose 'from an absent good; which desires always bear proportion to, and depend on the judgement we make, and the relish we have of any absent good'. That desires bore proportion to the judgment we made suggested that this was an uneasiness of an intellectual kind. The other form of uneasiness was, however, prompted by causes beyond our power, 'often the pains of the Body from want, disease, or outward injuries, as the rack, *etc.*' which 'when present, and violent, operate for the most part forcibly on the *will*, and turn the courses of

⁸³ *E*, 2.21.34; 2.21.45.

⁸⁴ Von Leyden, *Hobbes and Locke*, 57.

⁸⁵ *E*, 2.21.47, 52.

⁸⁶ *Ibid.*, 2.21.34, 56-9, 71.

Men's lives from Virtue, Piety, and Religion, and what before they judged to lead to happiness'. This was because people did not or could not contemplate the 'remote, and future good, to raise in himself desires of them strong enough to counter-balance the uneasiness'. Therefore, Locke argued, when confronted with such uneasinesses, 'there is great reason for us to pray *Lead us not into Temptation*'.⁸⁷

Thus, by forceful and present uneasiness, people often miscalculated the future greater good, and went astray from the path of virtue. This is crucial to understanding the controversial statements in the *Paraphrase*.

7. Uneasiness: the *Paraphrase*

Bearing in mind this account of the role of uneasiness in the *Essay*, let us return to the *Paraphrase* and see how the analysis sheds light on the coherence of Locke's account of human freedom in this work. As we have seen, Wainwright and Marshall focus upon Locke's paraphrase of Romans 7:14 – 'But I am so carnal, as to be enslaved to [my carnal affections], and forced against my will to do the drudgery of sin as if I were a slave' – and 7:17 – 'it is not I a willing agent of my own free purpose, that do what is contrary to the law' – as evidence that in the *Paraphrase*, Locke came to believe that agents could not perform what they had willed, being utterly enthralled by sin. If Wainwright and Marshall are right, then we must suppose that at the end of his life, Locke came to believe that people *were* necessitated to sin, thus destroying everything he had argued until that point in support of human freedom and personal responsibility. However, I will argue that Wainwright and Marshall's account is based on a narrow understanding of Locke's statements, and show that in the light of Locke's concept of uneasiness and his revised views of free will in the fifth edition of the *Essay*, Locke's account of human freedom in the *Paraphrase* did *not* fall into a claim about necessary sinning. Thus, I will begin by unpacking Wainwright and Marshall's claim.

According to Wainwright, in the *Paraphrase*, Locke presented a conflict between will and action. An agent wills to do good, but being enthralled by sin,

⁸⁷ Ibid., 2.21.57. Cf. *Corr.*, 1798, vol. v, 159 (9 Oct 1694). 'Violent uneasiness which the minde cannot resist nor away with. These constantly determin the will without any maner of suspension where there is any view of a possibility of their removal'.

cannot perform the action according to what he had willed, and is forced to do evil against his will. Wainwright argues that one cannot make sense of this account in the vocabulary of the *Essay*. In the *Essay*, Lockean agents perform what they have willed unless they are prevented by physical handicaps. It is also possible that a 'present sense of uneasiness may lead people to will actions which they know will be to their disadvantage'. Wainwright implicitly rules this out as the explanation of the *Paraphrase*; whereas the *Essay* was addressing a conflict between will and understanding, the *Paraphrase* was addressing a conflict between will and action.⁸⁸

Wainwright and Marshall's reading is warranted on a particular understanding of the word 'will'. Will, on their account, follows the determination of the last judgment and immediately precedes the action. Uneasiness has a role in determining the will which precedes the action. Indeed, it can work forcibly on the will to perform an action against one's understanding. But once the will is determined, it goes on to direct the operative faculties to perform *that* action it has determined to do. As far as the *Essay* was concerned, agents were not forced to perform actions against their will. Thus, on this strict reading, there is a clear conflict between Locke's account of human freedom in the *Essay* and the *Paraphrase*.

Now that we have looked at the assumption underlying Wainwright and Marshall's narrow reading of the controversial statements in the *Paraphrase*, I will show how the holistic perspective can show, against their reading, that these statements are compatible with the language of uneasiness. In so doing, I will argue that Locke did not fall into a doctrine of necessary sinning. To this end, I will consider Locke's account of free will in the fifth edition of the *Essay* and the exchange with van Limborch which informed it.⁸⁹

The significant change to Locke's fifth edition of the *Essay* was his acceptance of free volitions, that is to say that people were free to will. This change happened through a prolonged exchange over the issue of free will between van Limborch from the summer of 1701 to the autumn of 1702. For

⁸⁸ *PaN*, 788.

⁸⁹ My discussion of free volitions here exploits material which others have largely neglected. Most notably, Gideon Yaffe's *Liberty Worth the Name: Locke on Free Agency* (Princeton: Princeton University Press, 2000), which is one of the most recent attempts at an extensive discussion of Locke's account of free volitions, contains no index entry for Limborch (or Van Limborch) nor the *Paraphrase*.

Locke, there were two separate questions concerning free will: whether people were free or not and whether people were free to will or not.⁹⁰ In response to the former question, as we have seen, Locke answered in the affirmative. For Locke, an agent was free insofar as he had the power 'of acting, or not acting, by the determination of his own thought preferring either'. In response to the latter question, however, until the fifth edition of the *Essay*, he had answered in the negative, thus making known his volitional determinism.⁹¹ For Locke, people were not free to will because they could not forbear willing.

