Morality and Politics of a Modern Self

A Critical Reconstruction of Lockean Liberalism

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by

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Abstract

This thesis attempts to delineate the moral and political thought of John Locke as a philosophical narrative of liberalism. A central issue of the thesis is the idea of the liberal or modern self, but I do not interpret Locke's thought exclusively from this perspective. Rather, do I attempt to describe a moral vision that integrates Locke's ideas as a whole, in which his concept of the self is to be understood. The thesis shows that Locke's moral vision is a serious contribution to the liberal tradition, which gives us an insight into another, non-Kantian liberalism. After explaining the methodological nature of the thesis in the Introduction, I illustrate the development of Locke's early thought in chapters two and three. This reveals some theoretical problems imposed upon the intellectual effort of the mature Locke. The following three chapters deal with Locke's *magnum opus*, *Essay concerning Human Understanding*; they show that despite his failure to construct a demonstrative science of morality, Locke achieved a moral vision in his philosophical enterprise which has more enduring value than the moral science. Chapter seven interprets Locke's political argument from the standpoint of this moral vision. It sheds new light on Locke's political individualism (his theory of property, social contract, civil government, public good, political obligation, and revolution), and reveals some aspects of the nature of liberal politics. Chapter eight directly deals with Locke's concept of the self. It elucidates two distinct elements in his argument for the self (which are, in abstraction, mutually antagonistic), and explains how this duality of the concept of the self is secured in Locke's moral vision without difficulty. The conclusion summarises the main arguments presented in the thesis and suggests how we are to develop the insights we discovered in Locke's moral vision.

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Abbreviations

Works by Locke

Conduct	*Of the Conduct of the Understanding*, ed. Francis W. Garforth, New York: Teachers College Press, 1966.
Correspondence	*The Correspondence of John Locke*, ed. E. S. De Beer, 8vols., Oxford: Clarendon Press, 1976.
Early Draft	*An Early Draft of Locke's Essay*, eds. R. I. Aaron and Jocelyn Gibb, Oxford: Clarendon Press, 1936.
Educational Writings	*The Educational Writings of John Locke*, ed. James Axtell, Cambridge: Cambridge University Press, 1968.
Essay	*An Essay concerning Human Understanding*, ed. Peter H. Nidditch, Oxford: Clarendon Press, 1975.
Law of Nature	*Essays on the Law of Nature*, ed. W. von Leyden, Oxford: Clarendon Press, 1988.
Letter	*Epistola de Tolerantia: A Letter on Toleration*, ed. Raymond Klibansky, trans. J. W. Gough, Oxford: Clarendon Press, 1968.
"Morality"	(Ms. Locke, c28, fols. 139-40), in T. Sargentich, "Locke and Ethical Theory", *Locke Newsletter*, 5 (1974), 26-28.
Political Writings	*John Locke: Political Writings*, ed. David Wootton, Harmondsworth: Penguin, 1993.
Questions	*Questions concerning the Law of Nature*, eds. R. Horwitz, J. S. Clay, and D. Clay, Ithaca: Cornell University Press, 1990.
Reasonableness	*The Reasonableness of Christianity as Delivered in the Scriptures*, in *Works*, vol. VII.
Some Thoughts	*Some Thoughts Concerning Education*, in *Educational Writings*.
Two Tracts	*Two Tracts on Government*, ed. Philip Abrams, Cambridge: Cambridge University Press, 1967.
Two Treatises	*Two Treatises of Government*, ed. Peter Laslett, Student edn. Cambridge: Cambridge University Press, 1988.
Works	*The Works of John Locke*, 10 vols., 1823.

Works by Others

King	Peter King, *The Life of John Locke*, 2vols., 1830.
Leviathan	Thomas Hobbes, *Leviathan*, ed. Edwin Curley, Indianapolis: Hackett Publishing Company, 1994.

Chapter 1

Introduction

In this thesis I propose to articulate two complicated matters, John Locke and liberalism. The complexity of the two is well known; K. Minogue, for example, writes,

> The liberal tradition is often traced back to John Locke. This is entirely appropriate. Locke was a very tricky customer, and so is liberalism. First you think you understand it, and then you realize that it has slipped through your fingers. The study of Locke can yield the same sensation.[1]

Locke is an intricate thinker, in the sense that we find various discrepancies within and between his texts; the history of their interpretation exhibits the contestability of his meaning. Liberalism is also a complex thing. It signifies now an ideology which is dominant in the contemporary politics of Western and Westernised societies, now a philosophy from which academic theorists derive many debatable conclusions concerning morality and politics, now a personality which presents a certain kind of psychology or virtue, and now an economic doctrine which some identify with a minimalist government policy, but others with a welfare state policy. Even within each domain, there are intense controversies.

Against the background of this difficulty, the objective of this thesis is to delineate the moral and political thought of Locke as a *philosophical* narrative of liberalism; and the main focus of this delineation is his ideas on individuality or the self, which, I will show, are worth examination to reconstruct a liberal theory of morality and politics. However, it is easy to anticipate that such an attempt would provoke at least two kinds of questions: (1) Why do we (need to) turn to Locke's thought in order to explain or understand liberalism? Is there any rationale for such an attempt?: (2) Is regarding Locke's thought as liberal an

[1] Minogue, 1983: 1.

anachronism? Is it a historically proper way of reading texts written in the distant past, that is, in a different context from ours? Let me call the above questions, (1) the *conceptual* question and (2) the *historicity* question, respectively. Both fundamentally pertain to the legitimacy of this thesis. I will therefore legitimatise my endeavour by responding to these questions in the following sections; I am not sure if I can successfully answer the questions, but I hope this response would help the reader to understand what follows this Introduction -- and this is *the* function of Introductions.

1) THE NATURE OF LIBERALISM

Liberalism as a Contested Concept

Of the two themes of Locke and liberalism, my first concern is liberalism; as is the case for almost all students of political theory of my generation, my concern with liberalism is prompted by two recent phenomena which appear to make a twisted relationship, namely, the historical success of liberal regimes negatively evidenced by the collapse of anti-liberal regimes (such as the Marxist regimes of Russia and East Europe, the nationalistic military regimes of Latin America, and the apartheid regime of South Africa)[1] on the one hand, and the abundance of criticisms of liberalism in academia by those who now are generally called communitarians, who expose the philosophical failures of liberalism on the other hand.[2] My reaction to these phenomena is naturally a desire to understand liberalism. But, given my strategy to interpret Locke's ideas for this purpose, it could not but raise the *conceptual* question: Why John Locke? Why not a history of liberal regimes or ideology? Why not John Rawls, who is the main target of communitarians?

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[1] Ryan, 1993: 308.

[2] Gutmann, 1985; Wallach, 1987; Mulhall and Swift, 1992.

It is understood that writing a history of liberalism -- even if one confines it to liberalism as a political theory alone -- is an arduous task. We will encounter the difficulty of adequately defining liberalism in the first instance. K. Haakonssen insists,

> Liberalism is a notoriously ambiguous concept. More than anything else, this has led to persistent historical contests for the idea. Thus, while the label is young, the thing in itself has been pursued across every epoch back to ancient Greece. The result has been not only a plurality of liberal traditions but also *a general uncertainty among liberals about the nature and purpose of the invocation of the past.*[1] What begins as an historical search for liberalism's identity or, worse, 'definition', too often proceeds through a supposed sharing of the 'insights' of the past, to a barely disguised prescriptive use of that past.[2]

Let us recall some of liberalism's definitions and present them in random order: "it is the political expression of an individualistic *Weltanschauung*";[3] "the liberal tradition is a political practice in which reason is brought to bear upon political and social arrangements so that they can be continuously modified according to what individuals judge ought to be done";[4] liberalism's "constitutive morality is a theory of equality that requires official neutrality amongst theories of what is valuable in life";[5] "Liberalism can be understood as a political language of rights and a theory that seeks to expand the range of choices for individuals in ways that do not interfere with the legitimate choices of others";[6] or liberalism is the belief that "every adult should be able to make as many effective decisions without fear or favor about as many aspects of her or his life as is compatible with the like freedom of every other adult".[7] None of these definitions seems to be exhaustive. Moreover, the idea of liberalism has been realised in practice in various ways; its institutional and ideological embodiment varies from country to country.[8] No matter how various liberalisms are, however, we have

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[1] The emphases in the quotations in this thesis are all mine, except where I have explicitly indicated otherwise.

[2] Haakonssen, 1988: xi.

[3] Hallowell, 1946: 1.

[4] Minogue, 1988a: 195-6.

[5] Dworkin, 1978: 142.

[6] Terchek, 1986: 15.

[7] Shklar, 1989: .21.

[8] Ruggiero, 1981.

identified something called "liberal"; we can detect some affinity or family resemblance between the definitions above. What is meant by liberalism is certainly slippery; but it seems to be clear enough for us to determine who is liberal and who is not.

We can attempt to explain some reasons for the elusiveness of the term liberalism. Most ideas in political discourse are "essentially contested",[1] and the concept of liberty (which notably constitutes the integral part of our understanding of liberalism) is a decisive example of such a contested idea.[2] Liberalism is furthermore a practical or ideological idea which has been utilised in a variety of political contexts in modern history. Of particular importance is the historical fact that the identity of liberalism often consisted in its antagonism to enemies. The history of liberalism is thus the history of the demolition of its foes.

> Locke was a revolutionary and, in his best-known political writings, a shrewd opponent of the absolutist tendencies that had been manifest in England throughout much of the seventeenth century. Adam Smith brilliantly exposed the crude assumptions and calamitous consequences of the mercantile system that dominated the economic and trade policies of most European states in his day. In France liberal principles justified a wide-ranging program of legal and social reforms, including abolition of aristocratic privileges, termination of the widely abused institution of benefit of clergy, and abrogation of deeply resented sumptuary laws regulating dress, among other measures.[3]

The historical success of liberalism after the Cold War, therefore, produced an identity crisis for liberalism. What is worse, its *theoretical* identity is now constituted by its new opponents, communitarians whose characterisations of liberalism are unfriendly. (Or communitarians form their own identity by attacking liberals as their enemies).[4]

In search of an Approach

What is the proper way to understand liberalism? If I am right in insisting that *we* can tell who is liberal,

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[1] Gallie, 1964: ch.8; Connolly, 1974: ch.1; Gray, 1993: ch.15.

[2] Connolly, 1974: ch.4; Gray, 1989: 51-56.

[3] Johnstone, 1994: 3.

[4] There is a doubt about to what extent liberals and communitarians are in fact antagonistic at all, because, in spite of their discrepancy in philosophical grounding, the vision of society that the communitarians produce is not radically different from the liberals'. Beiner, 1992: ch.2.

but do not have *the* definition of liberalism, we should change the question to the following: What is a proper way to describe liberalisms? Then, I suggest, we can follow Wittgenstein's argument for "family resemblances", and this is true to his philosophy because his argument describes "the position you are in if you look for definitions corresponding to our concepts in aesthetics or ethics".[1] When, Wittgenstein holds, we are to understand and explain what are "games" (like board-games, card-games, ball-games, Olympic games, etc.), we would better *look* than *think* whether there is anything common in them. The result of looking will be that "we see a complicated network of similarities overlapping and criss-crossing: sometimes overall similarities, sometimes similarities of detail", not the essence of "game", i.e. the articulated definition (or standard) by which we can identify what is a game. We will find family resemblances among games; "the concept 'game' is a concept with a blurred edge". Wittgenstein writes,

> How should we explain to someone what a game is? I imagine that we should describe *games* to him, and we might add: "This *and similar things* are called 'games'". And do we know any more about it ourselves? Is it only other people whom we cannot tell exactly what a game is? -- But this is not ignorance. We do not know the boundaries because none have been drawn. To repeat, we can draw a boundary -- for a special purpose. Does it take that to make the concept usable? Not at all! (Except for that special purpose.) [Italics are original.][2]

Following this advice, I will describe the ideas of *a* liberal, John Locke, in the following chapters. Of course, this is not the only or best way to explain liberalism. It might be better to enumerate some or many thoughts of liberals or to compare the thoughts of liberals with those of non-liberals. I describe in particular Locke's thought, because it is an ensemble of ideas sometimes mutually contradictory, but which hold some family resemblances, united in a certain way which I will portray later. It is, I suggest, dangerous to mould Locke's thought into a certain type for analytical or comparative purposes. We should better describe his thought holistically; to use Wittgenstein's metaphor again, like a

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[1] Wittgenstein, 1968: I: 77.

[2] Ibid., I:66-88.

picture of the duck-rabbit, it changes its picture according to our aspect of seeing.[1] (A critique of liberalism might see only the aspect of the duck ignoring the rabbit.) One of my objectives is thus to describe in an intelligible way a family of ideas which Locke upholds. But, then, why Locke, and not, say, Rawls?

There is no doubt that most of the contemporary debates on the philosophy of liberalism revolve around Rawls's theory of justice. Sandel's famous book, for instance, has the title of *Liberalism and the Limits of Justice*, but it is in fact an exegesis and critique of Rawls's *A Theory of Justice*, because he finds in it the fullest (and best) expression of the spirit of much contemporary liberalism.[2] Indeed, Rawls's works will be the integral material for a future historian of ideas to describe a context of the late 20th century political theory, just like Aquinas's work is now for historians of the late medieval age. I have no reason to doubt this fact. My choice of Locke, however, stems from dissatisfaction with the picture of liberalism, or moral philosophy, in this context. As Rawls himself admits, it is assumed that the philosophical framework of contemporary liberalism is Kantian;[3] communitarian critiques, therefore, accommodate their theoretical insights within Hegel's critique of Kant.[4] The influence of the Kantian presupposition is, as R. Tuck insists, so enormous that it constitutes a paradigm of the history of moral philosophy; this means our perspective of liberalism is limited in a certain way, and according to Tuck, it is characteristically reductivistic, whether it is Kantian or Utilitarian.[5] Now, to avoid this perspective and find another is not the solution to the problems attributed to the contemporary liberal theories; but it is certainly advantageous for liberals to gain a new perspective, i.e. a new way to weave the network of liberal ideas. To turn to Locke (a pre-Kantian liberal) offers a possibility of attaining such a

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[1] Ibid., II, p.194.

[2] Sandel, 1982: 13.

[3] Rawls 1971: passim, esp.251-257; Mulhall and Swift, 1992: 42-47.

[4] Sandel, 1984: 5.

[5] Tuck, 1987; Tuck, 1994: 169-70.

perspective.[1] To reconstruct Locke's ideas may "suggest the possibility of a broader, deeper, and loftier liberalism";[2] even if not, we will be able to detect "what has been lost in modern liberalism and decide whether the losses are important".[3]

The Problem of Liberalism My reconstruction of Locke's thought is, therefore, inspired by the contemporary philosophical debate on liberalism. One of the central issues in the debate is the idea of the self, and the most intense disputation is concerned with the communitarians' critique of the concept of the modern self, variously termed the "unencumbered self" or the "disengaged self". It is thus quite natural that my interpretation of Locke's moral and political thought should pay due attention to the problem of the modern, individual self. In order to clarify the point, let me briefly summarise here the communitarian critique of liberalism in this context.

MacIntyre recognises our age as a catastrophe in terms of morality. "Contemporary moral argument", he writes, "is rationally interminable, because *all* moral, indeed all evaluative, argument is and always must be rationally interminable. Contemporary moral disagreements of a certain kind cannot be resolved, because *no* moral disagreement of that kind in any age, past, present or future, can be resolved"[Italics are in the original].[4] In moral discourse, he argues, private arbitrariness is proliferating, and moral arguments are mutually incommensurable and perpetually contestable. MacIntyre understands this predicament as distinctively modern, and ascribes its cause to the failure of what he calls the Enlightenment project,[5] which is the task imposed on almost all moral philosophers of the modern age to

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[1] Therefore, I feel a strong dissatisfaction with a contemporary Lockean liberal, A. Simmons, who tries to rehabilitate Locke's political theory in a Kantian way. See, Simmons, 1992. He writes, "It is only as an epistemologist (if at all) that Locke is to be taken seriously as a philosopher. His moral and political writings are more like attractive rhetoric than philosophy. I have argued, by contrast, that there is much to be taken seriously in Locke's theory of rights (the theory that directly underlies his political philosophy)"(p.353). I shall argue, by contrast, that the virtue of Locke's thought consists in its attractive rhetoric or moral vision.

[2] Tarcov, 1983: 130.

[3] Terchek, 1986: 31.

[4] MacIntyre, 1985: 11.

[5] Ibid., pp.39-50.

provide a rational vindication of the morality of the age. According to him, this task is always doomed to failure, because all modern philosophers share moral beliefs which include internal incoherence. That is, they start this project from the rejection of an Aristotelian concept of human nature (the teleological notion of humanity) and the adoption of a Calvinistic (calculative) concept of reason; but they nevertheless inherit the fragments of tradition as the content of moral arguments. The outcomes are the vindication of the emotivist self and the dogmatic assumption of the distinction between "is" and "ought".[1]

We moderns conceive of ourselves as unconstrained moral agents. The self is emancipated from the traditional structure of morality, and although the content of morality is inherited from the tradition, it must be rationally and voluntarily justified by the modern self, for it is impossible to derive the normative proposition from the factual statement -- that is, the norms which direct our moral conduct from our moral practice. We have lost the essence of morality which was considered inherent in Being, but this loss is celebrated as an achievement of the Enlightenment. Many critics of modernity doubt this achievement, and insist that the ratification of the distinctively modern self is self-defeating. "The self", C. Taylor insists, "which has arrived at freedom by setting aside all external obstacles and impingements is characterless, and hence without defined purpose, however much this is hidden by such seemingly positive terms as 'rationality' or 'creativity'. These are ultimately quite indeterminate as criteria for human action or mode of life".[2] The modern self is also based upon a false assumption that the individual is self-sufficient.[3] The unconditional primacy of individual rights cannot but face the dilemma: the identity as a free and autonomous individual is the product of a free society, or more specifically, of Western civilization, without which the autonomy of the self would become vulnerable; but once this autonomy of the individual self becomes unconditional, it can easily undermine the society,

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[1] Ibid., ch.5.

[2] Taylor, 1979: 157.

[3] Taylor, 1985: 189.

the system of mutual acknowledgement, by the unilateral exercise of choice which it exalts as an unrestricted human capacity.[1] Modern identity is always floating, that is, it is never tied to the aims and interests that it happens to have, because it is a free and independent agent capable of absolute choice. In the modern condition, "there is always a distinction between the value I *have* and the person I *am*"[Italics are original].[2]

The clear target of this critique is liberalism embodied in the arguments of Rawls and Dworkin.[3] But how about Locke? It is almost taken for granted that Locke supports and develops this conception of self.[4] A principal task of this thesis is to examine and challenge this supposition. However, if the result of such a task is only to expose the anachronism of imposing the philosophical concept (i.e. the problematic concept of the liberal self) on a historical figure such as Locke, it is very futile and of scarce value; my objective is, rather, to delineate another way to characterise the concept or picture of the self in a liberal moral vision, through the reconstruction of Locke's ideas. However, this in turn would inevitably raise the *historicity* question, because such a reconstruction assumes that Locke is a liberal. Instead of directly tackling the problem, let me first turn to the tradition of Lockean scholarship -- that is, how Locke has been interpreted by historians and philosophers -- because it will help to reveal why this thesis dares to hold such a *prima facie* anachronism as to assume that Locke is doing liberal philosophy.

2) A BRIEF REVIEW OF LITERATURE

In 1920, when H. Laski wrote of Locke's political thought that it was regarded as classic but

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[1] Ibid., pp.200-208.

[2] Sandel, 1992: 18-20.

[3] MacIntyre, 1985: 119.

[4] Ibid., pp.250-1; Taylor, 1985: 187.

rarely read,[1] the position which it occupied in the pigeonhole of the history of ideas was supposed to have been fixed. To give some examples: Locke as the political thinker of English Constitutionalism, the ideologue of Whiggism, the defender of the Glorious Revolution, the father of the principles of the American and French Revolutions, the theoretical founder of liberalism, and the champion of religious toleration. Indeed, eight years later C. Driver began his article on Locke with the following remarks: "The political theory of John Locke has been so frequently analysed in the past fifty years, and the arguments of his *Essay on Civil Government* have been so carefully scrutinised from the *Lectures on Political Obligation* to the brilliant essay by Professor Laski, that it is an impossible task to add anything new to what has been said on the subject".[2] This somnolence of Lockean scholarship,[3] however, was awakened by the challenging and epoch-making studies published after the War: those of L. Strauss and C. B. Macpherson.[4]

Philosophical Interpretations By constructing Locke's political philosophy as disguised Hobbesism, that is, by thoroughly developing the hedonistic elements in the *Essay* to the logical extreme and applying them to the arguments in the *Two Treatises*, so as to construct a consistent[5] interpretation of Locke's political thought, Strauss reached the conclusion that "Locke says in effect that the greatest happiness consists in the greatest power".[6] According to Strauss, Locke holds that "sufferings and defects, rather than merits or virtues, originate rights". And "Hobbes identified the rational life with the life dominated by the fear of fear, by the fear which relieves us from fear.

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[1] Laski, 1920: 26.

[2] Driver, 1967: 69.

[3] The remarkable exception is Kendall, 1965.

[4] Strauss, 1953; Macpherson, 1962.

[5] Strauss attributes the inconsistency in appearance of Locke's argument to his "caution". Strauss, 1953: 220. It is this esoteric method whose purpose is to uncover the deliberately hidden intentions of the great philosophers – which is accessible only to the careful reader – that is Strauss's own methodology. See, Strauss, 1988a.

[6] Strauss, 1953: 249.

Moved by the same spirit, Locke identifies the rational life with the life dominated by the pain which relieves pain".[1]

Macpherson, on the other hand, regarded Locke's concept of society as a typical example of what he defined as a "possessive market society".[2] He claimed that a critical analysis of Locke's concept of property reveals "the implicit assumptions"[3] of Locke's political theory, which reflect his own assumption of class differentials and generate the theoretical instrument to legitimize unlimited individual possession. "He also justifies, as natural, a class differential in rights and in rationality, and by doing so provides a positive moral basis for capitalist society".[4] The essence of Macpherson's interpretation consists in his following accounts: "the equal natural rights Locke envisaged, including as they did the right to unlimited accumulation of property, led logically to differential class rights and so to the justification of a class state"[5]. "The postulate of equal natural right to unlimited property" is indeed compatible with the norm of market society, but it is contradictory to the equal natural right which is structurally undermined by the market society to which Locke was committed. Macpherson demonstrated the ironical fact that the logical consequences which could and must be deduced from the implicit assumptions included in Locke's theory resulted in the refutation of his explicit assertion, that is, the preservation of equal natural rights.

A characteristic of these controversial interpretations is that both are excellent critiques of *modern* political theory, which in turn illustrates their critical stands against our contemporary moral and political situation. Strauss understands Locke in a theoretical background where modern political theories are criticised from the perspective of ancient

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[1] Ibid, p.250. See, Cox, 1960.

[2] Macpherson, 1962: 53f.

[3] About his methodology, see, ibid., pp.4-8.

[4] Ibid., 221.

[5] Ibid., p.251.

natural law (this is for him the true perspective of political philosophy).[1] Locke occupies a definite position in the Straussian historiography,[2] in which modern political theory is considered to have degenerated, because it neglects to inquire into a comprehensive and abiding truth, "the common good", but becomes obsessed by the question of securing an animal desire, "self-preservation".

Macpherson builds up his survey of the 17th century's "possessive market society" under the critical question of "finding a theoretical basis for the liberal-democratic state".[3] Only when past thinkers' ideas are theoretically related to his own problems do they appear to him worth pursuing.[4] The concept of possessive individualism, he holds, embraces the dilemma of the political theory of liberal democracy; that is, the dilemma of those who are living in a liberal democratic regime in this century. When modern political theory established its fundamental principles (like "freedom" or "equality"), the underlying concepts of human nature and society (from which these principles were derived) had already contained in themselves the element that undermines the actualization of the principles.

Strauss and Macpherson are concomitant in their criticism of modernity in that they both regard the characteristic of the modern concept of human nature as individualism, and criticise the political theory based on the acquisitiveness of the modern self emancipated from the natural norm. When this kind of critique is exercised in the context of contemporary political arguments, it results in a rebuttal of liberalism.[5]

Historical Interpretations Following on, or moving simultaneously with these

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[1] We can find an exemplary statement about this background in his study of Machiavelli whose thought he considers represents the crucial turning point for the menaces of modernity. Strauss, 1984. Such a background is, Strauss upholds, necessary for a modern man to be free from the spell of Machiavelli so that he can grasp the true meaning of the newness or evil which modernity bears.

[2] Strauss, 1988b: 40-55, esp. 49.

[3] Macpherson, 1962: 1.

[4] Macpherson, 1973: 233-236.

[5] For another classical treatment of Locke from the perspective of critique of liberalism, see, Wolin, 1960: ch.9.

philosophical studies, there appeared in the scholarship of John Locke some self-consciously *historical* studies, which were the products both of the methodological movement that has been dominant in the study of history of political ideas in recent years and of the discovery and application of the new material concerning Locke that is now known as the Lovelace Collection.[1] That is, the new trend of Lockean scholarship was generated by two incidents: the emergence of the self-consciously historical methodology for the approach to political thoughts (whose main constituents are Q. Skinner and other Cambridge historians), and the application of Locke's manuscripts which had not been accessible to scholars, the most remarkable product of which was the publication of the *Two Tracts* and the *Law of Nature*. As paradigmatic studies in the contemporary interpretation of Locke's political thought, we can take those of P. Laslett and J. Dunn.[2]

No one would deny that their studies enjoy the authority of regulating the framework of the present researches on Locke's political thought. Laslett provided a framework of the debate on disclosing and closing the political context in which *Two Treatises* was actually written. Though his view that the *Two Treatises* was written as a political pamphlet with the intention of justifying the activity of Shaftesbury's party during the time of the Exclusion Crisis has been modified in detail by many scholars, it is, in the main, approved by the profession.[3] Laslett assaulted "the established dogma" that the *Two Treatises* was written in or just after 1688 in order to justify the Glorious Revolution, by applying the bibliographical method to the text and analysing its arguments. Locke's biographical facts and contents of the text show us that the *Two Treatises* was written much earlier, according to Laslett, about 1679-81, but according to Ashcraft, 1679-83. This change in dating the composition of the text sheds new light on the context of the *Two Treatises*, because it obliges us to re-examine

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[1] About the Lovelace Collection, see, Aaron, 1973: .309-312.

[2] Laslett, 1988; Dunn, 1969a. Laslett's work is not the product of the revisionist methodology, but its model. See, Skinner, 1988: 233.

[3] Ashcraft, 1980; Ashcraft, 1986; Franklin, 1978; Tarlton, 1978; Tarlton, 1981; Goldie, 1992; Wootton, 1993; Marshall, 1994.

the importance of the relationship between Locke and his patron, the first earl of Shaftesbury. If we take seriously the claim that at the supposed time of the composition he was probably involved in the political (and even revolutionary) activities of Shaftesbury's party, the *Two Treatises* then emerges as a political tract rather than a political philosophy. In the ideological controversy of the period in which Shaftesbury and his Whig fellows tried to exclude Catholic James, duke of York, from succession to the throne, Locke was a Whig pamphleteer obliged to refute Tory ideology. Locke "actually wrote the book for Shaftesbury's purpose".[1] Not only, Laslett asserts, the refutation of the enemy's argument but also the promotion of the revolution was required for the Whig pamphleteers in the Exclusion Controversy, since after 1681 the political situation became so serious that revolutionary actions were considered requisite by the Whigs. Thus "*Two Treatises* in fact turns out to be a demand for a revolution to be brought about, not the rationalization of a revolution in need of defence".[2]

Starting from a historical task of unveiling the simple and true face of Locke by taking off the various "faces" or "masks" which Locke had been wearing in "the portrait gallery of history",[3] Dunn offered the fundamental principle which he claims penetrates and regulates the whole thought of Locke. It is, Dunn concludes, a historical fact that Locke was a Christian thinker. The importance of the fact that Locke's thought is "theocentric"[4] and of that theocentrism's implications seems generally accepted in contemporary scholarship.[5] Many scholars have been pointing out the complexity and inconsistency of Locke's thought: "Locke is", writes Laslett, "perhaps, the least consistent of all the great philosophers, and pointing out the contradiction either within any of his works or between them is no difficult task".[6] Strauss tried to derive consistent interpretation from a philosophical point of view,

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[1] Laslett, 1988: 27.

[2] Ibid.: 47.

[3] Dunn, 1969a: 5.

[4] Gauthier, 1977: 432.

[5] Tully, 1980; Spellman, 1988; Manning, 1976: 121-125; Herzog, 1985: ch.2; Harris, 1994; Harris, 1994a; Marshall, 1994; Kato, 1988; Tomooka, 1986.

[6] Laslett, 1988: 82.

while Dunn did it from a historical point. While a philosophical approach tends to reduce the complexity of thought to several philosophical conceptions,[1] the historical approach Dunn employs attempts to understand the thought as emanating from an individual. The premise that the "entire cosmos is the work of God" is, Dunn upholds, Locke's *own* assumption.[2] Dunn demonstrates that Locke's theoretical activity always remained "within the inherited theological framework" -- the Calvinist doctrine[3] -- by using besides Locke's texts historical materials such as his private writings, the ideology or language of his age, or his biological facts. The central vision of Locke's thought Dunn depicts as follows: "Men were owned by God. They were vessels sent on a voyage by him and the duty of prudence to which they were subject was a duty to maintain their capacities at their fullest in order not to rob their owner of their services".[4] It follows that any attempt to explicate Locke's thought without regard to this *fact* will inevitably fall into anachronism.

The distinctive feature of these historical approaches is the iconoclastic role which they self-confessedly played in the history of Lockean studies. Due to Laslett, for instance, the close relationship between the ideology of the Glorious Revolution and Locke broke down, the writing order of the *First Treatise* and the *Second Treatise* was overturned,[5] and the theoretical target of the *Second Treatise* changed from Hobbes to Filmer. Dunn more self-consciously promoted his iconoclasm. He proclaimed to reject most previous interpretations as "only mechanistic superstitions" which were unable to explain the true identity of Locke's thought.[6] Dunn was particularly critical of a type of interpretation which Strauss and Macpherson took.[7] After these destructive operations, what is called the

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[1] Dunn, 1969a: 238-9, 255.

[2] Ibid.: 87f.

[3] Ibid.: 259.

[4] Ibid.: 252.

[5] On this point, an unsolved controversy existed between Ashcraft and Laslett. Cf. Ashcraft, 1987: 286-7; Laslett, 1988: 123-6.

[6] Dunn, 1969a: 5.

[7] Dunn, 1968: 44-46.

historical Locke was now left before us.

An important consequence of the iconoclasm is that the significance of Filmer, not Hobbes, for the understanding of the *Two Treatises,* becomes readily apparent.[1] It has, for instance, recently become a common practice to begin the study of Locke's political thought with its comparison to Filmer's.[2] Adopting Filmer as Locke's theoretical target helps us reconstruct the valuable context of the *Two Treatises*: in the context of the Exclusion controversy, Filmer's ideas represent the ideology of Locke's political opponents;[3] in the context of Christianity, the polemic between Locke and Filmer emerges as a *theological* as well as political controversy.[4] It is also recognised that Filmer's thought constitutes an important part of the debates on property in the 17th century.

Another consequence is the rewriting of the ideological and theoretical function which Locke's political thought had in history. From the view of Laslett, the *Two Treatises* appears an ideological work which concerns some particular political problems, rather than a philosophical work dealing with the universal principles of politics.[5] It follows that the theoretical scope of the *Two Treatises* is much narrower than many traditional accounts assumed. This interpretation, if harmonised with J. Pocock's historical studies on English constitutionalism, requires historians to rethink the influence of Locke's political arguments on the history of ideas in the 18th century.[6] The revision of history became particularly problematic concerning the relationship between Locke and the Anglo-American Enlightenment. Dunn threw light on the break between them, and pointed out that in spite of Locke's fame as a great philosopher, the *Two Treatises* was not a popular text of politics

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[1] Schochet, 1988: ch.13, where he writes, "What must be ... understood is that the very logic and structure of the whole of the *Two Treatises* were responses to Filmer".

[2] Tarcov, 1984: 9-34; Tully,1980:ix; Ashcraft, 1987: 60f; Grant, 1987: 3-5, 10-11.

[3] Laslett, 1949: 33-43.

[4] Kato, 1988: 153-185.

[5] Therefore, Laslett sharply distinguished Locke as a pamphleteer from Locke as the philosopher. Cf. Laslett, 1988: 79-91.

[6] Pocock, 1987: x, 188, 335f.

then, and neither is it useful for our understanding of the 18th century's political ideas.[1] The devaluation of Locke's influence reached its peak in the establishment of the "civic humanist paradigm" by Pocock. According to Pocock, the significant figure who played a paradigmatic role in shaping the vocabularies of the 17th and 18th centuries' political discourse in England and America was not Locke, but James Harrington. The vocabulary of civic humanism (the genealogy of which is described as Machiavelli, Harrington, and Neo-Harringtonians) constructed the dominant mode of understanding and narrating the political phenomena of the age.[2] As a consequence, Pocock boldly insisted that the study of 18th century political thought "did not necessitate reference to Locke at all".[3] And Dunn, imprisoning Locke's thought in the historical context, declared that Locke's political arguments have no reference to the political theory of the 20th century.[4]

It is quite natural that this interpretive tendency towards the isolation of Locke in the history of political thought induced various objections. Many scholars engaged in rewriting the role of Locke in intellectual history and reevaluating the relevance of his ideas for our political issues.[5] Consequently, Pocock and Dunn made small amendments to their contentions.[6] I would like to suggest that the extreme isolation of Locke implicates the methodological problem inherent in the historically oriented approach; it owes its extremism less to carelessness or oversimplification in interpreters' locutions than to the very nature of their method. It is true that the interpretations of Strauss and Macpherson contain, as Dunn insists, some distortions for our understanding of Locke, but the methodologically refined historical interpretation cannot avoid another kind of distortion. At issue for my critique is

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[1] Dunn, 1969b; Dunn, 1983.

[2] Pocock, 1975.

[3] Pocock, 1989: 144.

[4] Dunn, 1969a: x.

[5] See, for example, Kramnick, 1990; Hont and Ignatieff, 1983a; Tully, 1993b; Diggins, 1984; Dworetz, 1990; Pangle, 1988. About the relevancy of Locke, we can find a variety of treatment in the above cited works by Ashcraft, Tully, Simmons, Tarcov and Grant. See also, Tully, 1993a; Newman, 1992.

[6] Pocock, 1983; Dunn, 1990.

the theoretical implication of a statement, "something is historically true", in the interpretation of texts.

3) A REFLECTION ON METHODS

First, a brief comment on the problem of neutrality (which is too stereotyped to mention again here, but still appears relevant enough to handle). Even an interpretation based on the self-consciously historical -- allegedly detached or objective -- methodology cannot help carrying an ideological function. For example, Pocock's survey of early American political thought has such a function -- in this case, the support of republicanism against individualist liberalism -- because the issue he treats (which bears on the myth of nation building) itself intimates highly political meaning.[1] Needless to say, what is problematic is not whether an interpretation is ideologically partial, but whether the interpreter is *explicitly* aware of, and acknowledges, his partiality. Methodologists often defend their own methods by describing them as "true" or "objective"; this kind of rhetoric functions to conceal the ideological bent of their works, and contains not only the falsehood of expressing the impossibility, but also a tendency to impede methodological pluralism.

The most critical issue for us, however, consists in the structure of methodology. The question is why Dunn committed an absurdity which he later admitted himself; that is, his assertion that there is no continuing relevancy in Locke's political thought.[2] Let me start by describing Dunn's methodology.

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[1] Dworetz, 1990: ch.1 and 6; Wolin, 1989, esp. Introduction; Shapiro, 1990: ch.6. Kramnick insists that the ideological tendency of the studies of civic humanism is deliberate. Kramnick, 1990: 35f.

[2] Dunn, 1990: 9. In 1969, by writing "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", Dunn meant that "everything in the political theory of Locke are well and truly *dead*". In 1986 he called this remark "a foolish sentence". This is an example of what Minogue (apparently mocking Skinner) calls "the mythology of fragmentation". Minogue, 1988b: 179-180.

Method and Practice Dunn insists that the traditional approaches in the history of ideas have made a crucial mistake by dealing mostly with propositions, not "thinking" as their object;[1] this is an error, because, he holds, "history, surely, is about the world not about propositions".[2] In the traditional approaches, he contends, the history of the political thought becomes a fiction that describes heroic disputes among the great thinkers in the arena of philosophy, since they narrate not the thinking of the historical figures but the propositions which interpreters abstract from the texts. The decision concerning who the great thinkers are is in itself, if not arbitrary, contingent upon historical points of view.[3] We should, according to Dunn, regard thought -- especially political thought -- as a kind of social activity, and his reasons for this advice are as follows:

> there are certain banal truths which the customary approaches appear to neglect; that 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; that it is not an activity which takes its meaning from a set of finished performances which have been set up in type and pressed in libraries, but an activity which is conducted more or less incompetently for most of their waking life by a 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; that the works in which at a single point in time a set of problems issue in an attempt at a coherent rational ordering of the relevant experience are in some sense unintelligible except in terms of this context; that language is not, as the seventeenth-century savants mocked, a repository of formal truths donated by God to Adam but simply the tool which human beings use in their struggle to make sense of their experiences.[4]

Once thought is conceived of as a social activity, it is impossible to divide it into two distinctive elements, the *analytical* elements (the coherence between the propositions) and

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[1] Dunn, 1980a: 15.

[2] Ibid.: .21.

[3] Ibid.: 26; Kuklick, 1984.

[4] Dunn, 1980a: 16.

the *synthetic* elements (corresponding to the world or to historical facts).[1] It is, therefore, entirely inadequate for us to institute a specific and independent propositional ground which resolves the truth-value of a thought, if we are to understand it in its historical manifestation. In this understanding, a thought is unintelligible unless we understand its historical context (which comprises linguistic, social, political and biographical facts). The task of historians of ideas is thus the articulation of the historical context, in which a certain thinker actually performed the conduct of thinking, though Dunn wisely points out that the perfect articulation is logically impossible -- which then obliges intense effort.[2] And this effort is required not only for historians, but also for any student of the text, because the historical understanding of the text is prerequisite to the comprehension of its meaning.

Dunn's advice to regard thought as a social activity developed into more complicated arguments for methodology by way of Q. Skinner[3] with the help of the linguistic philosophies of J. Austin and J. Searle.[4] But we don't need to proceed to Skinner; I would like to go back to Collingwood, in order to consider our problem -- the isolation of Locke in history. Dunn's fallacy (his dismissal of Locke's relevancy for us) might stem from Collingwood's critique of realism:[5] "the history of political theory", writes Collingwood, "is not the history of different answers given to the same question, but the history of a problem more or less constantly changing, whose solution was changing with it".[6] Locke's problem is his problem, not ours; this does not entail that his problem is always different from ours, but it is plausible that the more we throw ourselves into the distant past, the more his context appears strange for us, if we stick to his perspective without properly connecting it with ours. This phenomenon

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[1] Quine, 1980: ch.2. Dunn concedes that his methodology is compatible with Quine's holism. Dunn, 1990: 10. In Dunn 1980a, he refers to Collingwood, who criticised the propositional logic as a philosopher of history from the perspective that regards thought as "questioning activity". Collingwood, 1978: ch.5 and 7, esp.35, 62.

[2] Dunn, 1980a: 27.

[3] Skinner, 1988.

[4] Austin, 1962; Searle, 1969.

[5] Collingwood himself is free from such failure. He is a philosopher of history who enquired for the philosophical meaning of history. See, for example, Collingwood, 1966: ch.8.

[6] Collingwood, 1978: p.62.

implies a dilemma; the more we try to understand a text, the more its meaning becomes alien to us. This prompts us to pose the question: for what purpose do we turn to a text? Collingwood's famous answer is "for human self-knowledge".[1] In this sense, the attitude of anthropologists is the ideal for historians. But, we can still raise a question: R. Bultmann writes, "What is the answer when we ask: why self-knowledge? ... self-knowledge is consciousness of responsibility over against the future? And the act of self-knowledge, is it not at the same time an *act* of decision?"[2] We need, therefore, to consider the implication that writing or understanding a text is also an activity; understanding of a political text is a part of the activity of understanding the political, which is in itself a political or practical activity.

We can derive a radical conclusion from this implication; if interpreting a political text is a practical activity, we cannot have *the* true preestablished rules of methodology. Practice, unlike technique, defies "the method of formulated doctrine".[3] It may be possible to describe how a history is written or the activity of an historian, but it is hardly possible to prescribe the method of the activity. The urge for methodology by revisionist historians like Skinner, Dunn and Pocock can be compared to the postures of Bacon and Descartes towards modern science. The former try to construct the methodology of the refined history after its advent, while the latter tried to write down the regulative method on science under the context of its emergence.[4] Therefore, we should be careful of the methodology, because according to Oakeshott, "the precise formulation of rules of inquiry endangers the success of the inquiry by exaggerating the importance of method".[5] It is, after all, in vain to inquire into how to inquire; *the question is just how to inquire*. To make a precise methodology before the

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[1] Collingwood, 1961: 10.

[2] Bultmann, 1957: 136.

[3] Oakeshott, 1991: 12.

[4] Ibid.: 17-25. Pocock, for instance, insists that though many excellent works on the history of political thought were actually written by scholars, "good work done in a context of methodological confusion is in a sense done by chance, or by some coincidence of *virtu* and *fortuna*; it is done despite the available methods, and lacks the critical autonomy which comes only when the method is operating positively to produce the work". Pocock, 1989: 11.

[5] Oakeshott, 1991: 25.

inquiry itself is to put the cart before the horse.

This does not mean, however, that it is not necessary to care about a method before engaging in an interpretation. We must, anyway, be conscious or careful of our own activity of interpretation. The fact is that there is no easy way for it. To adopt a method -- a method in the typically modern sense such as Descartes's -- means to find a short cut to the fulfilment of an activity. However, as a contemporary historian of science demonstrates, there have been no rigid or unitary methods even in the activity of natural scientists which have usually been regarded as the paradigm of rational -- self-consciously methodological -- activity.[1] The activity of interpretation thus understood has an element of *openness*; there is no account for *the* right method of interpretation.[2] What we can do is to increase the familiarity of our own activities. Then, how? I would like to employ here a hermeneutic metaphor.[3]

Fusion of Horizons

We turn to a text with some expectation; it is a *prejudice* we hold before the text.[4] The prejudice will be perpetually examined through our reading of a text, but it will on the other hand orient the direction of our consciousness to the text. It is important not to tarry at either side in this movement of consciousness. My prejudice in this thesis is no doubt the supposition that Locke is a liberal, or that his texts contain a representative narrative of liberalism. It is based on a well-established tradition of political thought which regards Locke as a liberal. However, it does not follow that the prejudice necessarily determines the meaning of the text by imposing a framework on my interpretation; it, on the contrary, should be questioned through

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[1] Feyerabend, 1988.

[2] This might explain the lack of "a fully developed and coherent account of *why* historical enquiry should matter". That is, we have no theoretical explanation for the recent phenomena that historians like Skinner and Dunn contribute to the contemporary political theory through the products of their historical researches, such as Skinner, 1991. See, Tuck, 1993: 84-87. How historians can contribute to philosophy is, I suggest, not a matter of method, but, practice; we should *look at*, rather than *think of*, the activities of historians.

[3] My understanding of hermeneutics owes much to Bernstein, 1983, Part Three, which is his exegesis of Gadamer 1985.

[4] Bernstein, 1983: 126-131, 140-144; Gadamer, 1985: 235-274

uncovering the meaning of the text. This process of self-examination can be more properly explained by the hermeneutic metaphor of horizons, which will illuminate how we can integrate our own concern with the meaning of a text which is written in a different context from ours.

In the following interpretation, there is a fusion of two horizons, that is, the horizon of my concern and that of Locke's. My concern with liberalism is a hidden principle behind my reading of Locke's texts, which implicitly, and occasionally explicitly, orients my interpretation; there is, as it were, a "to-and-fro movement" between the two horizons. We turn to a text with an expectation; we read it in order to *learn* as well as *know* something which we expect it to contain. Learning is more deliberate than knowing; learning presupposes the submission of the learner to authority, which is based on the prejudgment of the learner. We learn from a text, because it, we assume, contains *authoritative* narratives about what we want to know. We must, first, suspend or bracket our concern -- although we are at the same time oriented by our concern -- before the text (we will read it as if it usually tells a truth with the help of the hermeneutical charity);[1] but, we will next question the text from the standpoint of our learned, i.e. examined, concern; and next, we will examine our own concern again from the re-reading of the test, and so on.

I have described this movement rather schematically. Don't take my description as a method; what I try to depict is, in the nomenclature of hermeneutics, a "happening" of understanding through which meaning comes into being.[2] While reading a text we *experience* an activity of understanding it as a happening of interpretation. Prejudice is a prerequisite for such an activity. To read a text from a certain present interest certainly seems to be Whiggish; this might be regarded as what Skinner calls "the mythology of doctrine" or "the mythology of prolepsis".[3] However, Whiggishness is not a fatal vice for hermeneutics. R. Rorty insists:

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[1] On the principle of charity in interpretation, see, Davidson , 1985: 100-101, 167-169, 196-197.

[2] Bernstein, 1983: 131-139.

[3] Skinner, 1988: 32, 44.

> hermeneutics is the study of an abnormal discourse from the point of view of some normal discourse ... The fact that hermeneutics inevitably takes some norm for granted makes it, so far forth, "Whiggish". But insofar as it proceeds nondeductively and in the hope of picking up a new angle on things, it can transcend its own Whiggishness.[1]

What is necessary is our hope and effort for the better understanding of a text and ourselves. My hope in this thesis is to increase my familiarity with Locke and liberalism.

My understanding of liberalism is, as I described in the first section, involved with the activity of understanding contemporary philosophical debates on liberalism. What is happening in the following chapters is, therefore, complicated; there are at least three hermeneutical circles, linking the pairs of (a) my consciousness and liberalism, (b) my consciousness and Locke' texts, and (c) my understanding of liberalism and that of Locke's texts. ((c) is actually the pair of (a) and (b).) It is difficult -- and not necessary -- to describe here the three-dimensional movement of thought; all I can do is mention roughly the strategy I took in this thesis. The examination of Locke's concept of the self mainly represents (a), while the theocentricity of his thought mainly represents (b). My interpretation will be the product of a *dialectical* movement -- because (a) and (b) are not utterly discrete -- between the two, that is, (c); Locke's concept of the individual self (and its relation to the community) and his Christianity are thus the main theoretical interests for the following interpretation. I will elucidate them through describing a network of ideas text by text, which will, I hope, result in the new insights for our understanding of Locke and liberalism.

The Design of This Thesis My approach can be described as textualism. The following chapters are constructed by the analysis of Locke's texts, not by the themes or concepts examined. This is because I shall attempt to describe the network of ideas I find in his texts, not to reconstruct or mould his ideas into a philosophical system. Although my approach is textualism, this does not mean that the

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[1] Rorty, 1980: 320-1.

contexts will be neglected; I will use materials other than Locke's main texts, and compare his ideas with others', in so far as it is useful to clarify the meaning of the texts. This is why chapters two and three will deal with Locke's early writings, the *Two Tracts* and the *Law of Nature*, although the main task of this thesis is to interpret his mature thought embodied in the *Essay* and the *Two Treatises*. Starting from the interpretation of Locke's early (and illiberal) ideas, I will demonstrate a development of his thought, which will reveal some theoretical problems charged upon the intellectual effort of the mature, liberal Locke. The aim of this thesis is, however, not to write an intellectual biography which illustrates the trajectory of Locke's thought, but to interpret his mature thought; these two early chapters are, therefore, no more than preliminaries.