In a letter to van Limborch, Locke insisted that 'liberty', that is, liberty of a man, consisted 'solely in the power to act or not to act consequent on, and according to, the determination of the will'.⁹² Van Limborch rejected this, stating: 'It seems to me, altogether to the contrary, that liberty consists solely in a power by which can determine, or not determine, an action of willing; and that if a man does not possess that power before the determination of the will he is not free, nor can any state be conceived in which he can be called free'. Thus, for van Limborch, the question whether people were free or not was not a separate question from whether people were free to will; people could only be free in the former sense if they were free to will. This was because

the will is master of our actions, and governs them according to its choice, if the determination of the will is not free neither will there be any liberty in our actions because actions necessarily follow the determination of our will'.⁹³

Van Limborch wrote that this is what he thought Locke had been saying in 2.21.47 of the *Essay* when he asserted that the liberty of man consisted in the power to suspend one's desires from determining the will.⁹⁴ Locke's initial

⁹⁰ *E*, 2.21.14, 21. On the issue of free will, Locke argued that the question 'whether our will is free or not' was 'unintelligible'. Both the will and liberty were different powers or abilities, and one power could not be an attribute of another. The faculty of freedom 'can belong to nothing, but what has...a power to act'. 2.21.15, 16. This same point was made by Hobbes against Bramhall, and also, by Cudworth. Bramhall, *Hobbes and Bramhall*, 16. Ralph Cudworth, *A Treatise concerning Eternal and Immutable Morality: with A Treatise of Freewill*, ed. Sarah Hutton (Cambridge: Cambridge University Press, 1996), 170. For the possible influence of Cudworth on Locke, see John Passmore, *Ralph Cudworth* (Cambridge: Cambridge University Press, 1951), 93-5.

⁹¹ *E*, 2.21.14, 16, 20, 21, 23.

⁹² *Corr.*, 2925, vol. vii, 329.

⁹³ *Corr.*, 2953, vol. vii, 368-9.

⁹⁴ *Ibid.*, 370.

response was a refusal to capitulate to van Limborch's point.⁹⁵ In the next letter, however, van Limborch pressed the issue again,⁹⁶ and in response to this, Locke sent 'some explications' he planned to insert in chapter 21 by which he could make his meaning clearer. If Locke had not changed his mind at that point, it is clear that he did in a letter written a year later. The debate between the two men was put off for a while, but in September of 1702, Locke proposed to 'return to long discontinued studies'.⁹⁷ Here, he accepted that there were free volitions and thus by implication that his doctrine of suspension could be seen in this light:

Generally, indeed, that in my opinion a man is free in every action, as well of willing as of understanding, if he was able to have abstain from that action of willing or understanding; if not, not.

He went on:

More particularly, as regards the will: there are some cases in which a man is unable not to will, and in all those acts of willing a man is not free because he is unable not to act. In the rest, where he was able to will or not to will, he is free.⁹⁸

The posthumously published fifth edition of the *Essay* included this important admission. In 2.21.25, Locke inserted that '*in most cases* [emphasis added] a Man is not at liberty, whether he will *Will* or no', thus suggesting that there *were* cases in which a man was free to will.⁹⁹ Indeed, in 2.21.56, Locke once again stated that 'in most cases a Man is not at Liberty to forbear the act of volition; he must exert an act of his will, whereby the action proposed, is made to exist, or not to exist'. 'But', he continued, 'yet there is a case wherein a Man is at Liberty in respect of *willing*, and that is the chusing of a remote Good as an end to be pursued':

⁹⁵ *Corr.*, 2979, vol. vii.

⁹⁶ *Corr.*, 3010, vol. vii.

⁹⁷ *Corr.*, 3192, vol. vii, 680.

⁹⁸ *Ibid.*, 680.

⁹⁹ Vere Chappell, 'Locke on Freedom of the Will', in *Locke's Philosophy: Content and Context*, ed. G.A.J. Rogers (Oxford: Clarendon Press, 1994); *E*, 5th ed., 2.21.25.

Here a Man may suspend the act of his choice from being determined for or against the thing proposed, till he has examined, whether it be really of a nature in it self and consequences to make him happy, or no.¹⁰⁰

So, for example, an agent can choose to will to perform a morally good action in the future, and then go on to deliberate whether he will or will not will to perform it.

According to Vere Chappell, the existence of free volitions implied that there were also ‘second-order volitions’, i.e., ‘willings whose targets are other willings, these being volitions of the first order’.¹⁰¹ So in other words, if an agent is free to will, then he is also able to *will* what to will. Thus, on this view, we may say that the determination of the will is itself an action of willing. This again was a point that Limborch pressed in his letter:

It seems plain to me that a man determines his judgement because he *wills* to acquiesce in the reasons that he has pondered; again, that he suspends his judgement because he does not yet *will* to acquiesce, but *wills* either to ponder the reason more carefully or to inquire whether there are more reasons by which his judgement may be changed; and so it seems plain to me that the determination of the last judgement, by which a man decrees that this is to be chosen or done, is, if not wholly, at least very largely, an action of *willing* (emphasis added).¹⁰²

So, for example, an agent can *will* to will to perform a morally good action in the future, and then deliberate whether he will or will not will to perform it. As van Limborch intimated, Locke and van Limborch were not far from each other on this point, particularly given that Locke often used the word ‘choose’ to signify volition (although not synonymously).¹⁰³

Let us now see how the above consideration on free will sheds light on the controversial statements in the *Paraphrase* and how it helps us to see these were consistent with Locke’s concept of uneasiness. In the light of the above discussion, I believe that we can interpret Locke’s paraphrase that one was

¹⁰⁰ *E*, 5th ed. 2.21.56.

¹⁰¹ Chappell, ‘Locke on Freedom of the Will’, 121.

¹⁰² *Corr.*, 3010, vol. vii, 459.

¹⁰³ *E*, 2.21.30.

‘forced against [his] will to do the drudgery of sin’ not as the will which immediately precedes the performance of an external action but the will which has a remote good as an end to be pursued.

This is consistent with Locke’s comments in the *Paraphrase*. A few verses after from the controversial statements in verse 19, Locke elaborated on them:

[19] For the good that is my purpose and aim, that I doe not: But the evil that is contrary to my intention, that in my practise takes place. i.e. I purpose and aime at universal obedience, but cannot in fact attain it.¹⁰⁴

The key phrase is ‘I purpose and aime at universal obedience’. This, in the language of the *Essay*, can be rendered: ‘I choose to will actions in the future in accordance with the rule of morals’. In other words, it can be seen as a secondary volition. Verse 17 is also compatible with this reading. Locke started the verse by paraphrasing: ‘It is not I a willing agent of my own free purpose, that do what is contrary to the law’. But then, we see what the agent was unable to do was not acting upon his will, but following his ‘own *understanding and choice*’ (emphasis added).¹⁰⁵ Choice, again, can be seen as a will directed to a future good and not necessarily the will immediately preceding the act. Thus, if we construe ‘will’ as a will to will actions consistent with the rule of morals, and not (as Wainwright and Marshall narrowly interpret) as a will preceding the external action itself, there is no conflict between the *Essay* and the *Paraphrase*.

The will to will actions in accordance with the rule of morals itself follows from an agent’s understanding. The *Paraphrase* maintained that the agent could act against one’s own understanding – in Romans 7:15, ‘For what I doe is not of my own contrivance’, Locke commented: ‘*I doe not know*, i.e. is not from my own understanding or forecast of mind’. So in this sense, the agent who was sinning was acting against his will not to will actions resulting in sin, which itself was informed by his understanding. But he was still free *qua* free agent to act according to his sinful will should he will so, despite his will not to

¹⁰⁴ *PaN*, 546.

¹⁰⁵ *Ibid.*, 545.

will such actions. This is where the concept of uneasiness helps us to see how agents were sinning contrary to their understanding.

The *Essay* was clear that a drunkard who was fully aware that the consequences of going to the tavern might lead to ‘the loss of health and plenty, and perhaps of the joys of another life’ would nevertheless go there and drink the glass of wine if he experienced an uneasiness in the absence of it.¹⁰⁶ People chose wrongly because they often yielded to the most pressing, present uneasiness by a hasty decision. We should recall that there were uneasinesses which ‘when present, and violent, operate for the most part forcibly on the *will*, and turn the courses of Men’s lives from Virtue, Piety, and Religion, and what before they judged to lead to happiness’. Locke maintained that this was because people did not or could not contemplate the ‘remote, and future good, to raise in himself desires of them strong enough to counter-balance the uneasiness’. Therefore, it was possible for an agent to choose a remote good as an end to be pursued, and at the same time, when pressed forcibly by uneasiness, to act against this will, and will to act upon a sinful action. Moreover, there were fantastical uneasinesses exerting pressure on people. Indeed, the *Paraphrase* noted that ‘because by prevailing custome and contrary habits this principle [i.e. the Spirit ‘which dictates what is right and inclines to good’] was very much weakened and almost extinct in the Gentiles’.¹⁰⁷ Thus, for Locke, ‘there is great reason for us to pray *Lead us not into Temptation*’.

Let me summarize this section. Wainwright and Marshall have claimed that Locke’s account of human freedom in the *Paraphrase* conflicts with the one in the *Essay*. The implication of their claim (although they did not seem to see it) was profound. If their reading of the *Paraphrase* was right, then it would mean that Locke would be committed to a doctrine of necessary sinning. There is no doubt that Locke was deeply convinced of human sinfulness. But adopting the doctrine of necessary sinning would mean that Locke suddenly reverted from his view until that point to reconcile his theology with human freedom. However, through a holistic analysis of Locke’s account of free will in the fifth edition of the *Essay*, we saw how the *Paraphrase* could be seen in terms of the

¹⁰⁶ *E*, 2.21.35.

¹⁰⁷ *PaN*, 153 (16, 17+).

concept of uneasiness, and thus, compatible with the doctrine of suspension and human freedom.

8. Concluding Remarks

Traditionally, Locke's revealed theology has been seen to occupy an obscure position in relation to his wider thought. It tends to be studied in isolation from the other areas of his thought, and when it is considered in relation to these, it is seen as incoherent. Against the supporters of this view, such as Wootton, the aim of this chapter was to show how Locke's revealed theology not only connected to wider issues in his thought, but also, how it developed in a way that was consistent to these.

Locke's account of human freedom in the *Paraphrase* is an ideal case for the argument of this chapter. Not only is a study of the often neglected *Paraphrase* invaluable for Locke scholarship in itself, but moreover, this particular puzzle presents a classic example of how one could postulate Locke's incoherence based on a narrow reading of a throwaway line and how one could see a different significance once this was put into a wider context.¹⁰⁸

We saw how Locke's morals and natural jurisprudence had developed upon the assumption that people were free agents. Locke's views on original sin and predestination both reflected this commitment. Although Locke was convinced of humanity's sinful tendency, he adamantly rejected the Calvinistic doctrine of necessary sinning and absolute election. Locke maintained a strong sense of the need of a saviour and divine grace, but he also secured space for humanity's self-determination, and thus, responsibility.

However, Wainwright and Marshall's reading of the *Paraphrase* suggested that at the very end of his life, Locke made a move to deny all his previous efforts to reconcile his theology with his philosophical commitment.