From chapter four to six, Locke's most celebrated work, the *Essay*, will be scrutinised. The results of his intellectual effort in moral philosophy will be examined, which will disclose Locke's failure and achievement. The primary message of these chapters is that there is a moral vision behind Locke's philosophical thought, which is important for our understanding of liberalism as well as Locke. Chapter seven is an interpretation of the *Two Treatises*, which is prompted by the moral vision elucidated in the previous chapters. Locke's political individualism will be examined, and some aspects of the nature of liberal politics will be revealed. Chapter eight will directly deal with Locke's concept of the self. It will be demonstrated that there are two elements in Locke's argument for the self which are, in abstraction, mutually antagonistic. This chapter will explain how this duality of the concept of the self is secured in Locke's moral vision without problems.

Through the interpretation of Locke's texts, this thesis will represent or depict the network of ideas Locke employed in his intellectual activity of writing texts. Of course, the depiction will be constrained by my theoretical perspective; but I will avoid describing his thought as if constituting a philosophical system. Locke is indeed not an architectonic philosopher like Spinoza who constructed a highly abstract and logical edifice of ideas. He

is rather, like St. Augustine, a practically motivated thinker whose writings responded to given problems. (I don't mean that this type of thinker is ideological. My point is that he is more interested in tackling problems than building a system of thought.) I shall show that in spite of the lack of a system, Locke's ideas comprise a unity, and it is his vision as a moralist that makes such a unity. Locke' idea of the self (and Lockean liberalism based on it) cannot be intelligible until we grasp his moral vision: this is the most critical point of this thesis.

Chapter 2

Divorced Vision of Morality

1) POLITICS AND RELIGION

Everybody in Lockean scholarship today knows that when Locke wrote the *Two Tracts* his opinions about morality and politics were traditional and conservative.[1] Whether his political thought -- be it his earlier or later works -- appeared to his contemporaries conservative or radical is not my primary concern in this thesis; it should be left to historians. However, some historical facts about why he embraced illiberal ideology at his relatively young age are necessary to understand his arguments properly. I start therefore with an extremely brief sketch of his early life.

John Locke was born at Wrington in Somerset in the summer of 1632.[2] His parents each came from Puritan trading families, and his father was the attorney and clerk to the Justice of the Peace in Somerset. Among his father's acquaintances was Alexander Popham, who with Locke's father fought as an officer in the Parliamentary cavalry in Somerset in the early stage of the Civil War. Popham later became a West Country Member of Parliament, and due to his patronage Locke entered Westminster school in 1647. Westminster was then located in the centre of the political disturbance of England. In the year after Locke's admission to the school, Charles I was beheaded at Whitehall, and on that day Master Busby, a prominent royalist, "kept his school in session and his scholars in prayer for the soul of their martyred monarch".[3] This bloody execution that demolished the traditional authority of the country was carried out in a fanatical atmosphere. How did this event appear to a young boy

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[1] Abrams, 1967.

[2] About the biological information, see, Cranston, 1985.

[3] Spellman, 1988: 43.

John Locke? "I no sooner perceived myself", Locke said in 1660, "in the world but I found myself in a storm"[119].[1] The political environment of England before the Restoration was no doubt an immediate cause of the anxiety which occupied the young Locke's mind,[2] and this sense of anxiety no doubt contributed to the formation of his early thought on morality and politics.

Calvinistic Ambiguity In 1652 Locke went up to Christ Church, where the Dean John Owen[3] was a representative Puritan thinker and had an influence on the policy of the church under the Commonwealth.[4] Owen was among the major Independent theorists, and developed the issue concerning religious toleration -- though his ideas on this subject were rather conservative against the backdrop of the revolutionary era.[5] Being against religious enthusiasm, he was in fact a moderate thinker; the consistent theme in his thought was "the criticism of Catholicism on the one hand and of Arminianism, Socinianism and Quakerism on the other".[6] His main argument consists in the rejection of any artificial intervenient authority in the religious relationship between God and each man on the ground of the immediate spiritual relationship between them; but he disowned at the same time such arbitrary (or too individualistic) interpretation of religious teachings that had its own foundation solely in the reason or inner light of the individuals. What Owen regarded as the sole buttress of religion was that which is revealed in the Bible, the God-given words of the Scripture. We must, he insists, interpret these words only in the light of our sincere belief, that is, our unconditioned repentance and obedience to God -- his ideas on this issue stemmed from the theory of predestination. He thus considered the church to be a voluntary

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[1] The numbers in the blankets in this chapter will be the page references to the *Two Tracts*.

[2] On the psychology of young Locke, especially his sense of anxiety, see Abrams, 1967: 6f.; Tomooka, 1986: 76f.; Kato, 1988: ch.1.

[3] On Owen's life and thought I entirely owe to Hamabayashi, 1966: ch.1 and Toon, 1971.

[4] Haller, 1955: 336.

[5] Jordan, 1965: 425f.

[6] Hamabayashi, 1966: 23.

association of the people whose common object is the belief in the Bible. We can sort his view of the church as the sect-type,[1] but it is different from that of Separatists in an important sense: his ideal was the "church militant" which is not a mere free association of the purely faithful but has a supreme mission of purifying every church in England. Although this view seems to be under "the sway of Calvinistic dogma" which could allow the saints to act violently as the vicegerent of God,[2] he tried to avoid religious despotism by stressing the significance of the liberty of conscience. However, he on the other hand felt obliged to admit the magistrate's right of coercion upon those who have a wrong doctrine. His view of toleration was, after all, inconsistent and ambiguous.

Owen's ambiguity, we might say, reflected the insecurity of Oxford. From 1659 to 1662, "Oxford mirrored the national crisis step by step".[3] Being closely connected with the government of the Commonwealth, Oxford suffered from political disorientation (especially on ecclesiastical issues), with which Owen could not properly deal. This might be a consequence of his Calvinistic Bible-centrism which failed to provide a principle to make a proper and consistent policy in such a perplexed situation. This is an interesting issue which we will tackle later, however. Of importance at this point is that we find among the radical disciples of Owen the name of Edward Bagshaw, Locke's fellow student at Christ Church.[4]

The Great Question After Owen's administration, Christ Church's policy became more and more close to Presbyterians'; consequently the students of Christ Church divided into two groups: those who followed new policy and those who stuck to Owen's principles. Bagshaw belonged to the latter as "an uncompromising modernist". He published in 1660 an anonymous pamphlet on the liberty of religious

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[1] Weber, 1991: 122, 237n.

[2] Haller, 1957: 193.

[3] Abrams, 1967: 30.

[4] Ibid.: 30-33.

worship, the title of which is *The Great Question Concerning Things Indifferent in Religious Worship*. From 1658 to 60, Oxford saw an increasing number of pamphlets regarding this topic published. In the context of the religious reformation in England, the most critical dispute concerned this subject. The intellectuals of the period regarded it as the Great Question, because it raised the problem of morality, Scriptural interpretation and political obligation.[1]

Bagshaw's pamphlet was the immediate cause of Locke's earliest known organised reflection upon politics and morality, *Two Tracts*. To put it simply, when the Restoration seemed to overcome this fear of anarchy, Locke was afraid that such a kind of argument as Bagshaw's might promote a renewed threat of anarchy. It can be said that Locke drew a parallel between the disorder of Oxford and that of England; by discrediting Bagshaw's argument he vindicated the logic of order, i.e. political authority which he thought was then indispensable for his country. Bagshaw's argument appeared to him to disturb the "calm" that he had been waiting for: he wrote,

> As for myself, there is no one can have a greater respect and veneration for authority than I. I no sooner perceived myself in the world but I found myself in a storm, which hath lasted almost hitherto, and therefore cannot but entertain the approaches of a calm with the greatest joy and satisfaction. [119]

The argument of Bagshaw that we can reconstruct from those of his remarks which were abundantly cited in the *Two Tracts* -- i.e. what Locke considered the main questions Bagshaw raised -- can be summarised in four points: (1) Because the Christian magistrate cannot impose this religion upon the heathen, he can much less impose the indifferent matter upon the brethren, namely his Christian subjects; (2) The imposition of the indifferent things[2] utterly opposes the gospel, since the apostles yearned for the liberty of Christians; (3) It is also contrary to Christian practice; (4) The execution of such an imposition is always

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[1] Ibid.: 36-39.

[2] Indifferent things are, according to Bagshaw,"time and place of meeting for religious worship, bowing at the name of Jesus, the cross in baptism, surplice in preaching, kneeling at the sacrament, set forms of prayer and the like"[127].

attended by a variety of inconveniences, and that doctrine for the most part seems true (or at least most plausible) which is attended by the fewest inconveniences.

In the following two sections, I will examine Locke's arguments in the *Two Tracts* as his theoretical replies to these four points, and in the last section, I want to develop some theoretical matters which we can find in his arguments and are relevant for his mature thoughts. (The *Two Tracts* consists of two parts, "English Tract" and "Latin Tract", and is not exclusively the refutation of Bagshaw's pamphlet. In the former, Locke answered Bagshaw's remarks one by one, and in the latter, he developed a more general argument on the same theme.)

2) THE INWARD AND OUTWARD PARTS OF HUMANITY

Divine Worship Locke begins his attack on Bagshaw's first argument by examining the meaning of the concept of lawful imposition. He admits that nobody has the right to impose his religion upon another; but this, he holds, is true only if the right at issue is concerned with the essential element in religion -- the *internal* worship -- and not with its indifferent element, the *external* worship. We can find in the "Latin Tract" his scholastically refined treatment about the idea of "Divine worship". Its most sweeping definition, Locke holds, is "the whole of that obedience which we owe to divine laws"[213]. This definition is so useless as to regard almost all human actions as Divine worship -- "we worship God in eating, drinking and speaking"-- and to neutralise the very distinction of what is indifferent or absent from religious worship. Locke then defines what he thinks a more accurate definition of Divine worship as "the actions of the *inner* virtues of all of which God is the object, as the love of God, reverence, fear, faith, etc.; this is that *inner worship of the heart* which God demands, in which the essence and soul of religion

consists"[214]. This inner worship is the realm of God, which no human law can invade.

"The outward acts of religion", Locke proceeds, "are also called 'divine worship'. Since God ordained that man should be composed of body as well as soul"[214-215]. God requires us to fulfill not only the internal duties but such external duties as "public prayers, acts of thanksgiving, the singing of psalms, participation in the holy sacraments and the hearing of the divine word"[215], through which we expose our inner love of God in this world. As long as any outward performances are divine worship, the magistrate has not the right over these matters. Any external activity, however, cannot avoid being attended and conditioned by a number of circumstances, like time, place, appearance, posture, etc. -- and outward worship is no less such an activity. About these circumstances God is utterly silent; God, Locke insists, entrusts the magistrate with the decision concerning them. The magistrate thus has the authority to determine the circumstances that actually fashion the form and content of the outward worship, as long as the substance of religion is secured [214-216].

In the light of this argument, it follows that Bagshaw made the mistake of confusing the indifferent matter with the substantial matter in religion. The imposition of Christian belief upon the heathen is one thing, and that of the indifferent matter upon Christian subjects quite another. The human mind, Locke asserts, is under the immediate dominion of God, and by the power of free-will we obey God inwardly [127, 129, 146]. It is true, therefore, that the spirit of the subjects is completely free from the rule of the magistrate, and indeed it is in vain that he would try to dominate the essential part of their worship by force; yet we can by no means infer from this that the magistrate's imposition of indifferent religious matter upon the subjects is illegitimate.

Christian Liberty The categorical (and metaphorical) distinction between "internal" and "external" is so substantial for the Locke of the *Two Tracts* that he employs it in his critique of Bagshaw's second and third argument.

The duality of this category discloses Locke's idea of two forms of dominion -- God's internal dominion over our mind, and the magistrate's external dominion over our conduct. This dual vision contributes to Locke's notion of Christian liberty, which holds central importance for his understanding of morality and politics in the *Two Tracts*.

In "The Preface to the Reader", Locke censures those who exploit the word liberty: "the popular assertors of public liberty are the greatest engrossers of it too and not unfitly called its keepers";[1] but at the same time he presents himself as a defender of liberty; "besides the submission I have for authority I have no less a love of liberty without which a man shall find himself less happy than a beast". He goes on to explain his own meaning of public liberty as follows. When thanks to the Restoration England enjoyed "that quiet and settlement which our own giddy folly had put beyond the reach", "All the freedom I can wish my country or myself is to enjoy the protection of those laws which the prudence and providence of our ancestors established and the happy return of his Majesty hath restored"[120-121].

Locke regards public liberty as obedience to the public law. He likewise regards free-will not as the arbitrary and unconstrained power to choose anything, but as a faculty to obey the moral law, that is, God's will. Because human spirit is under the immediate government of God, our inner judgement remains under the bond of God, yet that realm which God leaves indifferent is under the government of the magistrate. Man is inwardly under the divine authority and outwardly under the secular authority [150]. According to Locke, the obligation of human law is twofold, "material" and "formal". When the subject matter of human law is the essential element of the Divine law, the obligation of that law is "material"; with the indifferent things, "formal". "Liberty of the judgement"corresponds to the former, and "liberty of the will" to the latter. (By judgement the faculty of conscience and by will that of performance is meant here). If the magistrate commands to his subjects a law the material of which has already been enjoined by God, then only the subjects' liberty of will is

[1] The misuse of liberty sometimes implies radical republicanism. Tuck, 1989: 74-75. Locke abhors such republicanism as a dream of "a pure commonwealth"[125].

additionally confined, because their liberty of judgement has already been restricted by Divine law. If the magistrate commands a law whose content is indifferent to the Divine law, then only the subjects' liberty of will is confined and their liberty of judgement remained untouched. And if the magistrate dictates a law the content of which is in fact indifferent pretending it the substance of religion, then he sins against the subjects and God by violating the subjects' liberty of judgement [238-239].

It follows from Locke's argument for obligation that when Bagshaw accused the magistrate of imposing the indifferent things, he mistook the "formal" for the "material" obligation. "'Tis true as my author [Bagshaw] says", Locke writes, "their [the first Christians'] writings are full of argument for liberty but it was for that liberty which was then encroached on and far different from what is here in question; 'twas for the substantials of their profession and not against the addition of ceremonies"[130-131]. When Jesus showed his anger against the Pharisees, he blamed them for imposing "formal" obligation as the "material" obligation, not for imposing the indifferent things in religious worship. Christ's fury meant that the mere imposition of indifferent things is not itself sinful, and at the very same place he ordered his disciples to obey the Pharisees because "they sit in the chair of Moses"(*Matthew*, 23:3)[132]. Locke explains Christian Liberty as follows:

> That those places, *Math.* 11, *Joh.* 8, 36, are to be understood of a freedom from sin and the devil and not from laws, the freedom of Christ's subjects being of the same nature with the kingdom whereof they were subjects, that is, not of this world or of the outward but inward man, is clear not only from the general current of interpreters but the places themselves [133].

"What the Apostle asserts" was "nothing but a freedom from the ceremonial law which after Christ was bondage"[135]. It was the false brethren, not the lawful magistrate, that were most dangerous to Christian liberty. Locke thus concludes that Bagshaw's second argument has no ground at all in the Bible. Christianity is indeed the perfect law that makes us free (*James*, 1:25), but for Christians "the liberty of judgement" is paramount, not "the liberty of will".

Locke's argument for Christian liberty is no less effective in refuting Bagshaw's third argument based on Christian practice. Referring to many passages in the Bible Bagshaw asserted that the imposition of religious practice is contradictory to what Christ and the Apostles strove to contend [142-153]. Locke argues that it is true Christ made a protest against the Pharisees' subjection of Christians, but this is not because Pharisees decreed an indifferent matter, but because they committed the prohibited act (*Deutr.* 4:2) of improvising the law of God (*Math.* 15:4-6). "Indeed he came to promulge the great law of liberty to believers, to redeem men from the slavery of sin and Satan and subjection to the ceremonial law, but he himself was made under the law, lived under it, and fulfilled it"[142]. The question concerning surplices or organs, being indifferent to the fundamental of religious faith, should be left to the will of the sole temporal authority whose final aim is the public peace, since the decision on practice is, Locke holds, after all a matter of discretion, which without authority is indeterminable and perpetually contestable in principle and hence highly liable to fall into disarray [145-148].

Liberty and Perfection Locke's arguments so far are based on his interpretation of the Bible; he engages in the politics of interpretation. His primary weapon in this quarrel is the distinction between the inward and the outward part of humanity, especially his idea of Christian liberty, which relies on this distinction. I would like to discuss one issue concerning this idea and its implications for his moral and political argument. Locke's definition of Christian liberty is, in short, the freedom from sin and the devil. Though it is expressed as "freedom from", it is not what is called negative liberty; in the light of Berlin's famous distinction between the two concepts of liberty,[1] it is nothing but positive liberty. Freedom from sin was considered here not as the release from the imposition

[1] Berlin, 1969: 118. According to Berlin, negative liberty is involved in the answer to the question "What is the area within which the subject – a person or group of peoples – is or should be left to do or be what he is able to do or be, without interference by other persons?", while positive liberty the question "What, or who, is the source of control or interference that can determine someone to do, to be, this rather than that?"

by other persons, but as the freedom to be a true Christian, i.e. the perfection implied by fulfilling the Divine law. The problem of conscience, Locke holds, is an inward matter for each individual; hence the liberation of conscience is a problem of the inner part of man -- not a social problem, a problem among men. Negative liberty bears on social problems, because by definition it presupposes a certain personal relationship -- it is primarily a question of one person's interference with another's actions or conditions of character or circumstance.[1] Locke's conception of Christian liberty is certainly the liberty of Christ's subjects, the liberty which the subjects of the Divine republic possess; but the relationship among the subjects is secondary, while the spiritual relationship between God and each individual has primary importance, the former being a derivative of the latter. Positive liberty in itself doesn't necessarily require as its component social or interpersonal elements since we can answer its principal question -- who is to be the master? -- without conceiving any social relationship; the master may be some metaphysical entity such as a higher self, and if so, the relation between master and subject is not social.

According to Locke, conscience is indeed the sanctuary which even the magistrate cannot invade, but in the *Two Tracts* he does not expound a theory to connect inward man with outward man. His conception of Christian liberty, therefore, embodies that which Berlin terms as "the concept of the rational sage who has escaped into the inner fortress of his true self", that is, a form of individualism that can be explained as "inner emigration".[2] Not only is "inner emigration" a categorically distinct concept from negative liberty, since its realisation has no necessary connection with the enlargement of the area of negative liberty, but it is also antagonistic to negative liberty because it may justify outward imposition, which conflicts

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[1] MacCallum, 1991: 102.

[2] Berlin, 1969: 139. Berlin argues that this form of individualism emerges "when the external world has proved exceptionally arid, cruel, or unjust", like the time of the fall of the ancient Greek *polis* or the end of the Roman Republic. This may explain the elements of neo-Stoicism and Augustianism in Locke's thought. See,Taylor, 1989: part II. Abrams reports young Locke's preference to the inwardness. Locke's "intellectual concern", Abrams writes, "at the time of the Restoration ... were almost entirely within the sphere of private moral philosophy. ... In 1660, at least, he had subordinate political and social concerns to private friendships, to introspection and to safely academic pursuits". Locke was then profoundly influenced by the philosophy of Seneca. Abrams1967: 52-53.

straightforwardly with negative liberty. In other words, it is true that the power of conscience, unyielding to any outward imposition, is noble -- this is the liberty of a tragic hero -- but the conscience indifferent to oppression cannot contribute to the vindication of negative liberty.

Locke's conception of Christian liberty thus explains his famous conservativism in the *Two Tracts*, that is, his allowance of the magistrate's right of imposition in indifferent things of religious worship and his support of the doctrine of passive obedience. His ideal of Christian liberty is a kind of perfectionism, the realisation of the true self in the fulfilment of the Divine law. It is an idea of autonomy. F. Schier argues that the notions of autonomy and negative liberty are distinct -- distinct in the sense that we cannot derive the latter from the former as Rawls does -- and negative liberty is an indispensable component of liberalism. If Schier is right, for a liberal the reconciliation of the ideal of autonomy -- liberal perfectionism -- and the idea of negative liberty --liberal conception of freedom -- is a great question.[1] I shall turn to this when I deal with Locke's mature or liberal theory. As far as the Locke of the *Two Tracts* is concerned, these two are considered to be radically disjunctive, maybe because of his opponent's loose distinction between the two. The liberty of Christians and the liberty of the subjects of England are entirely distinct. I will consider in the next section what prompted Locke to think in this way.

3) SOCIAL PSYCHOLOGY OF THE MULTITUDE

I would like to suggest that Locke's ideas of the disjunction between politics and morality come not so much from Locke's religious assumption as from his understanding of the social psychology of the people which he acquired through his own experience of the Civil War.

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[1] Schier, 1993. Schier's solution is naturalistic to the effect that man's nature is to love or value autonomy and territoriality in themselves.

Against Bagshaw's fourth argument, the inefficiencies of the imposition, Locke candidly replies in the following words: "If inconveniences make things unlawful as well as unpleasant I know nothing could be innocent"[155]. Neither the convenience nor the pleasure of human beings, he argues, can be the ground of legality.[1] Locke features in this context the impurity of humanity, by way of the problem of original sin: "Ever since man first threw himself into the pollution of sin, he sullies whatever he takes into his hand, and he that at first could make the best and perfectest nature degenerate cannot fail now to make other things so too"[155]. The depraved image of man needless to say stems from Christian dogma, and this image, through both Anglicanism and Puritanism, had been proliferating in Locke's time, but his pessimism about human nature is not a mere deduction from this dogma. The doctrine of original sin itself was not merely deduced from the Biblical story of Adam's transgression, but had been formulated from the experience of the people interpreting the story of Adam.[2] For Locke, this dogma certainly provided a paradigm to frame his perception of the world, but at the same time this paradigm was the result of his personal experience.

Religious Enthusiasm

In 1659 Locke in his letter showed his sympathy to H. Stubbes's treatise on religious toleration in terms of its principle, but he doubted its applicability on the ground of the political condition of that time.[3] This scheme is also true of the *Two Tracts*, where he writes "I cannot deny but the sincere and tender-hearted Christians should be gently dealt with and much might be indulged them [doctrines of the liberty of consciences]"[160], and even admits his approval for the principle of toleration [161]. Locke contends, however, that if Bagshaw innocently assumes that people would not abuse the doctrine of toleration licentiously, he should "look some years back". "He will find", says Locke, "that a liberty for tender consciences was the first

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[1] *Law of Nature*, pp.205f.

[2] Spellman,1988: 10-11.

[3] Cranston, 1985: 44-45; *Correspondence*, vol.1, no.75.

inlet to all those confusions and unheard of and destructive opinions that overspread this nation"[160]. In his criticism Locke frequently draws on the recent experience of the Civil War. "[E]xperience tells us"[159], Locke asserts, that the multitude of England is always pleading, impatient, confused, and what is worse, ready to pull down with fury and agitation any authority which would oppress its liberty. Without the commanding rule of the magistrate it is this multitude that would become most dangerous for Christianity -- the origin of authority -- by impatiently suppressing what it merely resents. Indeed, Locke holds, now the crisis of the fanatical turmoil might cease for the time being, but the "same hearts [as brought the confusions into this nation] are still in men as liable to zealous mistakes and religious furies, there wants but leave for crafty men to inspirit and fire them with such doctrines"[160].

The masses are easily-persuadable beings, who can be changed into a mob at the hand of some demagogue. Justice, the principle for the quiet of community, cannot be derived from their inner faculties (like reason or conscience), but must be imposed by the external authority. Locke furthermore compares this pessimistic image of human nature to a great and annoying problem of early modern Europe. Referring to Germany exhausted after the Thirty Years War, he understands the problem of religious fanaticism as the crisis of Christendom [210-212]. Religious fanaticism is *the* European political problem [160-161]; in the name of religion or conscience, opinions usurped truth, only to demolish the order of the world.