¹⁰⁸ Another classic example is the following. Peter Laslett famously argued that 'Locke is, perhaps, the least consistent of all the great philosophers, and pointing out the contradictions either within any of his works or between them is no difficult task'. Laslett's 'Introduction', in *TTG*, 82. Laslett identified Locke the political theorist and Locke the philosopher. Although as a philosopher, Locke had 'no room for natural law' (81), as a political theorist, he seemingly suggested there was an innate law of nature: when Cain murdered Abel, he was convinced that 'every one had a Right to destroy such a criminal'; 'so plain was it writ in the Hearts of all Mankind'. *TTG*, II. 11. Yet a closer examination of the usage of the word 'heart' suggests that it was the 'effective reception of an idea, regardless of the mode of transmission'. Thus, Locke's statement need not imply that he capitulated to innatism. Harris, *The Mind of John Locke*, 30-1.

By re-examining the controversial statements sustaining Wainwright and Marshall's interpretation in the light of Locke's concept of uneasiness and his revised views on free volition, I showed that Wainwright and Marshall's interpretation was based on a narrow reading of the text. In this chapter, therefore, I showed that a holistic examination can show that the *Paraphrase* was in fact reconcilable to the *Essay*, and more generally, with human freedom. More broadly, we have seen, against the portrait of an incoherent Locke depicted by Wootton, that Locke can be judged as a systematic thinker.

Finally, I will say something about the further political significance of the portrait of Locke depicted in this chapter. By showing Locke's systematic defence of human freedom and opposition to determinism, this chapter helps us to see the ways in which his intellectual energy was exercised against the thrust of Hobbesian thought. In the first instance, Locke's rejection of deterministic sinning fitted into an opposition to Augustinian pastoral theology exemplified, for example, in the Anglican divine, Jonas Proast.¹⁰⁹ Proast had challenged Locke's political vision by advocating the use of force by the true church to the end of correcting non-conforming individuals.¹¹⁰ Underlying Proast's argument was the assumption of the 'depraved Nature of Man' and 'the Corruption and Pravity of Human Nature' and how 'Lusts and Passions' distracted people's judgement.¹¹¹ This warranted the interference of the civil magistrate and superiors who had the right to use such force.¹¹² By contrast, Locke believed that people were capable of morals and religion, and rejected the traditional view of original sin which could be used in Proast's favour. In the same way that Locke's rejection of original sin in the traditional sense undermined the Augustinian justification of coercion, it also cut off the fuel from Hobbesian arguments. On a Hobbist account, people determined their conduct according to

¹⁰⁹ Jonas Proast, *The Argument of the Letter concerning Toleration; A Third Letter concerning Toleration; A Second Letter to the Author of Three Letters for Toleration* (New York: Garland, [1690, 1691, 1704] 1984). For Augustinian theories of intolerance in seventeenth century England, see Mark Goldie, 'The Theory of Religious Intolerance in Restoration England', in *From Persecution to Toleration*, eds. Ole Peter Grell et al. (Oxford: Clarendon Press, 1991), 331-368. For a seventeenth century critique of Augustinian pastoral theology, see Pierre Bayle, *A Philosophical Commentary on These Words of the Gospel, Luke 14:23, 'Compel Them to Come in, That My House may be Full'*, ed. John Kilcullen and Chandran Kukathas (Indianapolis: Liberty Fund, 2005).

¹¹⁰ Proast, *The Argument of the Letter concerning Toleration*.

¹¹¹ 'Depraved', Proast, *A Third Letter concerning Toleration*, 9; 'Corruption', *Ibid.*, 6,7; 'Lusts', Proast, *The Argument of the Letter concerning Toleration*, 7, 22.

¹¹² Proast, *The Argument of the Letter concerning Toleration*, 16.

the coercive power of the state.¹¹³ If original sin was granted, people would be seen to lack moral capability, and thus, warrant the further interference of the state's coercive power to govern their conduct. Locke's political view did not square with this, and thus, original sin could not be construed as a corrupted human nature. The architecture of Locke's thought was thus opposed to Hobbism.

Narrow contextualist readings of Locke can seemingly expose tensions in his moral thought and natural law project, leading onto suggestions that Locke was a Hobbist, as Wootton has done. But a wider investigation of the character of Locke's thought showed that it in fact developed in conscious opposition to Hobbism. Thus, not only does this chapter tell a story about the coherence of Locke's thought, but also, a story about how this coherence showed his systematic anti-Hobbism.

¹¹³ *E*, 1.3.5; Harris, *The Mind of John Locke*, 300.

CONCLUSION

This thesis began with a general concern about the ways in which the history of political thought and intellectual history is being written and the implications this has had so far for understanding the ideas particularly of the seventeenth century thinker, John Locke. We have seen that there are two common approaches to the history of political thought and intellectual history which generate contrasting portraits of Locke. On the one hand, Straussians present a portrait of a *prima facie* incoherent Locke, who, once unmasked, emerges as a judicious follower of his predecessor Thomas Hobbes. Although Straussians still have a stronghold in North American academia, we have seen that its methodological reliability has been questioned by other commentators on Locke, who tend towards the other dominant approach, contextualism. Contextualists, on the other hand, present a portrait of a context-driven Locke, who, for his multifarious interests and agendas, emerges as a polemicist who lacked a systematic coherence and who had little or nothing to say about Hobbes.

One aim of this thesis was to show that looking at Locke's thought through the lenses of these two perspectives unduly forecloses fruitful ways of exploring Locke's thought, and hence, what can be extracted from it. As a means of widening our horizon, therefore, the thesis has attempted to show how a holistic approach can cast a different light on Locke's thought by making clear his less explicit assumptions, and through this reconsideration, to offer a different estimation of his thought. To this end, the thesis examined a series of case studies or puzzles, which, reinterpreted through the holistic perspective, revealed an alternative account of Locke's development.

The general narrative of the thesis is straightforward and can be summarized briefly. We have seen that Locke began his intellectual career by confronting a political question about the legitimate boundaries of civil authority and individual conscientious liberty concerning indifferent things. We have also observed how his solution to this problem led on to an investigation about natural jurisprudence, which in its own turn, led on to wider investigations ranging from epistemology to revealed theology. As each of the case studies showed, Locke's thought developed in a way that was consistent with his

previous commitments, centring on God and natural law, which itself supported his revised liberal politics. It showed, therefore, that Locke's thought developed systematically, and moreover, that it developed in a way which suggests that the whole fabric of this development was in opposition to Hobbism.

In the remaining space of the concluding chapter, I will go on to explain the wider implications of this thesis. There are four significant implications I will point out here. First, the thesis shows that Locke was an unusually careful and systematic thinker. Secondly, the thesis shows that Locke's thought developed systematically in opposition to Hobbes and Hobbism. Thirdly, the thesis shows that Locke's political thought was more complex than modern Lockeans might be prepared to admit. Lastly, this thesis helps us to reflect on how the history of political thought and intellectual history should be done. I will suggest that because the holistic approach shows a revised portrait of Locke that we should indeed take seriously, we should also consider taking this approach more seriously than historians generally have done.

1. Locke as a Systematic Thinker

First, my analysis has revealed that Locke was a careful and systematic thinker. By 'systematic' thinker, I do not mean that at all points in his intellectual career and in all areas of thought Locke held a single coherent position. What I do mean here is that although Locke did change his mind on a number of issues, he did so with a view to intellectual coherence, and, equally importantly, with some success. Locke was a thinker who saw how an argument in one area of thought had implications in others, and also, one who worked diligently to reconcile his ideas with his previous commitments.

As we have seen, making a political argument that could reconcile the tension between civil authority and private consciences was not simply about having a political view. For Locke, it implied a theological view about God's purposive activity. It also implied a view that God does not require people to perform conflicting duties. This also meant that God had made His will clear to mankind about how they should live. In this way, one could have a measuring stick by which mankind could judge whether certain actions were consistent with the divine will or whether they were self-fashioned. In this way, Locke could maintain with confidence that the power of the state concerned civil

matters while purely religious matters could be left to individuals. To sustain this political vision, Locke needed to say something about the extent of human knowledge and whether natural law was its proper subject.

For his epistemology to be consistent with his political commitment, Locke could not adduce innate ideas. Locke believed that innatism could be used arbitrarily to justify one's self-interest, and thus fall into enthusiasm. Moreover, innatism was inconsistent with Locke's idea of a purposive God. Locke believed that God would not do something redundant as to provide people with innate ideas when He had already bestowed them with natural faculties which were sufficient to attain the knowledge of His will. Locke thus took the naturalist route. But Locke's naturalism and empiricism created a further problem because he would now need to show the steps by which people could attain the knowledge of the divine will without adducing innate ideas. Hence, we saw the development of Locke's hedonistic ethics and how he integrated his empiricism with the divine purpose, that is, how God had created people to discover good and evil in relation to the pleasure and pain that He had annexed to certain actions.

Given the centrality of God and His will in Locke's political system, people who did not acknowledge these facts could not be tolerated. But Locke's own denial of innate ideas required him to accept that people could be genuinely devoid of all knowledge of God and His will. Thus, we saw Locke developing views about education and the conduct of the understanding and how these could ensure that people would have the basic knowledge to conduct themselves in accordance with the divine will and law.

Moreover, given that God was purposive and willed people to live according to His design, Locke believed that He would not only provide people with the capability to attain the relevant knowledge but also the will power to act according to it. Thus, the idea of human freedom was crucial for Locke. This required Locke to say something about revealed theology where the assumption of human freedom was seriously challenged by the traditional Augustinian and Calvinistic doctrines of original sin and predestination.

This narrative shows clearly how Locke started with an investigation about politics and then went on to develop views about various other issues which he believed would help to consolidate his initial concern. We have seen

that this account can only surface with the examination of Locke's often neglected writings such as his later educational and religious writings. By 'neglected', I do not mean that there have not been any discussion of them, but rather that there has not been any discussions of them in the wider context of Locke's account of God's organization of the world.

Such a portrait of Locke as a systematic thinker is unlikely to emerge from a rigorous contextualist perspective. This is not least because contextualists encourage us to focus on the particular context in which a thinker's argument was articulated and to identify the particular tradition to which this argument belonged. This is a suitable approach to observe the ways in which a thinker's argument contributed to an existing discourse. But the advantage of this approach is also its disadvantage. By habitually framing the various writings of a thinker into particular contexts and debates, it forecloses the possibility of seeing the significance of the arguments in terms of the thinker's own broader intellectual development. Thus, while contextualism can offer invaluable insights into the context of a particular utterance, a strenuous application of the method can also be unhelpful to seeing the wider significance of a thinker's thought.

Thus, as we have seen, on a traditional contextualist model, Locke emerges less as a philosopher who thinks in terms of deep structures and commitments than a polemicist addressing various issues motivated by historical conditions. We are encouraged to see certain interesting features in the context in which Locke operated, but beyond that, we are encouraged to see that there is little coherence and little philosophical value in the overall argument. In short, what this model effectively does is to restrict the significance of the study of Locke. By contrast, showing the coherence of Locke's efforts to build up that system, my account encourages us to take the systematic dimensions of his thought more seriously.

The significance of identifying a systematic Locke is twofold and connects to the second and third points I will make. Firstly, the portrait of a systematic Locke opens up the possibility of seeing that Locke's philosophical and political concerns run deeper than the issues raised in particular contexts. Thus, while Locke's arguments may be directed to particular debates, we are encouraged to consider the wider intellectual preoccupations that may be lying

behind his responses. Indeed, we have seen that Locke's arguments fitted into a structural opposition to a Hobbesian framework. Although this aspect has been downplayed by recent contextualist scholars, as we have seen, Locke's silence does not necessarily imply indifference. Secondly, understanding the systematic dimensions of Locke's thought leads us to see that any attempt to divorce individual elements from the system runs the risk of compromising the force of the argument, and indeed, the integrity of the system. The force and coherence of the individual arguments is supported by presuppositions in other areas of thought, which, taken together, uphold the system. This becomes an important issue when we consider the modern implications of Lockean liberalism.