His pessimistic diagnosis of the age was, on the other hand, supported by his personal experience. Locke's correspondence in 1658 to 59, when after the death of Cromwell England lost its stability, shows how he found himself surrounded by fanatics. He began searching for a sanctuary where tranquillity of mind was available.[1] Locke then frequently had to leave the quiet of Oxford for the country side of Pensford to care for his ill father,

[1] *Correspondence*, vol.1, no.42, 59, 68, 81, 82, 91; Spellman, 1988: 46-49.

where he came in contact with fanatical Quakers.[1] Locke had already reported to his father as early as 1656 about perilous and lunatic activities of Nailer and his followers, stating "I am weary of the Quakers".[2] He now self-scornfully wrote "I am one of the mad men too of this Bedlam England", and further said "I have long since learned not to rely on men".[3] In the light of this pessimism, Bagshaw's idea appeared to Locke too naïve to understand the highly probable outcome which would originate from toleration. To leave unconstrained the indifferent things, Locke considers, will not result in the peaceful coexistence among a people who embrace a variety of opinions on serious matters.[4]

Passion and Persuasion

What Bagshaw addresses, however, is only about such facts of the indifferent things imposed on the people as he shows in his example, and he does not deny the authority of the magistrate in government to any degree. Though his argument might encourage a seditious element, his intention consists not in a general argument about government, but in concrete matters concerning religious worship. While refuting Bagshaw's ideas, Locke seems to engage in more than refutation.[5]

Locke holds that the masses are easily persuaded into violence by a shrewd agitator. He also thinks that those who can rationally examine and argue the matter of religion are in an abject minority, and for the others the language of religion is the origin of confused and arbitrary disputes which provoke insurrection. And it is "two watchwords" of "liberty" and

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[1] Although the teachings of Quakers are not in themselves fanatical or devastating, and the thought of their founder, George Fox, is, though mystical, quietistic and pacifistic, yet as far as 1650s are concerned, their activities appeared fanatic. Then their leader was James Nayler, who proclaimed himself the Son of God, and around whom many zealots gathered. The Quakers at that time were hard to distinguish from Ranters, the sect which was in general considered to be particularly immoral. and indeed both groups partly overlapped. And Quakers were in alliance with the other left puritans such as Fifth Monarchists and Anabaptists to resist the government. Hill, 1975: 231-258; Gooch, 1914: 152-157. On Ranters, see, Cohn, 1962: Appendix.

[2] *Correspondence*, vol.1, no.30.

[3] *Correspondence*, vol.1, no.59.

[4] Spellman, 1988: p.51.

[5] Colman, 1983: 12-13.

"conscience" that are the most effective weapons for the agitators in the Civil War to win the support of the mob to produce disorder [210-211]. The majority of the people are an easy prey for ideological politics.

The essence of Locke's critique of Bagshaw's concept of liberty resides in this point. Bagshaw is, Locke understands, pleading for a liberty which is thoroughly formal and negative. When Bagshaw appeals to perfect liberty [136], his conception of liberty is partial, only meaning a sheer lack of interference from others, that is, the unconstrained faculty of the absolutely individual self. The moral connotation of this concept of liberty is in itself neutral and arbitrary, because it is devoid of positive content, and it hence can be readily a rhetorical tool for demagogues. They will exploit this word by injecting arbitrary contents into it like "a liberty to be Christian so as not to be subjects"[121]. Demagogues, Locke holds, collect a variety of passages in the Bible, arrange them as they like, quote the testimony of the Apostles in such a way as would strengthen their own opinions, and provide in the name of Christian liberty their favoured argument [232-233]. No cause can so rationally persuade men to hazard their life in a war as that which promises them an augmented liberty [160]. Locke thus writes as follows:

> I have not therefore the same apprehension of liberty that I find some have or can think the benefits of it to consist in a liberty for men at pleasure to adopt themselves children of God, and from thence assume a title to inheritance here and proclaim themselves heirs of the world [121].

Bagshaw's concept of liberty appears to Locke nothing but "a liberty for contention, censure and persecution"[120].

Regarding the second watchword, "conscience", Locke admits that as long as freedom of conscience is the freedom of judgement (the inner faculty), it is free from any outer restraints including the power of the magistrate. However he refuses to conclude that this freedom of conscience should be employed for the freedom of will (the freedom of outward actions). When the liberty of conscience is exploited as the principle to justify

political freedom, it becomes the principle for arbitrary activities, which promoted in England "the conscientious disorder"[120], as "a liberty for tender consciences was the first inlet to all those confusions and unheard of and destructive opinions that overspread this nation"[160]. The doctrines of Puritanism, as we saw in the ideas of Owen, required the eradication of the mediation between individual believers and God. Inner communication with God is everything; Quakers for instance regarded "the inner light" as the ultimate principle of their belief, which enabled them to deny the necessity of the Bible.[1] Even if the authority of the Bible is retained, an inherently subversive element in Puritanism still remains, because as long as Puritans like Owen consider that each individual is solely responsible for the interpretation of the Bible, and there is no authority in religious worship but the Bible, the conflicts between the interpretations -- that is, mutually contested moral arguments -- cannot be resolved, since in the name of conscience each believer can opportunistically read the Bible as he wishes, to support his own interests.[2]

Disputes over the interpretation of the Biblical text were the focus of moral argument in 17th century England. In the dawn of the progressive, profane and scientific world-view, accounting for the Bible (which consists of supernatural and poetic stories) was an arduous problem for moral argument.[3] Milton, for example, subordinates the Scripture to the inner Spirit, i.e. the moral sense, which he deems is the final tribunal of moral judgement. "In appealing to an inner principle of certainty", B. Willey writes, "Milton shows himself to be in the main current of seventeenth-century thought, which in all directions was seeking by this very means to liberate itself from the authority of tradition".[4] When conscience is regarded as the final judge of interpreting God's voice, it holds authority above civil and ecclesiastical

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[1] Acheson, 1990: ch.8.

[2] See, Haller 1957: 14; Hobbes, 1978: 364; Hobbes, 1990: 3, 21-22. I will further discuss the logical question accompanying this problem later. See, pp.112-4, below.

[3] Willey, 1986: 58f.

[4] Ibid.: 71. As examples of such an inner principle, Willey mentions the "inner light" of Quakers, the "Reason" of Platonists, the "clear and distinct ideas" of Descartes, and the "common notions" of Lord Herbert of Cherbury, all of which might interestingly be the targets of Locke's attack on innatism in Book One of the *Essay*.

institutions. And when this doctrine is connected with that of predestination or election in Calvinism, one could cite the ethos of the Civil War -- the conviction that the elect are God's instruments, but at the same time, the chosen elite, who obey God in reshaping the earth by oppressing the unregenerate.[1] By calling others' worship "superstition",[2] Locke proclaims, radical Puritans could envisage themselves engaging in a war for the honour of God (but in fact of themselves). From their own enthusiasm they called themselves the executioners of God's will, and disturbed the peace of society with the swords in their appeal to conscience [161-162]. Locke's reply to these doctrines is the alienation of politics from the sphere of religion. His idea of the separation of church and government first came out of the plea for the protection of politics against religion.

Bagshaw's fourth argument, criticism of the imposition of religious worships on the ground of its inefficiency, was finally refuted by Locke thus: toleration is highly prone to generate more inconveniences than the imposition, that is to say, it can generate at its worst anarchy or tyranny.

Locke wrote in 1681, "The great division among Christians is about opinions. Every sect has its set of them, and that is called Orthodoxy; and he who professes his assent to them, though with an implicit faith, and without examining, he is orthodox and in the way to salvation".[3] The problem of opinion and orthodoxy, or truth, is a political as well as a religious and philosophical question. It is also a psychological question, for pride and ambition may well lead people into violent censure of others.[4] These questions are important themes for Locke's theoretical reflections in almost all his writings; these problems will come up time and again in my interpretation of Locke's moral and political arguments. As regards

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[1] Colman, 1983: 13-17. A classical treatment of the anarchical element of religious élitism is Cohn, 1962.

[2] As well as "conscience" and "liberty", "superstition" was the rhetorical weapon of seditionaries. Locke writes, "because 'superstition' is a word which has as evil sound, by this means, as though with some spectre, those who seek either to decry or to change the outward worship of God are accustomed to alarm the ignorant minds of the crowd, and they apply this designation as a mask to things that are quite inoffensive and proper" [235. See also, 147, 235-236].

[3] King, II, p.75. On the dating of the manuscript, see, Abrams, 1967: 9; Wootton, 1993: 120, n.7.

[4] "An Essay concerning Toleration"(1667), in *Political Writings*, pp.189-190.

the matter of toleration, this problem, I suggest, can be answered in two ways -- either philosophically, by solving the philosophical questions concerning opinion and truth, or politically, by solving the practical questions to find an order above differing opinions, although these two solutions are usually deeply entangled. Locke seems to pursue both ways throughout his intellectual life, but in the *Two Tracts* we find his first attempt in the second solution.

4) POLITICS OF PURE ABSOLUTISM

Indifferent Matter As Bagshaw argued over the indifferent things, Locke extended his argument to a more general question about the concept of "indifference" itself. When Bagshaw tried to deal only with religious matter in the indifferent things, Locke contended that it is absurd to make a distinction between religious and nonreligious when we discuss indifferent matter. To be indifferent, Locke holds, is to be free from the positive regulation of God. This means that every indifferent thing is equally irrelevant to the essential part of religion. To tell something religious from nonreligious in indifferent matter is therefore impossible and arbitrary [139]. It is true that Bagshaw actually supplies the examples of what he considers is religious, but his mere enumeration appears to Locke arbitrary, and what is worse, potentially seditious, because Bagshaw's reasoning is too specious to show anything as an arbitrator of what is religiously significant except conscience, which can despotically regard anything as spiritual, making religious interests intrude into civil matter. Locke asserts that "indifferent things of civil as well as religious concernment" are "of the same nature, and will always be so, till our author can show where God hath put a distinction between them"[153].

In place of the judgement of conscience Locke tried to articulate a system of law

which explained the proper relationship between civil and religious matters. Sharing the conviction with Puritans that God's will is the sole foundation of every law, young Locke made his argument in a conventional way with Scholastic terminology which he had learned at Oxford. Yet this does not mean that Locke embraced the teleological metaphysics of medieval Scholasticism. His theory is different from the traditional Aristotelian view that the purposes, *teloi*, are inherent in things as rational principles; it can be described as nominalistic. To be indifferent is to be void in terms of God's will. From a material point of view, everything -- i.e. every creature of God -- is in itself lacking inherent meaning or end as an eternal and permanent substance. It is the ordinance of Divine will that gives things their forms, that is, their signification.

> Now things are said to be indifferent in respect of moral good and evil, so that all things which are morally neither good nor evil are called indifferent. Since, however, moral actions imply a law as a standard of good and evil, against which we ought to measure and test our life and actions (for it is certain that if no law were provided all things and actions would be entirely indifferent and neutral, so that they could be done or left undone at the will of each individual), therefore, in order that indifferent things may be more clearly understood, some account must be given of laws. [221]

The implication of Locke's account of indifferent things is, as J. Colman insists,[1] critically great, since Locke here demonstrates a *particular* account of things and actions in relation to morality -- things and actions are, he holds, morally neutral and the property of each individuals' will without reference to certain moral rules. His moral theory presupposes the existence of law. Moral relation is for Locke legal relation.

A Theory of Law The order of things is based upon law. In the ideological controversy of the Civil War, however, those who stood on the side of Parliament and King both adjured to the argument of conscience and natural law. When conventional authority was trembling, an appeal to concepts such as conscience, nature

[1] Colman, 1983: 7, 10-11,66-67.

and reason was an ideological weapon for pamphleteers. A radical preacher, John Goodwin, for example, exhibited his excellent polemical skill in persuading people of the natural right or duty of every private man to examine, judge and determine the righteousness of the commands of the King. He also showed no hesitation in submitting every law of the state to the conscience of every individual by enjoying "all the exhilaration of mystic faith under the illusion of rationality".[1] This sort of legal thought which regards individual conscience as the ultimate buttress of law appeared to Locke as ultimately a matter of private expediency, and hence failed to construct an order of society [155, 237].

Writing the *Two Tracts* in defence of the authority of laws of his country [121], Locke insists that law is the objective norm whose validity or authority is independent of the will of individuals. Nothing is simpler than his theory on the authority of law; the legitimacy of all laws is founded solely on the will of God [136]. From God's authority, says Locke, "all laws do fundamentally derive their obligation, as being either immediately enjoined by him, or framed by some authority derived from him"[124]. Locke therefore categorises the sorts of laws from the perspective of the authority of the lawmaker, into four: "divine, or moral; political, or human; fraternal, or the law of charity; and monastic or private"[221].

"The divine law is that which, having been delivered to men by God, is a rule and pattern of living for them"[222]. It is called either natural law when conveyed through "the light of reason which is natural and implanted in men", or positive law when conveyed through "divine revelation". Yet both natural and positive law he describes as moral law, because they agree in content and material with the Divine decree. "Human law" is "any command of a superior to his inferior over whom he holds legitimate power"[223]. Although injunctions of parents to their children, or of a master to his servants, are by this definition called human law, the public ordinances enacted by the magistrate -- i.e. political laws -- have the proper title of human law, since they bear the authority to change or abolish those private

[1] Haller, 1957: 364-377.

injunctions. The magistrate decrees laws on those which are left untouched by the divine law. He certainly legislates laws whose materials are already in the divine law, such as the prohibition of theft, but by this enactment only declares and enforces[1] the already obligatory divine law."Fraternal law" is the law of charity. It is commonly known as "the law of scandal", the law enacted by Christians to their brethren, which instructs them not to fall into error about things not covered by the divine and civil laws by abusing Christian liberty [224].

All categorised (by default) as indifferent by these three laws remains as the proper object of "monastic law". It is private law a man imposes on himself; it is either his final judgement (the decree of conscience) or his final will (an agreement) concerning what is left free for him to decide. The meaning of the latter is uncomplicated: whenever a man makes a compact with someone -- whether with God or with another man -- he binds himself to keep it. However, what Locke means by the law of conscience needs explanation. Despite his criticism of the exploitation of the word "conscience", Locke here regards it as an inner legislator, but it does not follow that he contradicts himself. His point is that the power of conscience is for us the origin of both moral fulfilment and moral calamities.

> The law of conscience is what we call the final judgement of the practical intellect with regard to the truth of any moral proposition regarding a possible action. For it is not enough that an action should be indifferent in its own nature, unless we are also convinced that it is. God has placed in us a natural light, which he intended should be for us almost a private, ever present law-giver, whose edicts it is wrong to transgress even by a hair's breadth. The result is that our freedom in indifferent matter is highly unstable, and is dependent upon the opinions that each one of us holds, for it is certain that we are not free to do anything which we believe it is wrong to do.[225][2]

The most notable characteristic of Locke's legal theory is that he unshakably considers law to be a command of the superior. Law, as far as its formality is concerned, is the will of the superior who has a right of command over its inferiors. Accordingly the obligation of

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[1] See the example of the security of an envoy which Locke considers is legally protected doublely, i.e. by natural law and agreement. *Law of Nature*, p.163.

[2] I here use Wootton's translation of "Latin Tract" which is much clearer than Abrams's. *Political Writings*, p.163.

every law ultimately derives from the will of God. (This view of law is, as Abrams indicates,[1] remarkably voluntaristic,[2] and Locke's voluntarism is a chief problem we will examine later.) No law including civil laws is, therefore, by its own nature binding except the law of God. The moral reason we obey the magistrate's commands is not attendant on the innate force of the magistrate, but because his authority is, one way or another, substantiated with God's will -- the most famous cause for Christians like Locke is of course *Rom.* 13:1-5 [226]. Law explains and embodies the relationship of obedience between the superior and the inferior, and the latter cannot in any way remove or reject the authority of the former, because it would overthrow the order of things and bring about chaos. Locke insists that if it is granted that an inferior law can abolish the binding force of a superior one, "discipline will be everywhere at an end, all law will collapse, all authority will vanish from the earth and, the seemly order of affairs being convulsed and the frame of government dissolved, each would be his own Lawmaker and his own God"[227]. There is the hierarchy between the four laws:

> That all the things that are indifferent so far as a higher law is concerned are the objects and matter of a lower, and the authority of the individual prevails in all matters that are not wholly prescribed by superior law, and whatever is left, as it were, in the balance, inclining neither to this side nor to that, towards neither good nor evil, can be adopted and appropriated to either class by an adjoining and subordinate power. For where the divine law sets bounds to its action, there the authority of the magistrate begins, and whatever is classed as indeterminate and indifferent under that law is subordinate to the civil power. Where the edicts of the commonwealth are wanting, the law of scandal will find a place; and only when all these are silent are the commands of conscience and the vow observed. Nor does anything remain free from the higher laws which each individual as master of his own liberty cannot, by opinion, vow or contract, make necessary for himself.[227]

Of absolute importance for law is who is its author, wherein its authority consists, that is, what is the efficient cause of law. The "authors of laws are, by their power [*potestate*],[3] superior to the laws themselves and to the subjects they govern"[222].

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[1] Abrams, 1967: 69-74, 79-80.

[2] For example, a medieval voluntarist Pierre d'Ailly wrote, "no edict of a prince, precept of a prelate, political statute or ecclesiastical decree is just or justly obligatory, unless it is in conformity with the divine law". *Princ. in Ium Sent.*, E, f. 21v, quoted in Oakley, 1961a: 75. See also, Oakley, 1964: 194.

[3] Wootton more correctly translates it as "an authority", which can be "a right".

All indifferent things must equally and in the same manner be subjected to governmental power [229].

What is then the final cause of the magistrate which is derived from the efficient cause of higher law, God's will? "God wished", says Locke, "there to be order, society and government among men. And this we call the commonwealth. In every commonwealth there must be some supreme power without which it cannot truly be a commonwealth; and that supreme power is exactly the same in all government, namely, legislative"[231-232]. The purpose of the political law is to keep order, that is, to secure the public peace of the commonwealth [166-167, 237].

By magistrate Locke means "one who has responsibility for the care of the community, who holds a supreme power over all other and to whom, finally, is delegated the power of constituting and abrogating laws"[212]. To explain the supremacy of the right of the magistrate, Locke employs an inveterate metaphor of governing, the state as a ship [158-159].[1] The magistrate is thus compared to the pilot of a ship -- a commonwealth -- that is voyaging in a storm, to which here is compared the turmoil of the multitude, the "untamed beast". The security of the ship depends solely on the pilot. If they are to keep their own security, the passengers, or subjects, must obey the pilot. The proper relationship between the pilot and the passengers is obedience; this is due to the *rational necessity* of sailing a ship. To keep the ship safe necessarily prohibits the disobedience of the passengers. (This rational argument of absolute obedience is buttressed by God's ordinance: Locke holds "tis' no paradox to affirm that subjects may be obliged to obey those laws which it may be sinful for the magistrate to enact", because God even commanded the submission to even a Nero, "a heathen and a tyrant" [130].)

Locke demonstrates in a more subtle way the argument for the absolute obedience of the subjects in the "Latin Tract"[219-221]. The power of the magistrate, he holds, might

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[1] For example, see, Plato, 1986: 297; Bodin, 1962: A69.

be doubly revealed: the "material power [*potestas materiae*]" and the "preceptive power [*potestas praeceptionis*]". The power of the magistrate is material if its substance is lawful, that is, indifferent and not contrary to the divine law; it is preceptive if the decree itself is lawful, that is, according to the end assigned by God to him, keeping the safety of the commonwealth [*saluti rei publicae*]. There are on the other hand two sorts of the obligation of the subjects, "the obligation to act [*obligatio ad agendum*]" and "the obligation to suffer [*obligatio ad patiendum*]" -- that is, active and passive obedience respectively. Locke derives three analyses from these four categories. (1) The subjects are bound to the *passive* obedience under any decree of the magistrate *whether it is lawful or not.* Even if the magistrate commits sin by commanding a fiat whose material is unlawful, the subjects have no right to punish by actual force -- only inwardly, i.e. consciously, can they disobey. (2) When a law enacted by the magistrate is lawful in both material and preceptive senses, the subjects are bound to passive and active obedience. (3) If it is lawful materially, but unlawful preceptively -- when the magistrate legislates for the good of his private interests and not for the public good -- the subjects are under *active* as well as passive obligation, because they are obliged to the magistrate's *expressed will*, not his *intention,* which is unintelligible for anyone but God, who alone can and will punish him on this account.

Tyranny and Anarchy

To secure the order of this world means for Locke (and for most of his contemporaries)[1] to follow the authority of the superior. Though the magistrate is inferior to the divine law, as long as the distinction between political and moral domains is secured, the magistrate remains supreme authority in the political sphere. His will is the absolute authority against which no subject may, at least outwardly, disobey; indeed, Locke's third proposition on the duty of subjects requires them to actively, i.e. conscientiously, obey his will even if he violates his office by substituting his

[1] Harris, 1994: passim.

private interests for public interests. This is obviously quite strong argument for absolutism, which the Locke of the *Two Treatises* ardently attacked. Mature Locke would disagree with young Locke in two points on the duty of subjects: on the first point, the mature Locke wrote bluntly, "it is lawful for the people, in some Cases, to resist their King";[1] on the third, it is such corruption of the government that prompted him to embark on the *Two Treatises*.[2] Why he changed his own political opinions on this issue, that is, why he came to embrace more radical political ideology, is a genuinely engaging question which I will not tackle in this thesis and some historians have already answered -- it must be anyway found in Locke's personal involvement with his patron, Shaftesbury, and his party's political activities. I would rather turn to theoretical problems accompanying Locke's change of ideological position. I suggest that there are two points which render the argument of the *Two Tracts* absolutist. First is the lack of the distinction of legislative and executive powers. Second is his voluntarist theory of law. And these two, I will show, collaborate to bear a devastating result for his argument.

The magistrate is by Locke's definition legislative power. His definition is so abstract that we can understand his idea of the magistrate as the personified concept of sovereignty, which J. Bodin famously defined as "the most high, absolute, and perpetuall power over the citisens and subjects in a Commonweale" and whose principal mark he thought consists in "giving laws unto the subjects in generall, without their consent".[3] Indeed, there are some similarities between Locke and Bodin:[4] Locke's distinction between inward and outward parts

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[1] *Two Treatises*, II:232.

[2] *Two Treatises*, II:111.

[3] Bodin, 1962: 84, 98.

[4] This similarity is not a mere accident. Bodin's *Six Books* and Locke's *Two Tracts* were both written in a (at least loosely) similar context, in which the order of the world is in crisis because of the menace of religious radicalism and therefore in need of the means to bring stability. We may therefore consider that the *Two Tracts* embraces what Greenleaf calls "the (political) philosophy of order" which depended on "showing that the hierarchical order in which God had created the world, and which necessarily involved kingly rule in society, implied complete obedience to the monarch as the representative of God and the maintainer of His order" and which is a *Weltanschauung* of royalist ideology in the early modernity. Greenleaf, 1964: 49. On Bodin's influence on English royalism in the 16th and 17th centuries, see Ibid.: 125-126, 135. On the ideological context of the *Six Books*, see, Salmon, 1973; Greenleaf, 1973.

of religious worship reminds us of Politicue's pragmatism which ignores the problem of conscience or true faith in order to secure peace;[1] a preface of *The Six Books of a Commonweale,* like the *Two Tracts,* proclaims the danger of the people who exploit the word of "popular liberty" and "induce the subjects to rebel against their natural princes, opening the door to a licentious anarchy";[2] and Bodin certainly espouses the theory of passive obedience:

> the subject is never to be suffered to attempt anything against his soveraign prince, how naughty & cruel he be: lawful it is, not to obey him in things contrarie unto the laws of God & nature: to flie and hide ourselves from him; but yet to suffer stripes, yea and death also rather than to attempt anything against his life or honour.[3]

However, there is a remarkable difference between them; Bodin makes a distinction between "state" and "government", and puts the sovereignty under some constraints[4] in the level of government. They are certainly "moral restraints" which are "rather the conditions of good government, of sovereignty rightly exercised, than essential to the concept of sovereignty as such", and the subjects have no right to rebel against their prince who degenerated in government into a tyrant, because "a tyrant was nonetheless a sovereign despite his defects"[5] -- not to be a tyrant is after all a moral duty of a monarch -- but they nevertheless have some real force on the sovereign in that "a Tyrant may lawfully be slaine by a prince a stranger; or by his owne subject".[6]

This distinction between state and government, or the understanding of an actual commonwealth as a government, Locke in the *Two Tracts* seems to neglect. This is clear

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[1] See the exactly same expression by Du Moulin in his *The Power of the Christian Magistrate in Sacred Things* (1650), who Salmon describes as "a Huguenot turned Politique", quoted in Salmon,1959: 108.