2. Locke's Structural Anti-Hobbism

The second significance of my narrative is that it shows, *contra* the contextualists, that Locke did have something substantial to say about Hobbes and Hobbism, and, *pace* the Straussians above all, that Locke's system of thought developed not towards but in direct opposition to Hobbes. We have seen that God and natural law played a pivotal role in the fabric of Locke's thought. My account shows that this reliance is better supposed genuine than spurious. It also shows that there was direction in the development of Locke's thought and that his assumption of a purposive God and the implications of that cut off the conceptual supply lines from Hobbesian arguments.

The dilemma of the Locke of the *Two Tracts on Government* was that there was no objective measuring stick by which one could differentiate between genuine conscientious scruples and self-fashioned ones. In the absence of such a criterion, Locke, like many Anglican thinkers, opted for an authoritarian Hobbesian politics which prioritized civil order over religious conscience. Locke realized that his solution was unsatisfactory though, acknowledging that it would only create hypocritical worshippers. Locke thus adduced natural law as a criterion, but attached a different significance to it than Hobbes who likewise operated in this tradition. Although Hobbes operated within the natural law tradition, he had effectively reduced the formal, obliging content of natural law to the civil sovereign's commands. In this way, Hobbes could bypass the epistemological question of how one could know the content of the law and the moral question of how one could know that it was obligatory. Yet Hobbes's

politics had created the problem of the hypocritical worshipper whose eternal life was at stake. Thus, to distinguish his politics from Hobbes's, Locke needed to avoid the Hobbesian natural law route. Locke thus confronted the moral epistemological question and was led to a generic question about the extent of human understanding.

Common to Hobbes and Locke was their rejection of innatism and their commitment to empiricism. Thus they also shared similar conceptual resources by which they could explain how people could attain knowledge of the divine will. Hedonism was one of them. However, here again, Locke categorically distinguished himself from Hobbes's hedonistic ethics by emphasizing the pleasure and pain of the afterlife against those of this present world. To complement his epistemological argument, Locke developed his views about the reasonableness of the Christian religion and how this could help less fortunate people to attain moral knowledge. For Locke, natural theology and revealed theology were both means by which God communicated His will to mankind.

This last move which increased the role of revealed theology, however, gave cause to people to associate Locke with Hobbes and Socinian theology.¹ The move was seen as one undermining the belief in a universal moral law and orthodox Anglican theological doctrines. Despite the overlap in certain theological doctrines with Hobbes – as 'Jesus is the Messiah' – Locke rejected traditional Augustinian and Calvinistic interpretation of the doctrines of original sin and predestination which could provide the resources to fuel an authoritarian politics of Hobbes's kind.

On a contextualist model, the above narrative has not been recognized because of Locke's lack of direct engagement with Hobbes. On a Straussian model, Locke appears as a follower of Hobbes because of the presumed lineage of the modern project and the presumed futility of Locke's apparent deficient theistic argument. But as my narrative shows, there is a story at a deeper structural level which can only be seen in the light of a broader intellectual context.

¹ Locke's 'Hobbism', Richard Willis, *The Occasional Paper: Number 1* (London, 1697), 19; 'Socinianism', John Edwards, *Some Thoughts concerning the Several Causes and Occasions of Atheism* (London, 1695); *Socinianism Unmask'd* (London, 1696); John Milner, *An Account of Mr Lock's Religion* (London, 1700).

One's understanding of the intellectual relationship between Hobbes and Locke has direct implications for how one understands the character and originality of Locke's thought. As we have seen, the question of the intellectual relationship between the two thinkers is as old as Locke's own publishing career. From the time Locke began publishing his works until this day, he has continued to be seen as one who operated on Hobbes's terms. Locke's contemporaneous commentators such as Tyrrell and Newton had suspected that beneath the surface Locke was a Hobbist.² Today, Straussians continue to reproduce this three hundred year old suspicion. Moreover, although contextualists have traditionally seen little historical value in a comparison between Hobbes and Locke, revisionists emerging from this camp have argued that the two thinkers shared more in common than what traditional contextualist views have allowed. Seen in this light, Locke comes out less as a distinct philosopher in his own right than a philosopher who struggled to escape the shadow of his predecessor Hobbes, if he had not capitulated to him.

Not only does my narrative offer new insights into the relationship between Hobbes and Locke, but also, it shows what is distinctive and original about Locke's thought. It shows that Locke was not simply a follower of his predecessor but an imaginative philosopher in his own right. Locke and Hobbes did in fact share a common problem as well as conceptual resources. Both faced the Anglican epistemological crisis. In the absence of a presumed infallible interpreter of the Scripture, there was no criterion by which one could authoritatively distinguish between genuine and spurious consciences. Both thinkers had experienced the civil war and its aftermaths and were very much aware that an absolute liberty of conscience would lead to anarchy. We have seen that for both Locke and Hobbes, natural law provided the authoritative criterion. Yet we have seen how Locke and Hobbes used this to reach radically different conclusions. Whereas Hobbes showed that natural law was reducible to the civil sovereign's commands and advocated an authoritarian state, Locke showed that natural law was a divine law knowable to people in general and advocated a liberal state.

² Respectively, *Corr.*, 1301, vol. iv, 101-2 and 1659, vol. iv, 727.

My narrative shows that the character and originality of Locke's thought lies in the ways in which he systematically pursued the implications of his political vision, and closed off arguments that could be used in support of the antithesis of his vision, that is, of Hobbes. This reassures us that Locke is indeed an original thinker we should take seriously. And since we can be reassured that there is something distinctive about Locke's thought, we may also suppose that there was substantial arguments distinguishing Locke's liberalism from Hobbes's authoritarianism.³ This will encourage us to investigate further what sets of assumptions distinguish liberalism from authoritarianism and what enables us to uphold the former. This leads to the third point I will make about the modern implications of Locke.

3. The Scope of Politics and its Modern Implication

The third significance of my narrative concerns its modern implications. My narrative shows how for Locke a political argument created a broader range of other commitments. It shows that a political argument cannot simply be seen as an isolated argument, but one that depends on various other arguments. This is important in the light of what is said against Locke by David Wootton for example.

Wootton argues at the end of his article 'John Locke: Socinian or natural law theorist?' that modern liberals have appropriated Locke's empiricism and language of natural rights, but at the same time, inherited the incoherence dogging Locke's theory itself.⁴ By contrast, my narrative shows that modern liberal use of human rights and toleration is unstable not because Locke's project was incomplete, but contrariwise, because it was complete and it has been inherited divorced from the wider arguments supporting it.⁵ The wider

³ This distinction has been downplayed by Kraynak and Kelly, who argue that there was no fundamental philosophical change between the authoritarian and Hobbesian Locke of 1660 and the liberal Locke of the later 1660s. R.P. Kraynak, 'John Locke: From Absolutism to Toleration', *American Political Science Review* 74 (1980): 53-69; P.J. Kelly, 'John Locke: Authority, Conscience and Religious Toleration', in *John Locke: A Letter concerning Toleration in Focus*, eds. John Horton and Susan Mendus (London: Routledge, 1991), 127.

⁴ David Wootton, 'John Locke: Socinian or Natural Law Theorist?', in *Religion, Secularization and Political Thought: Thomas Hobbes to J.S. Mill*, ed. James E. Crimmins (London: Routledge, 1989), 62-3.

⁵ See amongst other works, John Dunn, 'From Applied Theology to Social Analysis: The Break between John Locke and the Scottish Enlightenment', in *Rethinking Modern Political Theory*

arguments supporting Locke's liberal politics was, as we have seen, God and natural jurisprudence. This is clear to Wootton as well: 'Take away the sanctions accompanying [the law of nature] and natural reason as a method of promulgating it, and there can be no universally valid natural rights'.⁶ Locke's reliance on God and natural law further created the commitment, perhaps most discomfiting for modern liberals, to exclude atheists from civil society. Thus, while it may be good news for modern liberals to know that we can see that the Lockean liberalism we aspire to is not incoherent, it may also be difficult (perhaps even more difficult) to accept what a coherent liberal theory would require us to hold.⁷

This may trigger a further investigation. Locke holds a place in the canon of political philosophy and is often seen as the 'father of liberalism'. Locke was perhaps the father of secular liberalism in the sense that he could be traced back as an ancestor of the tradition. But as my narrative shows, Locke himself was not a secular liberal but a theological one. On his account, people were not supposed autonomous but dependent on God.⁸ It is interesting to consider how Lockean liberalism was transformed from its original to a radically different form. It encourages us to investigate carefully the steps by which liberalism was secularized and consider whether these steps were based on a thorough understanding of Locke's system and the connections he had carefully laid out. If not, we may have to entertain the thought that modern political philosophy embodies a degree of self-deception about its own origins.

We have observed that for Locke the connection between God, natural law and his liberal politics was fixed. For Locke, people owed obedience to God rightfully and rationally because He was their creator who sustained them and who had the supreme embodiments of the qualities that fit Him to direct them. God's authority was absolute and for this reason His law was too. God's law would provide a fixed criterion by which one could draw a line between the legitimate boundaries of civil authority, which upheld God's wish for civil order,

(Cambridge: Cambridge University Press, 1985), 55-67; Timothy Stanton, 'Locke and the Politics and Theology of Toleration', *Political Studies* 54 (2006): 84-102.

⁶ Wootton, 'John Locke', 62-3.

⁷ Jeremy Waldron, *God, Locke, and Equality* (Cambridge: Cambridge University Press, 2002), ch.8.

⁸ Ian Harris, 'Locke's Political Theory', in *British Philosophy and the Age of Enlightenment*, ed. Stuart Brown (London: Routledge, 1996), 96-7.

and individual conscientious liberty, which upheld God's wish for sincere worship. On this model, the state would be empowered to suppress that which infringed upon the laws of nature and disturbed civil order while individuals would have liberty over purely religious matters. Conflict between the two powers on this model cannot *ex hypothesi* arise (unless one supposes that God gave conflicting orders), but given the frail nature of man, Locke did admit that it could from time to time. But here, he had a God to appeal to.⁹

Modern liberalism aspires to this structure, yet strips away God and divine natural law from the equation. Liberalism, however, is not anarchy, so it does provide its own criterion to distinguish between legitimate and illegitimate claims to conscience and what people may act upon. Instead of a divine natural law, liberalism introduces the concept of 'reasonableness' (or some variation of it).¹⁰ The problem, however, is that in a plural society as ours, there are plenty of claims to reasonableness but no clear *authority* that can arbitrate between different claims and decide what exactly the content of reasonableness is to be, and hence, what we ought to obey.¹¹ As Locke and Hobbes did, modern liberals too face an epistemological crisis.