[2] Bodin, 1962: A70.

[3] Ibid.: 225.

[4] Skinner, 1978: vol.II, 293-297.

[5] Greenleaf, 1964: 131-134. But "a ruler who is a tyrant *ex defecto tituli* – in the sense of being a usurper – can always 'be lawfully slain' by all the people or any of them'". Skinner, 1978: vol. II, 286; Bodin, 1962: 218-219.

[6] Ibid.: .220.

when as we have seen Locke compares the magistrate to a captain of a ship; because the conduct of a pilot is a metaphor for government; or to implement a famous dichotomy, it is for *gubernaculum* (the holding of the tiller), not for *jurisdictio* (the saying of the law).[1] The *gubernaculum* is, as J. Pocock writes, "in the last analysis a craft rather than a science";[2] it is an executive power -- though it certainly includes the legislative power -- the power besides, and not against, the law; what is sometimes called the "reason of state", or the Prerogative Imperial. It is a discretionary power which is by its nature "not controllable by any law".[3] Therefore, *gubernaculum* is a problematic concept for Locke's moral theory, because he holds moral relation to be legal relation. True, the power of the magistrate is under the law of God and nature, but the magistrate of the *Two Tracts* is the supreme law-giver in the things indifferent to the moral law, that is, by Locke's definition, all things besides the matter of conscience. The result is harsh; only the arbitrary will of the magistrate becomes the law, and nothing but his own conscience can lawfully restrain his will. The laws the magistrate enacted can no more constrain his will, because they are not binding by their own moral force -- because every law is binding only "here and now" and "when that law is abolished or is in any way inoperative, we are restored to our former liberty"[226]. The magistrate who can abolish any law by his will enjoys, therefore, absolute liberty in the civil sphere. Government -- his conduct -- is thus necessarily lawful: there is no unjust government.

This result obviously comes from Locke's theory of law, i.e. his voluntarism. Let me compare him with a representative philosopher of the rival theory, intellectualism, in order to clear the point. Thomas Aquinas defines human law [*lex humana*] as follows:

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[1] This is MacIlwain's famous account of Bracton's dichotomy. He describes a history of modern constitutionalism as a contest between the two ideas, and on his account the politics of modern state, especially of absolute monarchy, represents the dominance of *gubernaculum* over *jurisdictio*. MacIlwain, 1958: ch. IV-VI. I use this dichotomy as an ideal type.

[2] Pocock, 1975: 25-29.

[3] MacIlwain, 1958: 117.

> Human law has the quality of law only in so far as it proceeds according to right reason ... In so far as it deviates from reason it is called an unjust law, and has the quality not of law but of violence. Nevertheless, even an unjust law, to the extent that it retains the appearance of law through its relationship to the authority of the lawgiver, derives in this respect from the eternal law. "For all power is from the Lord God" (*Rom.* XIII, 1).[1]

The later part of this definition accords with Locke's theory; every law, even an unjust one, is in appearance law as long as it is the expressed will of the magistrate. This definition explains what distinguishes just from unjust laws -- which Locke's theory does not -- namely, right reason. It is not my problem now to enquire into right reason. Important is the function of will and reason in the theory of law: will on the one hand shows the *location* of obligation; reason on the other shows the *content* of law. Will as a law certainly has content, but it cannot validate without an external authority, because otherwise it only makes a circular argument -- what **A** wills is the law because **A** wills it. In Locke's theory, such an external authority is the Divine law. But Locke in this point exposes a great problem:

> The Scripture speaks very little of polities anywhere (except only the government of the Jews constituted by God himself over which he had a particular care) and God doth nowhere by distinct and particular prescriptions set down rules of governments and bounds to the magistrate's authority, since one form of government was not like to fit all people, and 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, who is no more to expect a commission from Scripture which shall be the foundation and bonds of his authority in every particular and beyond which he shall have none at all, than a master is to examine by Scripture what power he hath over his servant, the light of reason and nature of government itself making evident that in all societies it is unavoidably necessary that the supreme power (wherever seated in one or more) must be still supreme, i.e. have a full and unlimited power over all indifferent things and actions within the bounds of that society.[171-172]

The *Two Tracts* thus cannot clarify the nature of unjust government. This is a serious problem. And it must be so for Locke, because it is not only anarchy but also tyranny that devastates the order of the world, and he indeed concedes it. "Tis not without reason", writes Locke, "that tyranny and anarchy are judged the smartest scourges can fall upon mankind, the plea of authority usually backing the one and of liberty inducing the other: and between these two it is, that affairs are perpetually tumbling"[119]. Apparently Locke is very vigilant

[1] Aquinas, 1970: 121.

against the plea of liberty, but how about that of authority? How according to the *Two Tracts* can we avoid tyranny? Locke is silent over this question, partly because the *Two Tracts* is not a philosophical and systematic inquiry but a polemical and ideological pamphlet, and he professes himself to be on the side of authority, and partly because his theory of law defies the concept of tyranny.

Tyranny is an arbitrary rule, or a rule without law.[1] In the realm of politics, the *Two Tracts* holds, the will of the magistrate is the law, and hence all that he does is lawful. He can be regarded as against law only in respect of the moral law. Therefore there can be moral tyranny which violates Christian liberty, but no political tyranny, unless the state is dissolved. If the magistrate is responsible for the dissolution of the state -- namely anarchy -- by his mismanagement in government which calls for civil war, then he might be called a tyrant since he failed to accomplish his duty. But even in such a case, his fault is a matter of prudence, and it is the subjects who are lawfully and morally responsible for the infringement of law because it is their duty to obey whatever the magistrate decrees. The subjects cannot look upon any magistrate as tyrant, because they cannot make a judgement on peace, but "the magistrate is the judge of what constitutes order and of what is to be considered decent"[218]. In other words, the magistrate Locke understands in the *Two Tracts* is by definition tyranny. This conclusion is devastating for Locke since it follows that he cannot pin down "a paradigm of legitimacy", which in turn prevents him from identifying anarchy.[2] This means that he commits the same error as his enemies, those who put government under the power of conscience.[3]

The problem lies in the divorced vision of morality and politics which is represented by Locke's utterly abstract distinction of the inward and outward part of humanity. The reconciliation of morality and politics in a more concrete and substantial moral theory seems

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[1] *Two Treatises*, II: 199-202.

[2] Dunn, 1969a: 13.

[3] Walzer, 1966: 57.

necessary to augment Locke's argument. In order to identify tyranny, it seems, such a moral theory needs at least two things: one is the *contents* of the moral law which prescribes the origin, extent and end of government, an argument that relates the moral law with the political law, the inward part with the outward part of humanity; the other is the *efficient cause* of the moral law which enforces its contents, an argument that demonstrates the right of punishing tyranny. One will find both in the *Two Treatises*, and, what is interesting, there appears again the metaphor of a ship in the chapter on tyranny.[1] The difference between the two versions of the parable is decisive: while in the *Two Tracts* the passengers have no right to disobey the pilot, and the destination of the ship is not questioned, in his later work Locke insists that the passengers can and should resist the pilot of the ship when it is wilfully steered for Algiers, the slave market.

At the end of the last section I mentioned two possible ways to solve the problem of the anarchy of opinions, i.e. philosophical and political ways. Between the *Two Tracts* and the *Two Treatises* (and beyond), we find Locke engaging in the former way, that is, inquiries for the moral science. Such are the materials of the following four chapters.

[1] *Two Treatises*, II: 210.

Chapter 3

Integrity of Moral Vision

1) NATURE AND CONVENTION

From Politics to Ethics What kind of moral philosophy did the *Two Tracts* have after all? What kind of moral vision was behind the Lockean ideas of clear separation of moral and political matters, voluntarist view of law, the order founded on the ethos of obedience, and an extremely pessimistic account for ordinary people's behaviour? I understand it to be moral scepticism. Like many moral sceptics in the 16th and 17th centuries, Locke refers to the relativity of moral practice. "Our deformity", he writes, "is other's beauty, our rudeness others' civility, and there is nothing so uncouth and unhandsome to us which does not somewhere or other find applause and approbation".[1] How then is such diversity of moral practice in this world compatible with the moral law, that is, the law of God, the most wise and powerful lawmaker whose law must be invariable and reasonable?

The *Two Tracts* has a partial answer. As far as politics is concerned, no matter how diverse are moral practices there must be the order which the magistrate secures. This authority and power [*potestas*] of the magistrate, as we saw,[2] Locke derived not from the Scripture -- though it buttresses the magistrate's authority -- but from the light of nature and people's conveniences, that is, the necessity of laws and government which the parable of a ship in turmoil instructs. Absolutism of this kind became possible by Locke's clear distinction

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[1] *Two Tracts*, p.146, 217. Locke's scepticism about man's taste is a continuous theme for his thinking. See, Locke's Journal, 1677, Frid.1. Oct, in *Early Draft*, pp.96-97. His scepticism is not the consequence, but the origin or subject of his philosophy.

[2] See, p.57, 62, above.

of two realms of humanity, inward and outward. This distinction was not unconventional in early modern Europe. Moral sceptics like Montaigne hold it, to demonstrate their moral teaching: in public matters, obey the manners and laws of your country.[1] Locke would not be satisfied by this alone; he needs more regulation of the people's expressed opinions. A judge must exist who arbitrates people's wills and actions. Locke's ideas in the *Two Tracts* are, thus, quite similar to the ideas of Hobbes,[2] another great sceptic.

The similarity with Hobbes does not end here. Although Locke's arguments in the *Two Tracts* endeavour to show that the will of individuals is always under some law, moral or political, they nevertheless betray that each individual possesses an absolutely free will under the constraints of law; wherever law ends, there liberty begins. This is a very crude Hobbesian account of liberty.[3] The law is something imposed on the will of the individuals: it is not an inherent cause -- though it is a reason -- of actions. This implies that each individual is ultimately the sovereign of his own action. Unless there is law, man is his own God; Locke's description of the social psychology of the people substantiates this idea. Once the authority of law was weakened by the rhetoric of perfect liberty and conscience, the people were easily transformed into a mob, a band of slaves to their own interests. Self-interest then became their own law. The result was anarchy.

Government is necessarily required to avoid this anarchy. Government is logically incompatible with absolute liberty; therefore, the imposition of laws upon the outer liberty, i.e. the will, of the people is the essence of government. This does not mean that the establishment of government is the total deprivation of men's liberty: civil laws determine the bound of liberty within which each man enjoys the absolute liberty of his own action. As Hobbes secures the morality of individuality under the rule of law,[4] so does Locke situate

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[1] Montaigne, 1893: 47.

[2] *Leviathan*, xvii, p.109.

[3] *Leviathan*, xiv, p.79; xxi, p.143.

[4] *Leviathan*, xxx, p.229.

conscience, the inner voice of law for the individual, under the superior laws, the political law and the divine law. The Locke of the *Two Tracts*, however, differs from Hobbes in that he doesn't *explicitly* regard the self-preservation of the individual as the fundamental right of nature. Locke tried to demonstrate in the *Two Tracts* that to secure order, subjects must obey whatever decree the *de facto* ruler, the magistrate, issues. The magistrate, however, is under the moral law that dictates the peace of the commonwealth:

> Whereas the magistrate commands the obedience of the outward man by an authority settled on him by God and the people,[1] wherein he is not to expect immediate inspirations but is to follow the dictates of his own understanding, and establish or alter all indifferent things as he shall judge them conducing to the good of the public.[2]

The good of the public is thus a moral requirement upon the ruler which instructs him the contents of good government. But as we examined the *Two Tracts* fails to uphold a theory of legitimacy of government, which the quotation above maintains, for the good of the public is largely the result of the magistrate's *personal* judgement.

Perhaps the words "fails to" are not appropriate, since Locke did not intend to demonstrate such a theory. He merely holds that the divine law is knowable through either "divine revelation" or "the light of reason", and the Bible is silent concerning the form of government. The inquiry into the light of reason or nature -- that is, the law of nature -- is necessary if he is to demonstrate more comprehensive moral theory, but this is quite another thing that he indeed undertook in another book. Hobbes derives his theory of natural law from the notion of self-preservation of the individual. This is the very supposition that Locke attacks and rejects in the *Law of Nature*, which is supposed to be drafts of lectures which Locke delivered at Oxford in 1664.

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[1] Locke considered that his argument is applicable both to the divine right theory and the social contract theory. He himself deemed the mixture of the two is preferable. Abrams, 1967: 74-81.

[2] *Two Tracts*, p.150.

Hobbes defends his political absolutism by a new and scientific moral theory.[1] The political message of Locke's *Law of Nature* is also absolutist, but its philosophical and moral arguments are traditional. The concrete examples of the decrees of natural law described in it are unrevolutionary; all these rules are after all within the traditional Christian moral precepts;[2] and they are founded on the argument of the Christian natural law tradition.[3] Indeed, R. Ashcraft claims that "the *Essay on the Law of Nature*, viewed as a work of philosophy, is strikingly unoriginal in its treatment of the topic".[4] The main contention of the *Law of Nature* can be summarised in the same way as P. Stanlis defines the classical and Scholastic conceptions of natural law, whose idols are Cicero and Aquinas, as follows:

> Natural Law was an emanation of God's reason and will, revealed to all mankind. Since fundamental moral laws were self-evident, all normal men were capable through unaided "right reason" of perceiving the difference between moral right and wrong. The Natural Law was an eternal, unchangeable, and universal ethical norm or standard, whose validity was independent of man's will; therefore, at all times, in all circumstances and everywhere it bound all individuals, races, nations, and governments. True happiness for man consisted in living according to the Natural Law.[5]

Voluntarism vs Intellectualism

The traditional view thus abridged can, however, contradict the political argument of the *Two Tracts*, because from this account we can derive a populist conception of government. That is to say, if natural law is self-evident and intelligible to all mankind, and if its validity is independent of the particular condition of men, then people themselves can judge whether their government is morally right or wrong -- which might give them the cause to resist the unjust government. This was not a mere possibility for 17th century English man,

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[1] "Natural Philosophy is", Hobbes writes, "but young; but Civil Philosophy is yet much younger, as being no older ... than my own book *De Cive*". Hobbes, *De Corpore* Ep. Ded. quoted in Watkins,1989: 31.

[2] Yolton, 1958: 23-24.

[3] von Leyden, 1988: 30-43.

[4] Ashcraft, 1987: 16.

[5] Stanlis, 1958: 7. Compare this classical view with modern natural law theory succinctly summarised by Haakonssen which is more profane, sceptical and pessimistic. Haakonssen, 1988b: 108-109.

for certain theories of resistance were influential and pervasive. Nothing is a more famous example than *Vindiciae, Contra Tyrannos*, which justifies the people's right of resistance against tyranny using the ideas of Aquinas, and more extensively of Bartolus who was profoundly influenced by Aquinas,[1] to prove the measure of good government, the common good:

> What is lawful will aim at the public good, and what is unlawful at the private. Therefore, says Thomas, because a tyrannical kingdom which is not ordered to the common good, but to the private good of the ruler, is not just, the disruption of such a kingdom does not count as sedition.[2]

This might be the reason why in the *Two Tracts* Locke did no more than refer to the law of nature as the divine law obtained through the light of reason, and why he upheld the voluntarist theory of law. Compared to the *Law of Nature*, the *Two Tracts* appears to be more modern in that it betrays his deep scepticism of the people's faculty to follow the moral law.[3]

I would like to suggest, however, that the problem is not about "classical or modern"; the theoretical question we now face is the contest between two theories of law, voluntarism and intellectualism, both of which the Locke of the *Law of Nature* seems to embrace in one way or another. I will deal with this problem in the next section, but let me briefly explain these theories here. Schematically speaking, the intellectualistic understanding of law can be put as "Law is reason (*lex-ratio*)", while the voluntaristic understanding as "Law is will (*lex-voluntas*)"; this simplest scheme indicates that the former represents the classical account of the law of nature, while the latter ends up a legal positivism; that the former stands on the assumption that we can know about the essence or essential order of beings or about the cosmos whose order is hierarchical in value, while the latter stands on the rejection of such

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[1] Hazeltine, 1969: xxii-xxv.

[2] *Vindiciae, Contra Tyrannos*: 157. On Aquinas's "Whiggism", see, Sigmund, 1993: 219f. On the impact of the *Vindicae* upon 17th century England, see, Salmon, 1959.

[3] Haakonssen, 1988b: 109.

possibility and of any metaphysics which describes the essential order of being and value.[1] As for the law of nature, the discord between these two theories became apparent particularly at the later medieval age.

These two views of law reflect two views of the human faculty. In the context of medieval thought, according to E. Gilson,[2] the terms of *libertatis*, *rationabilis* and *potestas electionis* are all important to understand man's faculty; and intellectualism and voluntarism differ in their emphasis on the relationship among the three. The intellectualistic type of thought in which the concept of rationality played the most important role was reinforced with Aristotelian moral theory, whose authority was dominant in late medieval philosophy. Aristotle's ethical theory presumed that deliberation or reasoning precedes willing, and that liberty should be inherent in *logos*.[3] Intellectualism is therefore, if pushed to the extreme, indifferent to the antinomy between necessity and freedom. This antinomy was, however, a central question for Christian philosophers: "*Libertas a necessitate*, or *libertas a coactione*", Gilson holds, "signifies for them, before everything else, the total impermeability of the act of will by any king of constraint. [Even if y]ou can compel a man to do this or that, you cannot compel him to will it".[4] St. Augustine said, "Will is a movement of mind, no one compelling, either for not losing or for obtaining something".[5] Voluntarism is guided by this Augustinian conception of will. Gilson takes Duns Scotus as a definitive example of a voluntaristic thinker. The system of necessity or nature, Duns Scotus held, is completely incompatible with the system of liberty or will. The former is under the rule of a principle of determination (reason); the latter, a principle of indetermination (will). The latter is regarded as superior to the former because indetermination "attests the excellence of a faculty not tied

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[1] Rommen, 1947: 40-42.

[2] Gilson, 1940: 304-305.

[3] Aristotle, 1976: 55.

[4] Gilson, 1940: 308.

[5] Augustine, 1956: 102-103.

down to any determinate act".[1] Most medieval philosophers, however, didn't adopt this sort of conception of liberty and will. Often following Aristotle, they considered the decision of will without the light of reason as a mere animal or blind choice. Gilson takes Boethius as a definitive example of an intellectualist. Boethius held that liberty is judgement, and "the will is free only inasmuch as it is judged by reason". By instructing the will as to the objects and evaluations of its activity, reason expands the domain of the will's activity.[2] Voluntarism on the one hand looks upon free will as the embodiment of indetermination, and intellectualism on the other imprisons it in the sphere which the judgement of reason allows.

As theories of the human faculty, the contest between intellectualism and voluntarism is primarily of philosophical concern; it certainly implies the divergence in moral theory, but it appears to us to be a philosopher's quarrel. This contest, however, appeared to medieval people quite differently; it raised a quite serious moral question, a question concerning the fundament of Theology. As a matter of principle, critical tension exists between the rationalism of Plato and Aristotle on the one hand and Christian theology on the other hand.[3] Plato's principle of plentitude, for instance, verges upon heresy, and Aristotle's intellectualism might seem to some fundamentalists to contradict the Christian voluntaristic notion of the free will. The cosmology of the determinist is, first of all, unacceptable to Christian thinkers in that it *limits* the omnipotence of God, the Creator and Governor of Cosmos. Aquinas, the great synthesizer of Christianity and Aristotelianism, thus dexterously evaded the question which is in danger of heresy.[4] This problem was a central issue concerning the relationship between science and theology in the 13th century.[5] And it was true of natural law theories.

The most authoritative and famed account of the contrast between natural law theories of intellectualism and voluntarism is found in Gierke's following remarks:

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[1] Gilson, 1940: 309.

[2] Ibid.: 310-311.

[3] Lovejoy, 1939: 69f.

[4] Ibid., p.81; Gilson, 1940: 313, 321.

[5] van Steenberghen, 1955; Marenbon, 1987.

> The older view, which is more especially that of the Realists, explained the *Lex Naturalis* as an intellectual act independent of Will -- as a mere *lex indicativa*, in which God was not lawgiver but a teacher working by means of Reason -- in short, as the dictate of Reason as what is right, grounded in the Being of God but unalterable even by him. ... The opposite opinion, proceeding from pure Nominalism, saw in the Law of Nature a mere divine Command, which was right and binding merely because God was the law-giver.[1]

This contrast includes a very significant and perplexing contention about the power [*potestas*] of God. Voluntarists reject the intellectualist account because it is incompatible with the omnipotence of God. Nothing can limit His power. Even rational nature cannot determine the will of God. Intellectualists on the contrary reject their opponents' view because it renders God's design of the world groundless. This contradicts the omniscience of God. If, as voluntarists hold, God's will is purely indifferent to rational nature, His will is utterly arbitrary; God, the Governor of the world, becomes a tyrant.

This may appear to us Scholastic mumbo jumbo, but it did not to some serious thinkers of the 17th century, such as Leibniz and Pufendorf.[2] Indeed, Grotius's (in)famous remark on natural law is obviously related to this issue: the validity of natural right would not change, he holds, "though we should even grant, what without the greatest Wickedness cannot be granted, that there is no God, or that he takes no Care of human Affairs".[3] The theoretical contrast inherent in this contention, the contest between *will* and *reason*, will be in the later part of this thesis brought to bear on further theoretical problems concerning moral law. But before we embark on this issue, I want to explicate another dichotomy of ideas which is relevant for the argument of the *Law of Nature*, Nature and Convention.

Nature and Convention Locke begins the *Law of Nature* with the description

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[1] Gierke, 1900: 173.

[2] Leibniz, 1988: Part I; Pufendorf, 1729: Ii:3, Iii:6, IIi:3; Haakonssen, 1996: 41. And how important this theological question was for natural philosophers such as Boyle and Newton, see, Oakley, 1961b; Oakley, 1984: ch.3.

[3] Grotius, 1738: Prolegomena XI, p.xix. See also Ii:10, which reads "NATURAL RIGHT is the Rule and Dictate of Right Reason, shewing the Moral Deformity or Moral Necessity there is in any Act, according to its Suitableness or Unsuitableness to a reasonable Nature, and consequently, that such an Act is either forbid or commanded by GOD, the Author of Nature". This shows that Grotius's theory is not, as usually said, completely free from a religious basis. But this does not mean he commits to voluntarist position. Moral right and wrong are necessarily true as mathematical maxims, and therefore, they are *consequently* enjoined and forbidden by God. (Olivecrona, 1971: 15.) This is characteristically an intellectualist view.

of the marvellous *order* of the world created by God, of which man is a part as a rational being [109].[1] What Locke is searching for in the *Law of Nature* is a norm grounded in nature, the eternal and certain ground of morality. Such a concept of "nature" is the antithesis to the concept of "convention". This dichotomy is as old as political philosophy itself -- it stretches back no less than to the Sophists' distinction of *physis* and *nomos* in the ancient Greece;[2] nature in this sense means something beyond control of men, "some immutable standard or pattern, independent of their choice and capable of carrying conviction".[3] Locke explains this dualism referring to the authority of Aristotle: "A natural rule of justice is one which has the same validity everywhere"[113].[4] Nature, Locke holds, "in its work is everywhere the same and uniform"[139]. The law of nature is a universal and abiding norm independent of the will or utility of mankind.

Against this, Locke argues, some sceptics or conventionalists would raise an objection that we can find nowhere such a law since "most people live as though there were no rational ground in life at all nor any law of such a kind that all men recognize it; on the contrary, on this point men appear to disagree most of all"[113]. This kind of argument is traditional; we can find it even in ancient Greece.[5] Locke responds to this by distinguishing what it is to be given a law from what it is to know a law; even if, he argues, positive laws are given, not all people actually know about it; so too the law of nature, also given to us, is hidden due to many causes such as our negligence to know, evil customs, natural defects, the violence of passions, base instincts etc. It follows that only those who can avoid these obstacles -- those "who are more rational and perceptive than the rest" -- can understand the law of nature [115].

Refutation of natural law by the diversity of moral opinions was not merely a classical

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[1] The numbers in the square blankets in this chapter will be the page references to the *Law of Nature*.