Here, the comparison between Hobbes and Locke is illuminating. Both Locke and Hobbes agreed that a moral law and an authority that could enforce it were necessary to the solution of the crisis. Having stripped away God, liberals seem to drift towards the Hobbesian route. Thus, on this model, the state would ultimately define the scope of reasonableness and back its decision up with physical force. Those who sincerely cannot comply are forced to be hypocritical. For this model to work though, people would need to accept the state as a final authority, in the sense that it is a 'mortal god'. But what this suggests is that modern liberalism is perhaps less Lockean than Hobbesian, less liberal than authoritarian. Seeing the connections in Locke's thought force us to see a discomfiting reality.

⁹ For Locke's 'appeal to Heaven', see for example, *TTG*, II, 20, 21.

¹⁰ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996).

¹¹ See for example, Jeremy Waldron, 'Toleration and Reasonableness', in *The Culture of Toleration in Diverse Societies: Reasonable Tolerance*, eds. Catriona McKinnon and Dario Castiglione (Manchester: Manchester University Press, 2003), 13-37; Catriona McKinnon, *Toleration: A Critical Introduction* (London: Routledge, 2006), 76-9.

What can modern liberals do then? One option is to bring back the familiar thought that Locke's political thought is dead,¹² and accept that we are essentially Hobbesian. This is perhaps easier said than done. We believe that we are building upon Locke's foundations and steadily progressing from his seventeenth century prejudices. Yet what has emerged from the present analysis is the thought that while we aspire to preserve and polish the liberal ideas we have inherited from Locke, we are pressed to admit that we are moving back to the views that Locke so painstakingly tried to escape. We may have to accept that we are perhaps not as tolerant as even the 'intolerant' Locke.¹³ If, however, we trust our own intuitions and aspirations to be right, that is, that there is something discomfiting about being associated with Hobbism, then we may say that we have reached the point where Locke began his intellectual career in the early 1660s. A re-examination of the development of Locke's thought could hardly be more timely and relevant to us now.

4. A Final Reflection

Although this thesis has been an investigation of Locke's intellectual biography, or in other words, an example of intellectual history, it has also been an investigation of his politics and an example of history of political thought. I reflect on one last issue: how the history of political thought should be done.

Through the example of Locke, we have seen how a political argument quickly developed into a wider range of intellectual investigations. As I have argued above, it suggests that when we consider Locke's political argument, we cannot fully grasp the significance of it without further considering the presuppositions supporting it. This has general implications for the ways in which we can study the history of political thought. It suggests that the scope of political thought is not limited to what we normally understand to be the 'political' but may extend to investigations that seem remote from it. It therefore points to the deficiency, in the first instance, of a pure textualist approach, which

¹² John Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969), x. 'I simply cannot conceive of constructing an analysis of any issue in contemporary political theory around the affirmation or negation of anything which Locke says about political matters'. Cf. John Dunn, 'What is Living and What is Dead in the Political Theory of John Locke?', in *Interpreting political responsibility* (Princeton: Princeton University Press, 1990).

¹³ The expression is borrowed from Alex Tuckness, 'Rethinking the Intolerant Locke', *American Journal of Political Science* 46 (2002): 288-298.

considers a certain political text as self-contained and is all that is necessary to understand the particular argument in the text. While writers may publish a single tract hoping that this will be the case, what the study of the reception of texts shows us is how often writers are misunderstood and are forced to clarify their point (if they are still alive to do this).¹⁴ My thesis shows that one reason for this can be attributed to the fact that what may be clear to the author himself may not be to a reader who has not re-enacted the thought process of the author, which, fortunately for the modern reader, may be available in the author's other works or manuscripts.¹⁵

Secondly, the idea that the scope of politics may extend beyond what is conventionally regarded as the political points to the deficiency of a rigorous contextualist approach. Pigeon-holing the arguments of authors into particular contexts and debates may result in the suppression of their imaginative force, that is to say, it may limit what the author could have said. This method assumes that thinkers operated within certain traditions and have the ability to manipulate it. But it forecloses the possibility of a thinker trying to transcend the tradition on a wider context. While contextualism may be helpful to shedding light on what an author's argument could do on a particular instance, it may not be able to show how their mind was operating and what they were trying to do on a larger scale without widening the context beyond the context of a particular text. My narrative shows that, seen holistically, we can see a wider project that was moving Locke, which is often overlooked by contextualist historians.

The holistic approach may be more suitable for certain thinkers than others. It does not guarantee that all thinkers will have a similar kind of underlying structure. At the very least though, it may reveal the possibility that a philosopher has a coherent structure to these thinkers. But that is not its sole purpose. The more general significance of the holistic approach is that it encourages us to keep the doors open for fruitful possibilities we may rule out *a priori* on other approaches. As my thesis shows, in Locke's case, the holistic

¹⁴ For example, although it is well-known that Locke denied toleration to Roman Catholics in the *Letter concerning Toleration*, he was accused of nothing short of being a secret papist himself. Thomas Long, *The Letter for Toleration Decipher'd* (London, 1689). There is in addition to genuine misunderstanding the problem of willfully misunderstanding or caricaturizing an opponent.

¹⁵ Consider how many times we have heard a scholar say: 'Good question. I didn't have time to talk about that in this presentation. But I've addressed it in another work. Please consult it'.

approach offers us a fresh account of what is distinctive about Locke's thought and why it matters for us today. There is not much more we can ask from an approach. There is therefore a compelling case always to keep the possibilities open for studying the history of political thought in terms of intellectual history.

As I stated in the introduction, the holistic approach entails writing an intellectual biography, and writing an intellectual biography is, without doubt, an onerous task. Seeking any kind of truth is onerous, however, whether it be about life in general or about the mind of a great thinker. But we have the encouragement of Locke, a great thinker himself: 'I know there is truth opposite to falshood, that it may be found if people will, and is worth the seeking, and is not only the most valuable, but the pleasantest thing in the world'.¹⁶

¹⁶ *Corr.*, 2376, vol. vi, 295.

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