[2] Sigmund, 1971: ch.1.

[3] d'Entrèves, 1970: 16.

[4] Aristotle, 1976: 189-190; Sigmund, 1971: 10.

[5] Strauss, 1953: 90f.

argument. There was a remarkable recovery of scepticism in early modernity, in which moral sceptics "emphasised the variety of human moral and legal beliefs and practices". According to R. Tuck, it is this influence of scepticism on moral theories that constituted a primary theoretical context of modern natural law theories which began from Grotius's: "No medieval writer had had to confront scepticism -- even Ockhamism was not the same kind of challenge to ethical theories as Pyrrhonism was to be in the sixteenth century. ... Merely to restate the scholastic theories ... was thus not sufficient to cope with the sceptical challenge that the Aristotelian virtues were local and not obvious to non-Europeans".[1] Grotius held that the core of the argument of sceptics emerged in the teaching of Carneades, namely,

> Laws ... were instituted by Men for the sake of Interest; and hence it is that they are different, not only in different Countries, according to the Diversity of their Manners, but often in the same Country, according to the Times. As to that which is called NATURAL RIGHT, it is a mere Chimera. Nature prompts all Men, and in general all Animals, to seek their own particular Advantage: So that either there is no Justice at all, or if there is any, it is extreme Folly, because it engages us to procure the Good of others, to our own Prejudice.[2]

Confrontation with moral argument based upon the notion of *self-interest* (ethical egoism) was the primary task of moral philosophers who belonged to this tradition of natural law theories, such as Hobbes and Pufendorf.

In the *Law of Nature* we find Locke quotes the same remark on Carneades by Grotius as quoted above, and there he criticises ethical egoism as the "most harmful opinion", because, he contends, those who assented to Carneades's doctrine "went so far as to proclaim that the yoke of authority should be shaken off, and natural liberty be vindicated, and every right and equity be determined not by an extraneous law but by each person's own self-interest"[205]. Now, we find here a distinctive continuity between the *Two Tracts* and the *Law of Nature*. His attack on ethical egoism was closely related with his pessimistic account of the multitude in the Civil War. According to Carneades, the utility of the people is the

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[1] Tuck, 1983: 43-51; Tuck, 1987: 108f.

[2] Grotius, 1738: Prolegomena V, pp.xiv-xv.

ground of convention, *nomos*. Conventions are therefore not the origin of moral law. A maxim, "The voice of the people is the voice of God [*Vox populi vox Dei*]", is therefore completely false. This false law, Locke contends, produced the chaos in the world, viz."the plunder of divine temples, the obstinacy of insolence and immorality, the violation of laws, and the overthrow of kingdoms"[161]. Without natural law, Locke asserts, there would be no virtue and vice, no reward and punishment, no fault, no guilt, and no law. There would be no limit upon action but the utility of individuals, and man would be the slave of "a blind and lawless impulse". "He would be the completely free and sovereign arbiter of his actions". This situation is utterly miserable and absurd, because men are prone to act against their true happiness. Locke holds that "the nature of good and evil is eternal and certain, and their value cannot be determined either by the public ordinances of men or by any private opinion"[119-121]. His objective is therefore a norm founded on nature, not convention.[1]

It is therefore quite natural that Locke rejects the general consent of men as the origin of natural law.[2] All positive consent is based on a contract, explicit or tacit, that is prompted by the common interests and conveniences of men. Therefore it has no foundation in nature [163]. Neither does Locke regard as the foundation of natural law "natural consent [*consensus naturalis*]", that is, agreement "to which men are led by a certain natural instinct without the intervention of some compact". It is, he holds, believed that there are three kinds of such consent: first, conformity in customs or moral conducts; second, assent in opinions; and third, assent on the first principles by any sane men [165]. The first is the argument based on the behaviour of the people. Against this Locke repeats his pessimistic account of history of men's moral actions which calls to mind the doctrine of original sin [165]. Sociological knowledge of people's behaviour thus does not tell us what is right and lawful. The second

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[1] Dunn, 1985: 39.

[2] "The method of appeal to a general agreement of all people or all nations at all times, a *consensus gentium* ... is made by Hooker and Grotius". Schneewind, 1987: 153 n.25; Hooker, 1975: I:xiii:3 ; Grotius,1738: Ii:12. However, Hooker's argument is Aristotelian, but Grotius's is empirical. Shirley, 1949: 78-79; Munz, 1952: 196-197; Haakonssen, 1985: 249-251. When Pufendorf criticised the appeal to a *consensus gentium*, he referred to Aristotle and Hobbes. Pufendorf, 1729: II:iii:7.

form of consent is mere ideology. The history of people's opinions about virtue and vice does not evince any general agreement among them; virtue for Romans, for example, means force and violence [169]. The third consent is our knowledge about speculative philosophy. Locke again insists that the history of philosophy does not help us at all [173-175].

"Admittedly", Locke writes, "such a general consent might point to a natural law, but it could not prove it; it might make me believe more ardently, but could not make me know with greater certainty, that this opinion is a law of nature". The argument on the general consent is thus a matter of belief, not knowledge [177].

> And truly, knowledge precedes general consent, for otherwise the same thing would at the same time cause and effect, and the consent of all would give rise to the consent of all, a thing which is plainly absurd. [179]

Locke here rejects two theories about the origin of moral knowledge. First is Aristotelian, which regards the observed facts about the natural inclination of mankind as its basis. Second is empiricist, which constructs its argument on *a posteriori* knowledge about people's general behaviour and opinion. Both are for Locke no more than historical conventions.

However, how is the appeal to the concept of nature as a universal and unvarying norm consistent with his voluntarism? That is to say, does nature limit the will of God? This is the question I will address in the next section.

2) GOD AND NATURE

Voluntarism or Intellectualism? Locke defines the law of nature as "*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 very reason commanding or prohibiting"[111]. At the same time he illustrates the

general nature of law as follows: (1) a law is the decree of a superior will; (2) a law articulates what is and what is not to be done; (3) a law is obligatory for inferiors [111-113]. He holds that God and the soul's immortality "must be necessarily presupposed if natural law is to exist". His essential presupposition is thus that "there is no law without a law-maker, and law is to no purpose without punishment"[173].

How is this apparently voluntaristic account of natural law congruous with his inquiry for a norm based upon the eternal and immutable principle of nature? Many scholars have already discussed this question.[1] From the reexamination of this I will expound how Locke constituted his own theocentric thought in line with his notion of natural law, and how this in turn influenced his basic understanding of morality and philosophy.

Among the interpreters of Locke's theory of natural law, R. Singh stresses most definitely the intellectualistic character of Locke's argument. Locke, he insists, "identifies law with reason", since Locke defines reason as "certain definite principle of action from which spring all virtues and whatever is necessary for the proper molding of morals" [111].[2] Locke's objective is "to prove the existence of such universal and immutable principles".[3] According to Singh, Locke's theory is fundamentally traditional; his "position is similar to that of St. Thomas".[4] Von Leyden also alludes to the awkward coexistence of these two traditions of legal theory in the *Law of Nature*, and he explains Locke's position as a shift and incline from voluntarism to intellectualism.[5] He construes the arguments in the *Law of Nature*, which are at least partially voluntaristic, as a "position midway between the two theories", and he emphasises the influence of Culverwel, and the fact that both Locke and Culverwel were under the influence of Calvinist theology as a source of the voluntaristic notion of law.

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[1] Von Leyden, 1956; Von Leyden, 1988: 50f.; Lenz, 1956; Yolton, 1958; Singh, 1961; Oakley and Urdang, 1966; Mabbott, 1972: ch.12; Tully, 1980: 41. See also Lamprecht,1962: 105-108.

[2] Singh, 1961: 111.

[3] Ibid.

[4] Ibid., pp.112-113. But according to Oakley and Urdang, what Singh means here the position of Aquinas is not Aquinas's, but Suarez's. See, Oakley and Urdang, 1966: 68-70.

[5] Von Leyden, 1988: 51.

There are some remarks in the *Law of Nature* which support the interpretations of Singh and von Leyden. The law of nature, Locke writes, "is not a private or positive law created according to circumstances and for an immediate convenience; rather it is a fixed and permanent rule of morals, which reason itself pronounces, and which persists, being a fact so firmly rooted in the soil of human nature. Hence human nature must needs be changed before this law can be either altered or annulled"[199]. There is, Locke asserts, a harmony between natural law and human nature. And reason -- rational nature equipped with all men -- will declare the same moral rule everywhere, anytime, and for ever, so that all men in the world are morally bound by natural law [123]. "In fact", he proceeds to say, "this law does not depend on an unstable and changeable will, but on the eternal order of things". This is because Locke considers as follows:

> certain essential features of things are immutable, and that certain duties arise out of necessity and cannot be other than they are. And this is not because nature or God (as I should say more correctly) could not have created man differently. Rather, the cause is that, since man has been made such as he is, equipped with reason and his other faculties and destined for this mode of life, there necessarily result from his inborn constitution some definite duties for him, which cannot be other than they are. In fact it seems to me to follow just as necessarily from the nature of man that, if he is a man, he is bound to love and worship God and also to fulfil other things appropriate to the rational nature, i.e. to observe the law of nature, as it follows from the nature of a triangle that, if it is a triangle, its three angles are equal to two right angles, although perhaps very many men are so ignorant and so thoughtless that for want of attention they ignore both these truths, which are so manifest and certain that nothing can be plainer. [199-201]

The passage above cited is so important that the plausible interpretation of the whole argument of the *Law of Nature* depends on our account of it. (Let me call it the "Key passage" hereafter.) The argument as a whole is ostensibly intellectualistic. But Locke is so careful as to say "this is not because ... God ... could not have created man differently". This theological proviso is definitely voluntaristic. About this allegedly famous antagonism between God's omnipotence and rational nature, Locke allows elsewhere an eclectic reconciliation [183]. The obligation of natural law, he insists there, is derived "partly from the divine wisdom [*sapientia*] of the law-maker, and partly from the right [*jus*] which the

Creator has over His creation". There is a dualism in the obligation: natural law is binding, because it is the wisdom of God, who is "omniscient and most wise", and whose decree must be reasonable; and because we are bound to obey the authority [*imperium*] of God's will, for "both our being and our work depend on His will, since we have received these from Him".

The obligation of natural law derives from its reasonableness and authority. These two elements are synthesised in the character of God, omnipotent and omniscient. It seems that Locke considers his eclecticism quite unproblematic, and that he regards this question itself, as J. Gough claims,[1] as unreal and rather trivial. Indeed, Locke did not develop any theological argument on this question. He pondered, however, carefully and consistently, this dualism as a problem of natural law, not of theology. But we cannot properly understand his argument until we turn once again to the voluntaristic theory of natural law in the later medieval age.

Absolute Power and Ordained Power

If we squarely follow Gierke's formula, the gist of voluntarism is simple: law is the will of the law-maker. From this simple idea, H. Rommen, a Thomist, derived the conclusion that "the doctrine of William Occam on the natural law, would lead to pure positivism, indeed nihilism".[2] But if we read Ockham's account of natural law, we find his definitions are not far from those of an intellectualist.[3] Therefore, G. Sabine doubts how significant an impact his theology has on his theory of natural law.[4] However, as F. Oakley

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[1] Gough, 1973: 4-5.

[2] Rommen, 1947: 58-59.

[3] Natural law has, Ockham writes, three meanings: (1) "that law which is in conformity with natural reason that in no case fails"; (2) "that law which is observed by those who go on natural equity alone, without any human custom or constitution, and which is natural because it is [not] contrary to the state of nature as it was established and would have to be followed or observed if all men lived in accordance with natural reason or the divine law"; (3) "that which may be deduced by evident reason from the law of nations or from some human deed – unless the contrary is established by the agreement of those to whom the matter pertains – and this can be called 'conditional natural law'." Ockham, *The Dialogue*, in Lerner and Mahdi, 1963: 500-501

[4] Sabine, 1951: 265. The disjunction of Ockham's political and theological arguments is also maintained by McGrade. See McGrade, 1974: 187-206. But this view is criticised in Coleman, 1992: ch.22.

demonstrates, Ockham firmly holds that it is not right reason but will that is the heart of law: the priority of will over reason is definite for Ockham and voluntarists.[1] Then, what is the point of this hierarchy for voluntarists if their theory of natural law does not crucially differ from that of intellectualists? To answer this, Oakley directs our attention to a couple of concepts, the *absolute power* of God [*potentia Dei absoluta*] and the *ordained* or *ordinary power* of God [*potentia Dei ordinata*].[2]

This couple of ideas we can find firstly in the theological arguments in the later medieval age that elucidated God's power and work, and then *mutatis mutandis* in other intellectual spheres at least until 17th century.[3] This distinction was not the monopoly of voluntarists,[4] but it was a most significant intellectual tool used to denote the meaning of God's omnipotence and its relation to His creation; our focus is of course on voluntarists. "The basic argument is", according to H. Oberman, "that what God actually has chosen to do *de potentia ordinata* in creation and recreation --i.e., in the realms of natural philosophy and theology -- he very well could have chosen to decide differently *de potentia absoluta*".[5] God's absolute power refers to "the total possibility initially open to God", while God's ordained power to "the complete and definitive plan of God for his creation" as it is now and appears to us to be.[6] From the former point of view, the unrealised and unintelligible possibility about the world is hypothetically implied; from the latter point of view, the realised part of the world is considered to be the object of our exploration. The relationship between the two is dialectical; they are not utterly incompatible, but carry some tension between them.

Their dialectical relationship explains the diversity of functions they have in various arguments in the history of the ideas. Needless to say, voluntarists emphasise the absolute

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[1] Oakley, 1961a: 66-70.

[2] Ibid.: 71.

[3] Oakley, 1984.

[4] The formulation by Albertus Magnas, Aquinas's teacher, is one of the earliest ones known to us concerning this distinction. Aquinas himself uses it. Ibid.: 48-49.

[5] Oberman, 1987: 450.

[6] Ibid.

power and intellectualists the ordinate power. Voluntarists indeed extended the degree of God's absolute power from His initial work to "a presently active working, like the dispensing power of a monarch, to contravene the laws he has himself established".[1] The ordained power of God, furthermore, can be founded upon its dialectical opposition in that not the natural order of things, but the covenant of God, obliges Him to "follow a stable pattern in dealing with his creation in general and with man in particular", because the "only force, after all, capable of binding omnipotence without thereby denying it is the omnipotent will itself". An outcome of this pattern of thought was "a doctrine of predestination *ante praevisa merita*", an origin of religious mysticism -- although, it must be said, it is compatible with its dialectical companion, "a doctrine of predestination *post praevisa merita*", an origin of the spirit of capitalism.[2] Does this mean that the voluntarists' God is a tyrant whose will is absolute and *therefore* arbitrary? We must here remind ourselves again of the *dialectical* character of the relationship between the two ideas.

> If God is no longer tied to creation by "deterministic" causation but related to it by volition, i.e., by his personal decision, then all metaphysical argument based on necessary causal links -- as is indeed typical of the cosmology of Aristotle and the *via antiqua* of Aquinas -- lose their cogency, if not their credibility. ... it is not God who is arbitrary but rather man in his explanations of problems in natural philosophy, when these are not tested and supported by experience and experiment.[3]

This is a historical result founded in the intellectual sphere of physics, or more properly, natural philosophy. In theology, we find a parallel outcome; "in the realm of theology metaphysics is shown to be sheer speculation when not verifiable in God's self-revelation, which for the later Middle Ages means Scripture and tradition". The net results of this locution in the voluntaristic tradition are outlined as follows:

> If there does not exist a metaphysically necessary ladder along which the first cause has to 'connect with'

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[1] Oakley, 1984: 52.

[2] Ibid.: 61-63.

[3] Oberman, 1987: 451.

the second cause, the laws of nature can no longer be derived from illuminating the physical world from 'above', but from this world itself. The same applies to theology, but vice versa. The truth about God can no longer be derived from 'below': the second causality does not erect a Jacob's ladder which allows us to transcend the natural phenomena by reasoning back to the first cause, God. The reliability of the established order is not in doubt, but its predictability.[1]

We find from the above results that the impact of the idea of God's absolute power is, among other things, methodological; it signals the change of our methodological attitudes toward God's ordained power, his revealed will, that is, nature and revelation. The question at issue, i.e. the inquiry into natural law also suffers from methodological change. It will be shown later that Locke's methodological arguments in the *Law of Nature* (and of the *Essay*) belong to this tradition. I just want to clear up one point at present; that is, there is another dialectical relationship between the ideas of nature and revelation in Locke's argument for the law of nature. The law of nature is God's will revealed through nature; therefore, its contents are derived from illuminating the world from "below", but its authority comes from "above". This vertical dimension of dialectical movement of thought is the essential character of Locke's understanding of natural law.

Thus, we can with the help of the ideas of *potentia absoluta* and *potentia ordinata* -- although Locke does not actually use these terms -- summarise Locke's understanding of the relationship between God and nature in the following way. God is not bound by anything except His own will -- He can do anything; God has revealed His plan in a definitive way -- He willed something. The law of nature is the revealed will of God, discernible to us through the light of nature -- God's ordained power -- and its binding force primarily derives from the right [*jus*][2] which God has over us, because "God has created us out of nothing and, if He please, will reduce us again to nothing: we are, therefore, subject to Him in perfect justice

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[1] Ibid.

[2] Locke defines in the *Law of Nature* "right [*jus*]" and "law [*lex*]" in a characteristically Grotian way: "[natural] law ... ought be distinguished from natural right: for right is grounded in the fact that we have the free use of a thing, whereas law is what enjoins or forbids the doing of a thing" [111]. See,Tuck, 1979: 111, 120, 130. Locke's definition thus shows that the law of nature is the representation of God's natural right. "Our natural law", as I. Shapiro explains, "is God's natural right". Shapiro, 1986: 100f.

and by utmost necessity"[187] -- God's absolute power.

We are now sufficiently informed to understand Locke's theory of the obligation of natural law which he formulated as follows.

> That thing binds 'effectively' which is the prime cause of all obligation, and from which springs the formal cause of obligation, namely the will of a superior. For we are bound to something for the very reason that he, under whose rule we are, wills it. That things binds 'terminatively', or by delimitation, which prescribes the manner and measure of an obligation and of our duty and is nothing other than the declaration of that will, and this declaration by another name we call law. We are indeed bound by Almighty God because He wills, but the declaration of His will delimits the obligation and the ground of our obedience; for we are not bound to anything except what a law-maker in some way has made known and proclaimed as his will. [185-187]

Lenz succinctly summarises Locke's view thus:"God's will is the effective cause of our obligations, while man's nature is their terminate cause". It follows that it does not contradict his voluntarism if Locke derives the law of nature from nature itself. "Man's inherent potentialities are the declaration of God's will, the law of nature itself".[1]

The Reason of Obedience As in the *Two Tracts*, Locke understands obligatory relationship based on law as a relationship between a superior and an inferior. A superior has right and power over an inferior, and the latter has an obligation to the former. This is what Locke considers the basic formal structure of normative relationship. He insists that "no one can oblige or bind us to do anything, unless he has right [*jus*] and power [*potestas*] over us"[181-183]. God has the absolute power and the absolute right: Locke holds that "since God is supreme over everything and has such authority and power [*imperium*] over us as we cannot exercise over ourselves, and since we owe our body, soul, and life -- whatever we are, whatever we have, and even whatever we can be -- to Him and Him alone, it is proper that we should live according to the precept [*praescriptio*] of His will"[187]. It seems that in this argument God's right derives from God's

[1] Lenz, 1956: 106-107.

power; but Locke does not identify power with right in the sense that the one bears the burden of the other. We should turn our attention to the distinction he makes between a subject's obedience to his king and a captive's to a pirate or robber. Both are based on a power relationship, but, Locke insists, the one is also founded on the approval of conscience, but not the other [185]. The fear which stems from the power [*potentia*] is not the reason of the *moral* obligation:

> For we should not obey a king just out of fear, because, being more powerful, he can constrain ... but for *conscience*'s sake, because a king has command [*imperium*] over us by right [*jus*]; that is to say, because the law [*lex*] of nature decrees that princes and a law-maker, or a superior by whatever name you call him, should be obeyed. Hence the binding force of civil law is dependent on natural law [*lex*]; and we are not so much coerced into rendering obedience to the magistrate by the power [*potestas*] of the civil law as bound to obedience by natural right [*jus*].[189]

The passage above quoted represents Locke's political thought in the *Law of Nature*. Its ideological message is the same as the *Two Tracts*'s; the argument Locke presents for its support is no less similar: without the law of nature, Locke proclaims,"the whole body politic, all authority, order, and fellowship among" men would collapse [189]. The law of nature, he insists, "orders obedience to superiors and the keeping of public peace".

> Thus, without this law, the rulers can perhaps by force and with the aid of arms compel the multitude to obedience, but put them under an obligation they cannot. Without natural law the other basis also of human society is overthrown, i.e. the faithful fulfilment of contracts, for it is not to be expected that a man would abide by a compact because he has promised it, when better terms are offered elsewhere, unless the obligation to keep promises was derived from nature, and not from human will.[1] [119]

The law of nature can be interpreted as rational necessity, if we are to keep order among ourselves. But the odd word is "conscience". If the moral obligation is based on conscience -- this is, as the second above quotation suggests, the mark by which we tell a king from a tyrant -- then does this contradict a main theme of the *Two Tracts*, that is, to silence the ideological power of conscience?

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[1] Pufendorf, 1931: I:xii:16.

The target of the *Two Tracts* was the concept of conscience as the immediate inlet of God's voice from which each man can arbitrarily derive the precepts suitable for his own interests. Let me then examine the context in which the Locke of the *Law of Nature* uses the idea of conscience. Locke refers to this idea in his argument about what is "a natural obligation"[181], an obligation based on the law of nature. Locke argues about conscience in conjunction with the idea of punishment. That is, his argument of conscience is a part -- and the crucial part -- of his argument about the moral force, but not the origin, of the natural obligation. The origin is God's right and power. The question is how God's authority influences our conduct. Locke's answer is that not the fear of punishment, but our intellectual faculty, is the binding force.

> Indeed, 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 [*rectus*], puts us under an obligation, and conscience passes judgement on morals, and, if we are guilty of a crime, declares that we deserve punishment. [185]

It follows that we are morally bound not by our own will but by our own understanding. This seems a quite intellectualistic view. But given the distinction between God's absolute and ordained powers, voluntarists may uphold such a view.

Some passages in the *Law of Nature*, however, appear to suggest that Locke is in fact a rationalist who defends the legitimacy of natural law without God's will. Locke admits that "the definite knowledge of a divine revelation has not reached" the "majority of men", and for them only the law of nature is the moral law which orders the peace among them [189]. Locke insists moreover that we can apprehend natural law without the help of the divine revelation: "In fact, all men everywhere are sufficiently prepared by nature to discover God in His works, so long as they are not indifferent to the use of these inborn faculties [senses

and reason] and do not refuse to follow whither nature leads"[155].[1] Nevertheless, Locke's view is different from that of Grotius and Hobbes (who construct the theory of natural law whose validity is independent of God), since his argument is finally dependent on the idea of God, or the rational Deity. Without God, Locke holds, the validity of natural law is void.

Let me turn back again to the "effective" and "terminative" causes. God, whose will is the effective cause of natural law, delimits our obligation through His act of creation, that is, through "nature". In the "Key passage", Locke -- in a truly Platonic way -- compares "the nature of man" to "the nature of a triangle". The natural duty of man originates from "his inborn constitution". He lays it down that since God "has made man such that these duties of his necessarily follow from his very nature, He surely will not alter what has been made and create a new race of men, who would have another law and moral rule, seeing that *natural law stands and falls together with the nature of man as it is at present*"[2] [201]. It is held quite un-Platonicly that nature has a beginning and an end.[3] What is infinite and eternal is, in fact, not nature, but God's wisdom; nature is the posited will of God as it is now -- God's ordained power -- which furthermore represents His perfection. It is not because God *cannot* change the nature of man -- "God", says Locke, "could have created men such that they would be without eyes and not need them" -- rather, it is because He "*will not*" do that the law of nature remains immutable.

It is thus manifest that Locke's argument for the law of nature is founded upon voluntaristic metaphysics. This is an important point, for this metaphysical assumption is so fundamental that we can detect it under Locke's mature writings, especially the *Essay*. "Locke", M. Cranston writes, "offered no all-embracing system to explain the nature of the universe. On the contrary, he tried to show that human understanding is so limited that such

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[1] Locke maintained in his letter to J. Tyrrell in 1690 that natural law was existent and valid before the Bible appeared in this world because it was given by God to mankind, which in his sense "includes all men". *Correspondence*, vol.4, no.1309; Horwitz, Introduction to *Questions*, pp.22-25.

[2] Pufendorf, 1931: I:xiii:14.

[3] *Essay*, IV:x:18.

comprehensive knowledge is beyond man's powers to reach".[1] Cranston is right, but Locke's anti-metaphysical philosophy is nevertheless founded on a metaphysical or religious assumption. The objective of the next section is to display the genesis of Locke's anti-metaphysical thinking from his metaphysical presupposition -- it is the prolegomena to the *Essay*. Our starting point is the "Key passage". The very nature of man, Locke here asserts, obliges man "to love and worship God and also fulfil other things appropriate to the rational nature, i.e. to observe the law of nature". As a rational creature, man is bound to inquire after God's will by exercising his given faculties, because he is designed to do so by God. Thinking, for Locke, is thus *ethical* in the definite sense.

3) THE LIGHT OF NATURE

The Origins of Knowledge

The law of nature, Locke's definition holds, is intelligible through the light of nature. What does he mean then, by the light of nature? There are, he holds, three origins of human understanding in general; tradition, inscription and sense-experience. Firstly, as regards tradition, it goes without saying that Locke, who rejects convention as the origin of natural law, does not regard it as a proper source of the knowledge of natural law. It is, however, understandable that Locke at the same time has no doubt that education, one of many forms of tradition, is a major way of acquiring the knowledge of natural law. To deny that tradition is the origin of our knowledge of nature does not contradict the sociological fact that most young people are taught about virtue by parents and teachers. Although, Locke insists, the knowledge of natural law reaches us mostly through education, it does not mean that this transmission is "a proper and certain way of knowing the law of nature"[129]. To know

[1] Cranston, 1965: 9. See a similar account in Axtell, 1968: 49f.

through tradition is a mere passive activity. It is true that most people are guided by no other rule than the customs or opinions of their society where they happen to be born and educated, but in so far as they remain passive, "they are, after all, guided by belief and approval, not by the law of nature"[129]. Indeed, Locke maintains following the view of sceptics, among the traditional knowledge we can only find many mutually irreconcilable opinions concerning what is right, with no ground to tell what is clearly right from wrong.

The pursuit of natural law is a matter of knowledge, not trust. "For", Locke writes, "each single person has to infer the law of nature from the first principles of nature, not from another person's belief"[177]. Here we find Locke's *individualistic intellectualism.* Every individual in principle is obliged to know the law of nature. Everyone has to start his own fulfilment of natural duty from the beginning of his own volition. It doesn't mean that each individual is in practice radically individuated; he acts as a human who happens to be born into a society and must fulfill his role in the society. But in the level of conscience -- his rational apprehension of what is right -- he is, first of all, responsible for himself as an individual.

The origin of the law of nature, therefore, must be found either in inscription or sense-experience. The appeal to the inner voice, the innate principles, was one of the broadly acknowledged ways to know the will of God in the 17th century. It was an appeal to nature. In England, people like Quakers and Cambridge Platonists drew attention to doctrines like "the Light within". And the innate principles were "proclaimed by almost all of those who were seeking to find a rational basis for knowledge and conduct".[1] What they sought is in a sense similar to what Locke did; both endeavoured to "find a rational basis of knowledge and conduct". Locke however refuses innate knowledge as a proper origin, for, he considers, the appeal to the innate principles hinders us in discerning natural law. Not only can this appeal not explain the fact that there are many people who are ignorant of the law of nature [133],

[1] Gibson, 1960: 29-30; Roberts, 1968: 230-234; Yolton, 1956: ch.2.

but it has the effect of discouraging our efforts for the inquiry. Whether or not the precepts of natural law are innate means, for Locke, "whether, unchangeable as they are and always clear, they are known to us *without any study or deliberate consideration*"[137].

We shall further examine Locke's attack on innatism in the next chapter. I'd like to note here the ethical grounding of his criticism. This might also be termed his individualistic intellectualism. To seek for the knowledge of natural law, Locke argues, is our natural duty. The appeal to the inscription is a negligence of this duty, because, he holds, if we feel some knowledge is inscribed in our heart by God and nature, it is merely because we are ignorant of its true origin and eagerly believe in it. It is our dogmatic acceptance of some principles that makes us believe them to be innate. There seems to be a psychological cause of this blind acceptance. Locke holds that the reason we tend to accept uncritically the innateness of the moral principles is that "if the laws of nature were not what we have hitherto observed, it would be necessary to conclude that thus far we have lived badly and without reason"[143].

The law of nature is hidden from us. Against the question which Locke deems the innatists cannot solve (that although the principles of nature must be the same and clear to anyone anywhere, there are many antagonistic accounts of them among people), he answers "granted that our mental faculties can lead us to the knowledge of this law, nevertheless it does not follow from this that all men necessarily make proper use of these faculties"[133]. "Careful reflection, thought, and attention by the mind", Locke insists, "is needed, in order that by argument and reasoning one may find a way from perceptible and obvious things into their hidden nature"[135]. The light of nature "lies hidden in darkness" such as customs, opinions or the corruption of human mind, and "it seems far more difficult to know what it is than whither it leads", that is, "the height of virtue and felicity"[147]. It is obvious that Locke constructs his argument against innatism through his confrontation with moral scepticism, which holds the diversity of moral opinions and actions among mankind. The plea to the inner principle is, he believes, vulnerable to attack from scepticism. Locke's strategy

is that of voluntarists; if the world *appears* to be arbitrary, i.e. without order, this is not because of the nature of the world (God's ordained will), but because of our failure to grasp its order. If we properly use our own intellectual faculties given to us, we will apprehend at least what God *intends* to tell and proclaim us. Voluntarists hold that our knowledge of nature must be tested and supported by experience and experiment.[1] Locke followed this view.

It is, Locke insists, the proper use of our faculties of reason and sense-experience that enables us to observe the law of nature. These two faculties serve one another; sensation on the one hand supplies reason with the subject matter of argument, and reason on the other hand guides the faculty of sensation, arranges together the images of things derived from sense-perception, forms other images, and composes new ones [147].[2] Reason is not "some moral principles or any propositions laid up in the mind such that, if the actions of our life fitly correspond to them, these are said to be in accordance with right reason", but "the discursive faculty of the mind, which advances from things known to things unknown and argues from one thing to another in a definite and fixed order of propositions". This conception of reason is mathematical in the sense that "mathematics presupposes these objects of its operations together with other general principles and axioms as its data; it does not discover them nor prove them true"[149].[3] This mathematical conception of reason is applicable to moral science. "Every conception", Locke holds, "in the mental, no less than in the physical, sense always arises out of some pre-existing material, and reason proceeds in the same manner in the moral and practical science also and demands to be allowed this material"[151].

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[1] See, p.81, above.

[2] Pufendorf's theory of knowledge is similar. Krieger, 1965: 69-70. On the ideas of the interdependence of reason and sense experience in 17th century England, see, Shapiro, 1983: 22f.

[3] On the difference of the concepts of reason between the *Law of Nature* and the *Essay*, see, Ayers, 1991: vol.II, 187.

Demonstration of Natural Law Without some presupposition reason is utterly impotent. Reason cannot, that is to say, demonstrate the law of nature unless given some moral facts through sensation. What are then such moral facts? Locke mentions the two; "there is a law-maker", and "there is some will on the part of that superior power with respect to the things to be done by us"[151]. How do we know these facts? Are they after all intelligible through sense-perception?

Let us at first follow his argument about how they are derived from sense-experience. His starting point is our perception that "this visible world is constructed with wonderful art and regularity"[151].[1] We perceive, Locke asserts, the order of this world which exists at any present moment. Next, this regularity and beauty of the world prompts us to inquire into its origin, and it is inferred from the perfectness of this world that "there must be a powerful and wise creator of all these things"[153]. After the ontological argument that existence of imperfect beings like us presupposes the existence of more perfect being, Locke concludes that

> above ourselves there exists another more powerful and wiser agent who at his will can bring us into the world, maintain us, and take us away. Hence, having inferred this on the evidence of the senses, reason lays down that there must be some superior to which we are rightly subject, namely God who has a just and inevitable command [*imperium*] over us and at His pleasure can raise us up or throw us down, and make us by the same commanding power happy or miserable. [153-155]

God is thus a law-maker who has the power to which we are unavoidably subject.

The second moral fact is derived from the character of this powerful and wise Deity. Locke infers from here that God "has not created this world for nothing and without purpose"[157]. From this teleological assumption he concludes that the creature man has a function. The end inherent in all things in general and man's inborn constitution in particular, Locke argues, tells us of the design or purpose God has in store for man. The fundamental

[1] Loemker, 1972: 73.

contents of natural law Locke thus derived are strikingly unoriginal; they are the mere paraphrase of Thomistic theory of natural law:

> when [man] in himself finds sense-experience and reason, he feels himself disposed and ready to contemplate God's works and that wisdom and power of His which they display, and thereupon to assign and render praise, honour, and glory most worthy of so great and so beneficent a creator. Further, he feels himself not only to be impelled by life's experience and pressing needs to procure and preserve a life in society with other men, but also to be urged to enter into society by a certain propensity of nature, and to be prepared for the maintenance of society by the gift of speech and through the intercourse of language, in fact as much as he is obliged to preserve himself. [157-159][1]

We have thus far followed Locke's argument uncritically. It is clear that his argument is full of problems, issues which at least *appear to us* to be problematic. He asserts that we start from the fact that this world has a beautiful order. Is it a fact sense-perception tells? It is at least not a data in the terminology of the natural science of our time. It is rather a judgement. Is he an empiricist? His empiricist arguments are naturalistic, since he rejects the argument based on *a posteriori* moral knowledge. But this position bears at least two problems. First, his supposition that sense-perception supplies reason with its material seems philosophically unsound, because our contemporary pragmatist philosophers argue that what we perceive is always theory-laden.[2] Second, his assertion that both physical and moral sciences can be achieved in the same method indicates that he typically commits a naturalistic fallacy deriving "ought" from "is".[3] His whole argument is furthermore based on the assumption which comes from the Christian doctrine of creation. Hence its validity seems, in spite of his search for the universal and eternal law of nature, to be extremely limited.

Locke's Vision of Morality

These problems are not peculiar to the *Law of Nature*. We can find similar ones in his other works. We shall deal with them in the following chapters. But before proceeding to them I would like to draw

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[1] Aquinas,1970: 123.

[2] Quine, 1980: ch.2 ; Hanson, 1958.

[3] Von Leyden, 1956: 11-14.

a brief sketch of Locke's theocentric outlook which has been apparent in our examination of his ideas thus far.

Natural law is the rational will of God. Its content is the design of God who intended and intends something as His revealed will, nature. Man is part of the nature, that is, part of God's design. This relationship between God and man is the fundamental ground of Locke's argument. I'd like to follow J. Tully hereafter in calling this picture of world the "Workmanship model".[1] God is the maker, and man is His workmanship. Locke compares God to a potter, man to pottery [157]. The function of the latter is represented in its form and design, i.e. the actualised or materialised will of the former.[2] But the analogy of making and workmanship is too narrow to intimate fully Locke's view. Man's dependence on God is continuous; not only the creation, but the maintenance, development (perfection), justice, and destruction of man is in God's care and power. The God of Locke is that which Leibniz termed "an incompetent watchmaker" when he mocked Newton's idea of God -- and this is also Boyle's.[3] It is a god who continuously -- but the concept of time is ours, not his who is beyond time -- takes care of his workmanship. It therefore contains the elements of father, legislator, governor and judge as well, and we will find these images employed in Locke's various arguments.

The characteristics of this *Weltanschauung* are: first, it was, as Tully shows, a widely shared view in early modern Europe, especially among natural law theorists; second, it describes normative *facts* about God and His creatures; third, it is teleological; fourth, it enhances our sense of the difference or distance between perfect and imperfect being, i.e. God and man; fifth, it nevertheless denotes the similarity between them -- man is *imago Dei*. The last two points are particularly important, since they pertain to a central issue of Locke's

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[1] Tully, 1980: *passim*, esp. 4, 9-10, 34-43.

[2] The metaphysics of making is profoundly Aristotelian. Aristotle's theory of four causes is, for instance, definitely based on this model.

[3] Oakley, 1984: 92. Leibniz's God is compared by Clarke to "a do-nothing king", who at the creation built the perfect world and has no necessity to do anything on it. There is another idea of God current in the 17th century, the God of pantheism which John Toland held. Newton criticised it as it "renders God dependent on the world". Tully, 1980: 35-36.

moral theory, perfectionism. In the *Two Tracts*, Locke's perfectionism was narrowly and abstractly incarcerated in the inward part of man, an abstract concept of Christian liberty. Locke's theory of natural law demonstrates most apparently his understanding of positive liberty. Confrontation with scepticism prompts Locke to develop his perfectionism. He explains the fact of radical plurality of moral opinions as the outcome of our shortage of effort to discover the true meaning of nature. His distinction between nature and convention sets the target of our moral effort; convention is the obstacle[1] which we are to overcome to know nature. To overcome convention means for him to refute the moral theory based on the concept of self-interest. Moral theory must be constructed on the idea of God who is omniscient and omnipotent. We must, by our own nature, *discover* this idea. Locke's perfectionism is thus fundamentally intellectualistic.

Human understanding is, Locke holds, an obligation of the law of nature. Man is, by his inborn constitution, obliged to exercise his faculty of understanding in a proper way. Thinking is regarded as a kind of ethical activity. As long as an intellectual being is living, he is always, as an individual who is thus designed, under a duty to think. Understanding is therefore an unending responsibility of all mankind. Not only philosophers, but also all other rational creatures are perpetually responsible for this duty. From this perspective, the *Essay* is not a work of purely speculative philosophy, but also a work of practical philosophy. In my interpretation, the alleged dichotomy between analytical and synthetic, and empirical and rational, arguments in the *Essay* may well become irrelevant. Locke became an epistemologist not for the sake of epistemology, but for the fulfilment of his own duty of thinking.

The argument of Locke's on the law of nature is founded on the assumption that there is a rational Deity on which every creature in this world depends for its being. This assumption, I suggest, bears insightful visions about human nature and his condition. Locke's

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[1] Strauss,1953: 91.

vision is twofold: man is a dependent being; but man is at the same an autonomous being. Man is an imperfect creature, and his order in the cosmos of the creatures is below that of angels. However, he is an intellectual being endowed with reason, and in that sense, he is autonomous. He is a rational being, but his rationality is not self-sufficient. Without the help of sensation, that is, without the inquiry into this world, his rationality is incompetent. His rationality is dependent on the reasonableness of the world. Locke is a kind of rationalist, but a very complicated one. It seems that he assumes that there are three authorities on which human being, if he is rational, has to rely in order to live a virtuous life in this world; namely, reason, sense-perception, and the Bible. None of these three is self-sufficient; they are mutually dependent -- this is one of the reasons why Locke's thought is too complicated to categorise according to the conventional classifications such as rationalist, empiricist, deist, utilitarian, Calvinist and so on. This seems to me a kind of balanced, realistic, as well as pious, vision or insight about human condition. This vision gives, I suggest, Locke's various ideas some integrity. This is after all an assumption, but an important one. I would like to call it a liberal assumption, which I shall explore throughout the subsequent chapters.

Chapter 4

Pursuit of Morality I

Was John Locke a systematic thinker? He wrote about many subjects, ranging from epistemology, psychology, linguistics and education, to economics, biblical interpretation, ethics, and politics. His most celebrated and important work is without doubt *An Essay concerning Human Understanding*, and his reputation as a great thinker relies largely on this philosophical essay. It seems, however, that the philosophy presented in the *Essay* is not always the general and methodological ground of Locke's opinions on many subjects. For the students of Locke's moral and political philosophy, the alleged discrepancy between the *Essay* and the *Two Treatises* is a famous and difficult puzzle that effects interpretation of his theory. Some commentators maintain that the two books are utterly inconsistent; others recognise, though in various ways, that there is a certain kind of congruency between them.[1] I belong to the latter, and one of the secondary aims of this thesis is a contribution to this view. The main objective of the following three chapters, however, is not the demonstration of the relationship of the two texts, but rather the delineation of what Locke considers to be ethics -- ethics in the most comprehensive meaning of the word. I would like to make it clear that there is a vision of moral life behind the text of the *Essay*, and that this vision is so deep and fundamental for his thinking that we can assume it to be the governing principle throughout almost all his writings. This doesn't mean, however, that his opinions on various subjects, including politics, are merely philosophical deductions from this vision. It is true that Locke's ethical vision is extremely intellectualistic, but the very nature of his philosophy is ethical, or practical. It is not the methodological and speculative arguments in the *Essay* that

[1] The proponents of the former in general belong to rather older generation, such as, Vaughan, Sabine and Laslett, while recent scholars tends to support the latter position, among which Grant has the strongest assertion. Vaughan, 1925: 163; Sabine,1951: 447-449; Laslett, 1988: 80-86; Tully, 1980: ch.1; Grant, 1987: ch.1.

regulate his thinking upon various matters: I turn to the text of the *Essay,* because the ethical vision that our theme addresses is best expressed here due to its particular intellectualism.

1) THE DESIGN OF ARGUMENT

What is the Essay*?* To begin with, I shall raise a very general and fundamental question, viz. "What kind of book is the *Essay*?" That is to say, how Locke himself recognises his essay, and what he intends to be its primary purpose and design. Though Locke regards it as the most serious work he published, he calls it the product of a diversion [6].[1] He hopes it would be useful for us [9], something which actually supplies us with advantages as well as pleasures in leading a life [I:i:1], but he sometimes admits that we should consult our own experience rather than a book if we are to know important matters, for instance perception, an apparently main topic of the *Essay* [II:ix:2]. The business of the book he describes as "the Improvement of our Knowledge, or Conveniency of Life"[II:xxxii:15]. The nature of its argument is ostensibly speculative, but Locke deems it a practical book. It is not the kind of book which was written down unflaggingly with a specific and determined design; Locke spent about 30 years in preparing, writing and amending his *Essay*: being written with many long intervals of interruption, it contains repetitions and suffers from the lack of systematic treatment and development of ideas [8]. Locke indeed seems to remain shallow in his philosophy, that is, in his failure to penetrate the abyss of the philosophical and metaphysical truth: he calls himself an "Under-labourer"[10], compared to the geniuses of his century, such as Boyle, Sydenham, Huygenius and Newton.[2]

True, Locke's philosophy is moderate; but its seeming superficiality and lightness are

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[1] The numbers in brackets in this and the next two chapters signify the numbers of the book, chapter and section of the *Essay,* except when I refer to its page number.

[2] *Essay,* IV:xvii:7.

deceptive. He in fact has a sense of wonder, which all great and profound thinkers must share. He is an Augustinian, saying "The matter of Fact is Clear, I confess; but when we would a little nearer look into it, and consider how it is done, there, I think, we are at a loss"[II:xxiii:25]. He takes it seriously that there is always something beyond our understanding, and tries his best to be forthright in confessing what is certainly beyond his understanding, and must be beyond ours. The sense of wonder attends upon a religious attitude to what is mysterious but important. It is, Locke considers, a matter of moral sincerity for us to be -- or be satisfied to be -- silent of what we are not able to talk about clearly. He searched for the limit of our understanding and the proper objects suitable for it, and examined what we can and should do within the limit: his purpose is "to enquire into the Original, Certainty, and Extent of human Knowledge; together, with the Grounds and Degrees of Belief, Opinion, and Assent", i.e. "to consider the discerning Faculties of a Man, as they are employ'd about the Objects, which they have to do with"[I:i:2]. This enquiry is buttressed by his religious conviction that the main and chief end of, and the proper business of, our understanding, is "The knowledge and veneration" of "the Sovereign Disposer of all Things", God [II:vii:6]. The *Essay* is, moreover, for Locke "some Service to Truth, Peace, and Learning"[III:v:16].[1] The true examination of human understanding, Locke holds, must be practical, i.e. useful for our end of life in this world. He hence considers that the pleasure and advantage that the *Essay* would supply us is consistent with our religious service to God. Indeed, what the *Essay* shows is how the pleasures and advantages we pursue and attain in this world, and our religious duties, are, or should be, intimately related.

A few reports concerning the occasion that induced Locke to embark on the *Essay* throw a light on this relationship. He writes about the episode as follows:

> 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 rose on every side. After we had a while puzzled

[1] "Of Study", in *Educational Writings*, p.406.

> 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 [7].

What is then the "subject very remote from" that of the *Essay*? According to James Tyrrell, one of these friends, it was concerning the "principles of morality and revealed religion".[1] This certainly accords with the fact that in his early writings Locke's topics were always revolving around these principles. It is true that there are some apparent incongruities between his early writings and the *Essay*, but we can and should better understand them as the developments of his thinking on a continuous theme. It can be said, therefore, that the *Essay*, though full of other important subjects such as epistemology, psychology, linguistics and the ground of natural science, is primarily a book written for the intellectual solution of some difficult and serious questions concerning moral and religious issues. The *Essay* is a book of moral philosophy;[2] this is a fundamental interpretation of this thesis.

Moral philosophy is in general, with the notable exception of Kantian deontology, a science and pursuit of good life, i.e. happiness.[3] The purpose of moral life is happiness, and the differences among various moral enquiries come from the different opinions that people consider its definition [I:iii:6]. Locke regards happiness as that "which we all aim at in all our actions"[II:xxi:36], and maintains that the ultimate moral motivation for our actions is "the infinite eternal Joys of Heaven"[II:xxi:38].[4] God, Locke insists, has "by an inseparable connexion, joined Virtue and publick Happiness together" and the law of nature is "the Will and Law of God"[I:iii:6].

Continuities of Argument If my interpretative presupposition is correct, the *Essay*

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[1] Fraser edition, p.9n.

[2] This interpretation is not uncontroversial, but far from original. Yolton, 1956; Ashcraft, 1969: 198; Lamprecht, 1927; Harris, 1994: 3

[3] "Morality", p.26. See, *Some Thoughts*, §143.

[4] *Essay*, IV:xxi:1, 3.

is a theoretical offspring of the *Law of Nature*.[1] This account is warranted by the fact that after reading the *Essay*, Locke's friends requested him to write a treatise on morality or the law of nature, as a natural and theoretical consequence of the book.[2] Scholars of Locke's contemporary and following generations, moreover, actually regarded the *Essay* as a contribution to the tradition of the natural law theories.[3] However, we can find in it very little argument which directly treats of the law of nature, and Locke refused against his friends' request to write down a treatise concerning it. The issue of the law of nature is, indeed, a very paradoxical one for the students of Locke's moral and political thought, since though it is certainly an important and indispensable ingredient of his argument, he did never explicitly deal with it in his major works, especially in the *Two Treatises* and the *Essay*. His strange silence on this topic, however, does not indicate that he had become sceptical of the existence or relevance of the law of nature in the end: it is, rather, a natural consequence of the development of his reflection on the issue. In order to show this, I would first like to expose and examine the continuities of argument between the *Law of Nature* and the *Essay*. A most apparent continuity is Locke's famous attack on the theory of innate ideas in the Book One of the *Essay*, which also contains his Introduction to the *Essay* as a whole. I shall therefore in this chapter turn in the main to the Book One and expose the general design of argument in the *Essay*.

The Introduction to the *Essay* starts with an Aristotelian theme: a teleological description of man as a species among the rank of creatures. Understanding, Locke asserts, puts man "above the rest of sensible Beings, and gives him the Advantage and Dominion, which he has over them"[I:i:1]. This outlook is closely associated with his theological opinion of "the bountiful author of our Beings", from which all our duties ultimately come. Locke says,

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[1] About the material continuities between the two books, see von Leyden, 1988: 78.

[2] *Correspondence*, vol. IV, no.1301, 1307, 1312, 1522 (by Tyrrell), 1530,1579, 1609, 1685(by Molyneux).

[3] Tully, 1980: ch.1; Barbeyrac, 1729.

> Men have Reason to be well satisfied with what God hath thought fit for them, since he has given them ... Whatsoever is necessary for the Conveniences of Life, and Information of Virtue; and has put within the reach of their Discovery the comfortable Provision for this Life and the Way that leads to a better. How short soever their Knowledge may come of an universal, or perfect Comprehension of whatsoever is, it yet secures their great Concernments, that they have Light enough to lead them to the Knowledge of their Maker, and the sight of their own Duties.[I:i:5]

The above passage is congruent with what we examined in the last chapter as the "Workmanship-model". Locke's teleology is here important, because it is a theoretical backdrop which both he and his opponents, viz. the proponents of innatism, actually share amid their controversy. Indeed, any controversy would be impossible unless there were some common issues that make the opinions of both sides commensurable. Such an issue for Locke in Book One is the concept of omnipotent and omniscient God who is benevolent enough to supply us with sufficient means for our own happiness. God, Locke and his opponents assume, must implant in us the inner light that illuminates the means and ends of our life [I:xx:10, 25].[1] Locke's purpose in this Book is to vindicate this theological assumption with the certain and sure method or ground; this purpose is also congruent with another significant issue for natural law theories, i.e. the refutation of scepticism, because, he supposes, if we fail to demonstrate that there is the light of nature within us, we will "continue and increase [our] Doubts, and ... confirm them at last in perfect Scepticism"[I:i:7]. Innatists are seriously wrong, since, according to Locke, they supply us wrongful explanations for this light, and thus lead us astray.

Ethics and Method I interpreted in the last chapter Locke's attack on innatism in the *Law of Nature* as primarily an ethical critique. This is also true of the critiques in the *Essay*. Locke's arguments in Book One, however, become more methodologically subtle, and as his own self-recognition as an under-labourer indicates, negatively correspond his methodological presuppositions which he positively presents in the

[1] See, for example, the critique on Locke's *Essay* by his opponent, William King, included in *Correspondence*, vol. IV, no.1544.

following Books. His primary target in this sense is an Aristotelian-Scholastic methodology which was institutionalised in the universities in the 17th century. It is a logical theory according to which we can acquire knowledge only through the deduction from the "general Maxims" which are self-evidently true. Examples of such maxims are those to which all mankind, it is said, give a universal assent, like "Whatsoever is, is", and "'Tis impossible for the same thing to be, and not to be", which are the very examples Locke utilises when he demonstrates that there is no speculative principle inscribed in our mind.

The argument of innate speculative principles seems to be that of ontology, i.e. of the question whether they *are* in the mind at all. Locke however does not present his argument as an ontological one. He by no means doubts that there are such principles as are self-evidently true and that we can and do have the knowledge of them if we are sufficiently rational; his question is whether, if we have the knowledge of them, these principles are imprinted or acquired. His argument is therefore methodological, and his methodological concern is to show the right way by which we obtain true and useful knowledge: the way which is empirically right and is logically consistent with the idea of God's benevolence. What is undoubtedly presupposed both by Locke and his enemies is that, whether imprinted or acquired, truth is what God gives us. Locke's methodological concern is hence theological at the same time: the methodological debate around innatism is a religious dispute, the premier reason why Locke's denial of innate principles provoked fervent controversies.[1] The contest of methodology is that of religious life. What makes Locke reject innatism is that the theory that the truth man ever comes to know should be innate is "a very improper way of speaking; which whilst it pretends to assert the contrary, says nothing different from those, who deny innate Principles"[I:ii:5].

Innatism is first of all factually wrong, because there are in fact many people who do

[1] Locke's attack on innatism indeed seems to conflict a well established doctrine in Christian ethics, namely, the principle of inner law which Saint Paul refers in Romans 2.14-15. Schneewind,1994: 201; Oakley,1964: 167-168; *Reasonableness*, pp.12-13.

not know those principles which innatists take to be the maxims, such as children and idiots, and "to imprint any thing on the Mind without the Mind's perceiving it, seems to me [i.e. Locke] hardly intelligible". One of Locke's basic theoretical presuppositions in the *Essay* is the proposition that "No Proposition can be said to be in the Mind, which it never yet knew, which it was never yet conscious of"[I:ii:5]. Locke's factual argument against innatism, therefore, is already based upon his positive theory of understanding which he demonstrates in the later Books of his *Essay*. A counter argument against his criticism, viz. the one that "all Men know and assent to [the general maxims], when they come to the use of Reason, and this is enough to prove them innate"[I:ii:6], we must examine with a view to Locke's methodological concern. This modified innatism, he insists, is synonymous with the belief that the innate truth is an *acquired* knowledge. We, according to this theory, acquire the true knowledge with the mediation of our faculty of reasoning. Locke certainly agrees with them that truth will be discovered, but what is problematic, he holds, is their alleged way or logic of discovery.

2) MORALITY AND METHOD

Two Methods Contested

I have so far examined Locke's attack upon innatism with no special regard to a historical question, namely, whom did Locke actually consider to be his opponents? Although this is certainly an important question for proper understanding of his critique, I will not deal with it here because the central point of my thesis is a theoretical articulation of Locke's own ethical vision. I will rather reconstruct his argument as an ideal type into the contest between two antagonistically different methods, in order to disclose the essential structure of his argument. The two theories I will call Methodological-Inductive Nominalism (I will use hereafter the

abridgement, MIN) on the one hand, and Methodological-Deductive Realism (MDR) on the other hand; it is the former that Locke embraces.

MDR is a Scholastically modified Aristotelian theory of understanding, which holds that we acquire all knowledge by the syllogistical deduction from general maxims which are self-evidently true and are imprinted in our mind;[1] these maxims are the true foundations of *all* our knowledge, since they are innate (inherently true); they are innate because, according to this theory, we cannot help assenting to their truth whenever we come to know them. MDR is not only the primary target of Book One; Locke's constructive arguments, especially those in Book Four, are also the critiques of this theory of understanding. The chapter on "Reason" in Book Four, for instance, is in fact the criticism of syllogistical reasoning, and that of the "Maxims" is similarly a critique of MDR. Of course, Locke's critique of MDR in Book One revolves around the very question of the innateness of principles, but we should bear in mind his more thoroughgoing criticism against it if we are to understand his particular attack.

The proper understanding of the contest between MDR and MIN requires us to examine again what is common between them. Two issues are particularly important here. First, both theories assume that there are general maxims whose validity is self-evident; the difference between MDR and MIN is their opinions on what makes them self-evidently true [I:ii:21]. Second, though MIN denies the innate principles, it does not deny that man has the innate faculties of understanding necessary for the discovery of the maxims.[2] The debate between MDR and MIN is, therefore, the contest between two interpretations on these shared issues; Locke considers that the latter is superior to the former, simply because it is a better explanation consistent with the ethical vision that both sides of the contest embrace.

Locke's nominalism in Book One is apparent if we examine his conception of "reason" and "words". He firstly holds that reason is "nothing else, but the Faculty of deducing

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[1] Needless to say, Aristotle's own method in morality is not deductive, but dialectical. See, Aristotle, 1976: 64-65, 227.

[2] Burnet, 1989: 64-65.

unknown Truth from Principles or Propositions, that are already known", and therefore is not the means to discover some yet unknown truth [I:ii:9]. Secondly, about words, he candidly writes, "For Words being but empty sounds, any farther than they are signs of our Ideas, we cannot but assent to [the general maxims], as they correspond to those Ideas we have, but no farther than that"[I:ii:23]. His nominalism is however more explicitly articulated in his comparison between general and particular propositions: the general and abstract ideas (the general maxims), he insists, are "more strangers to our first Apprehensions, than those of more particular self-evident Propositions" [I:ii:20]. He thus summarises his position as follows:

> The Senses at first let in particular Ideas, and furnish the yet empty Cabinet: And the Mind by degrees growing familiar with some of them, they are lodged in the Memory, and Names got to them. Afterwards the Mind proceeding farther, abstracts them, and by Degrees learns the use of general Names. In this manner the Mind comes to be furnish'd with Ideas and Language, the Materials about which to exercise its discursive Faculty: And the use of Reason becomes daily more visible, as these Materials, that give it Employment, increase. ... [and] the having of general Ideas, and the use of general Words and Reason usually grow together [I:ii:15. Cf. IV:xii:3].

Compared to this theory (MIN), Locke argues, the disadvantages of MDR are obvious. To begin with, while MDR has serious difficulties in explaining why there are many people ignorant of the general maxims, MIN has no such difficulties. According to MIN, they are ignorant merely because they have not learned the maxims yet; they, not God, are therefore *responsible* for their own ignorance. Next, MDR cannot make substantial distinction between the innateness of trivial propositions, such as "white is not black", and that of the general maxims [I:ii:18]. MIN on the other hand can explain the difference as the induction of the latter from the former. Finally, as a theory of education, MIN is superior to MDR. If MDR is true, it would be those who are least corrupted by customs or borrowed opinions (like children, idiots, savages and illiterates) who best know them. The fact is contrary; it is through learning that we acquire the knowledge of them. MDR is, furthermore, wrong because it regards syllogistic reasoning as the proper way to discover the true

knowledge. The general maxims are, Locke says, "the Language and Business of the Schools, and Academies of learned Nations, accustomed to that sort of Conversation, or Learning, where Disputes are frequent: These Maxims being suited to artificial Argumentation, and useful for Conviction; but not much conducing to the discovery of Truth, or advancement of Knowledge"[I:ii:27].

Locke thus holds the deficiency of MDR to be its uselessness. It neither helps us to discover the truth nor to advance our knowledge. The reason of this inefficiency arises from the structure of its theory; its structure is closed, or self-referential, as far as Locke understands it. The argument of MDR, he insists, stands thus: "The Principles which all mankind allow for true, are innate; those that Men of right Reason admit, are the Principles allowed by all mankind; we and those of our mind, are Men of reason; therefore we agreeing, our Principles are innate: which is a very pretty way of arguing and a short cut to *Infallibility*"[I:iii:20]. This infallibility is based upon the rigid but vacuous ground: the innate principles are infallibly true because it is a principle that *principles ought not to be questioned.* Each individual is as it were a closed cosmos into which the voice of God pours only through the innate principles, which reason discovers. What is crucially wrong with this view, Locke considers, is the idea that reason, especially the syllogistic reasoning, is the faculty of discovery. Reason helps us only to articulate what we have already known in a clearer way. What we acquire through reasoning, therefore, is nothing but the restatement of the knowledge that we already possess. What really makes the innatists believe that their principles are innate is not reason, but the fact that they agree among themselves that they are self-evident. Yet this exposes the absurd circularity of their argument: they consent that the principles are true because they are innate, but they consider them to be innate because at least all of them or all who are supposed to be rational agree on their self-evidence. As Locke puts it, "the consent of all would give rise to the consent of all".[1] Where then does true

[1] *Law of Nature*, pp.177-179. See also p.165f., on general consent.

knowledge come from? Where is the exit of this closed system? Those who cannot answer this question, Locke insists, consider that the knowledge be imprinted.

Innate Practical Principles When it comes to the question of the practical principles, i.e. the moral problems, the disadvantage of the closed structure of MDR becomes further decisive. It is, firstly, methodologically wrong; secondly, politically problematic; and thirdly, ethically improper. The methodological inappropriateness of MDR we have already examined. It is far more inappropriate for the theory of moral principles for in the history of mankind there are no moral rules which all men recognise as self-evident: no practical principle gains the universal assent of all mankind. There is, that is to say, no practical general maxim.[1] Locke repeats the claim of moral sceptics: the fact of radical relativity in men's moral opinions and practices [I:iii:9, 10]. MDR cannot explain this fact: "it is impossible to conceive", says Locke, "that a whole Nation of Men should all publickly reject and renounce, what every one of them, certainly and infallibly, knew to be a Law", and "Whatever practical Principle is innate, cannot but be known to every one, to be just and good"[I:iii:11].[2] It follows that MDR after all advocates the argument of its enemy, the moral sceptics, by failing to demonstrate that there are moral principles: if, as innatists insist, moral principles must be innate, there are no such principles because there is in fact no innate principle.

MDR, secondly, is politically problematic. It would produce serious political instability, or at worst anarchy. Though MDR pretends itself to be a rational argument, it can easily turn into an unyielding dogmatism. MDR is a theory of a closed system; it too easily regards itself as infallible. But, as a matter of fact, there is a variety of opinions about what

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[1] Therefore, we can understand Locke's argument as a critique of ethical intuitionism. Colman, 1983: 59. His point is that every moral argument should be supported by evidence or proof because there is no moral proposition which is *prima facie* true. (See, for example, his criticism of Filmer in *Two Treatises* I:11).We can regard in this point Locke as a predecessor of Utilitarians like Bentham and J. S. Mill. Bentham, 1982: ch. 2, esp. 28; Mill, 1993: 4-5. On Pufendorf's critique of intuitionism, see, Schneewind, 1987: 131f.

[2] *Law of Nature*, pp.167f.

are moral principles. If each opinion asserts its own infallibility, and if each is a closed system, how can we judge which is the right one? "'Tis easy to foresee", Locke writes, "that if different Men of different Sects should go about to give us a List of those innate practical Principles, they would set down only such as suited their distinct Hypotheses, and were fit to support the Doctrines of their particular Schools or Churches"[I:iii:14]. This is also a way to scepticism, since if there is no rational way to arbitrate among different moral opinions, it means that there is no rational rule of morality. The problem of MDR is however more serious considering that the unsolvable conflict about moral, and especially religious, opinions can bring about political fanaticism.

Enthusiasm, for instance, is a natural consequence of MDR.[1] Those who commit themselves to odd opinions and extravagant actions under the spell of an enthusiasm consider that "they see the Light infused into their Understanding, and cannot be mistaken; 'tis clear and visible there; like the Light of bright Sunshine, shews it self, and need no other Proof, but its own Evidence: they feel the Hand of GOD moving them within, and the impulses of the Spirit, and cannot be mistaken in what they feel"[IV:xix:8]. Their infallibility is based upon its self-referential structure: "they are sure, because they are sure: and their Perswasions are right, only because they are strong in them"[IV:xix:9]. It is true that through revelation God can give us moral principles, but we still need the means to tell the true revelation from the false one. "If Reason", Locke holds, "must not examine their Truth by something *extrinsical* to the Perswasions themselves; Inspirations and Delusions, Truth and Falsehood will have the same Measure, and will not be possible to be distinguished"[IV:xix:14]. Locke insists that God speak to us through either nature or revelation, i.e. experience or the Scripture, with the aid of reason; what is important here is that these extrinsic standards are common to all men [IV:xix:16]. Enthusiasm rejects these common grounds, and thus is quite likely to invalidate the possibility of reasonable argument among different opinions.[2] Where we cannot appeal

[1] Locke's note in Burnet, 1989: 65; von Leyden, 1988: 79.

[2] Lamprecht, 1927: 43-46

to reasonable argument, there can be no politics -- this is a state of nature in the Hobbesian sense, and only violence can terminate conflicts. This certainly Locke does fear.[1]

Thirdly, MDR implies ethically harmful effects. We had already examined a similar argument in the previous chapter: in the *Law of Nature*, Locke criticised the innatists that the appeal to the innate principles in fact disinclines us to pursue our intellectual duty.[2] In the *Essay*, Locke reasserts this point more fluently as follows:

> When Men have found some general Propositions that could not be doubted of, as soon as understood, it was, I know, a short and easy way to conclude them innate. This being once received, it eased the lazy from the pains of search, and stopp'd the enquiry of the doubtful, concerning all that was once stiled innate: And it was of no small advantage to those who affected to be Masters and Teachers, to make this the Principle of Principles, That Principles must not be questioned: For having once established this Tenet, That there are innate Principles, it put their Followers upon a necessity of receiving some Doctrines as such; which was to take them off from the use of their own Reason and Judgement, and put them upon believing and taking them upon trust, without farther examination: In which posture of blind Credulity, they might be more easily governed by, and made useful to some sort of Men, who had the skill and office to principle and guide them. [I:iv:24]

Locke supplements this idea with sociological and psychological explanations. It is, he insists, precisely because we forget that, and cannot remember when, we learned the principles (of which we are now far from doubtful) that we conclude they are the impressions imprinted upon our mind by God and nature. This false conclusion is enhanced by "the Nature of Mankind, and the Constitution of Human Affairs: Wherein most Men cannot live, without employing their time in the daily Labours of their Callings; nor be at quiet in their Minds, without some Foundation or Principles to rest their Thoughts on". Most people cannot live without the trust upon custom which Locke considers is "a greater power than Nature". Custom is, as it were, a constellation of practical principles on which most people blindly rely in their everyday affairs. If one of them puts such principles into question, it must be a quite difficult task, because it is to resist the power of custom, and because it is to expose his and his fellows' folly that they have "been a long time wholly in mistake and error". "And he",

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[1] Journal 1682, Sund. Feb. 19, in *Early Draft*, pp.119-121.

[2] See above, pp.88-9.

Locke proclaims, "will be much more afraid to question those Principles, when he shall think them, as most Men do, the Standards set up by God in his Mind, to be the Rule and Touchstone of all other Opinions"[I:iii:22-25, II:xxviii:12].

The deteriorating effect of this innatism Locke describes as the worship of the Idols.[1] This blasphemous image well explains that in Locke's theory our religious duty and the improvement of our life through scientific pursuit are closely interconnected. The search for the truth means for Locke the worship of God:

> Whoever shall receive any of [some borrowed Principles] into his Mind, and entertain them there, with the reverence usually paid to Principles, never venturing to examine them; but accustoming himself to believe them, because they are to be believed, may take up from his Education, and the fashions of his Country, any absurdity for innate Principles; and by long poring on the same Objects, so dim his sight, as to take Monsters lodged in his own brain, for the Images of the Deity, and the Workmanship of his Hands. [I:iii:26]

The result of this blasphemy is not only the deviation from the true knowledge, but the irresolvable battle among different principles each of which confidently asserts its own innateness and self-evidence only because they are firmly believed [I:iii:27].

Method for Modern Society

As we have already examined, the fundamental theoretical defect of MDR is that its theoretical structure is circular: it is a closed system. The educational outcome of this closed system is the fortification of its own belief system; it is, so to speak, conveyance of a belief, not knowledge, from teachers to learners. It is true that MDR, even in its crudest form, has some merits as an educational theory. MDR is, needless to say, advantageous in conserving tradition or custom. In a society where certain beliefs or knowledge, whether scientific or moral, are shared widely in common by people, viz. in a stable, or literally closed, society,

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[1] On the comparison between Locke's theory and Bacon's doctrine of the idols, see, Wood, 1983 : 97-101. Although Wood quotes the passage in the *Essay* which actually contains the word "the Idols", Locke's use of this word does not seem to imply Bacon's doctrine in particular. However, I agree with Wood that Locke's sociological and psychological explanations why we are prone to worship the idols is, like Bacon's doctrine of the idols, a predecessor of the sociology of knowledge.

MDR is an operative theory, because MDR enhances the absorption of, and the consummate articulation of, a systematic belief or knowledge. Furthermore, a closed society generally requires its members to assimilate the minute system of beliefs and knowledge that sustains the society. The extraordinary advancement and subtlety of logical theories in the later medieval age, for example the scholastic philosophy of Duns Scotus, are illustrious examples. Although MDR can degenerate into dogmatism, and thus cause irresolvable sectarian conflicts, in the context of an already stable society, it is more likely to contribute to stabilising moral and social norms.

The advantage (and disadvantage) of MDR is, in any case, dependent on the context. MDR does not adapt itself to a society like 17th century England, or, I dare say, modern society, whose characteristic we can depict by such words as, novelty, change, progress, conflict and so on.[1] There are at least three forms of the ill adaptation.

(1) A first problem is the one we have already examined: that MDR is helpless or destructive before the fanatical religious controversy which was a decisively vital issue of morality and politics in early modern Europe. Indeed, although I described MDR as a Scholastic and Aristotelian theory of understanding, yet as far as moral principles are concerned, MDR has quite a similar structure to Calvinism[2] which many Europeans, Englishmen in the later 17th century among others, regard as the cause of the religious upheaval. An educational problem of MDR is, Locke insists, the ossification of the learning process; that is to say, an imposition on learners of the uncritical or dogmatic obedience to taught principles. According to MDR, moral principles should be taught as self-evidently true, and therefore the first principle learners must follow is an unquestioning obedience to the principles. Education is a discipline. Calvinism as an ideology is such a religion of

[1] The explanatory comparison I make between a closed society and a modern one is somewhat similar to Tönnies's well-known ideal typology of society, *Gemeinshaft* (community) and *Gesellschaft* (association). Tönnies,1955: esp. 37-41.

[2] Locke's account of innatism can include Calvinism. *Law of Nature*, p.139n.

discipline and edification.[1] It is an overwhelmingly practical theology, or "a theology anti-theological" in that for Calvin speculation on theological questions "was sinful self-indulgence".[2] Calvinism is an extreme voluntarism, insisting that God's will is the "highest and first cause of all things".[3] The laws of nature were transformed into the positive laws of God, viz. the Ten Commandments, by Calvinists. Moral laws are now "a series of positive decrees". The business of Christians is merely obedience to the divine positive laws, not a deliberation upon nature. As for politics, speculation is insignificant; what matters most is the recognition of authority or an order of repression.[4] Calvin accordingly regards his church as "a coercive institution designed to bring men into the 'obedience of the Gospel', which is to say: not to open them for grace, but to expose them to command". For him, ecclesiastical politics is everything, because in practice, "all the church's members did not respond willingly to the new discipline: there were many who had to be watched, investigated, chastised and, if they remained recalcitrant after many warnings, finally excommunicated".[5]

Calvin is thus a father of ideological politics. It is true that Locke is a Calvinist, but Locke strongly disagrees with Calvin's extreme voluntarism. Logically speaking, Calvinism is based upon a vacuous proposition. P. Feyerabend succinctly demonstrates this puzzle in the following way. Calvin (and Luther) declares Holy Scripture to be the foundation of all religion. But we are also urged to put aside, and never to use what cannot be justified by this rule. This position (the Protestant rule of faith) is logically vacuous, because: "(a) The rule does not provide any means of *identifying* scripture. ... We are told what the basis of the right faith ought to be; but we do not receive any indication as to how we can find this basis among the many books and tales in existence. (b) Given scripture we do not know how to *interpret* it (no version of scripture contains a grammar and a dictionary of the language in

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[1] Calvin, n.d.: IV:xi, xii.

[2] Walzer, 1966: 24.

[3] Calvin, n.d.: I: xvi:8, Walzer, 1966: 35.

[4] Ibid: 41-42.

[5] Ibid.: 51-54.

which it is written ...). (c) Given scripture and a certain reading of it we have no means of *deriving consequences* (no version of scripture contains a logic or a more general system for the production of statements on the basis of other statements)". Therefore, Calvinism must be practically impotent.[1]

Calvinism, however, is a notoriously practical doctrine. It follows that Calvinists have introduced other rules of interpretation implicitly into their religious practice. One rule is what Locke attributes to MDR, i.e. "principles must not be questioned". I would like to quote here again Feyerabend's useful description of Calvinism:

> [The rule that proposes Holy Scripture to be the only foundation of religion] is introduced, and taught, in a community (such as the community of Calvinists in Geneva in the sixteenth century) which *is already committed to* a certain doctrine. Children are educated by Calvinist parents, in Calvinist schools where religious instruction plays a fundamental role and pervades all subjects; they are encouraged when they say the 'right things', punished when they 'do wrong'. From their most tender years they are part of a life all aspects of which are guided by religious considerations. The language they learn is permeated with religious sentiment and is structured accordingly. Bible passages ring in their ears, for they are read and pronounced on every and any occasion. The knowledge of the bible is constantly tested, by examinations at school, in conversations with others; and mistakes, i.e. deviations from the accepted point of view, from the 'party line' are corrected at once. Having been prepared in this fashion they will of course interpret 'scripture', i.e. the books used in the community, as everyone else does and they will not at all be aware of the logical gap that separates this common faith from the 'word of God' as defined by the rule. The believers will simply perceive in the lines of scripture the very same god they have been taught to revere.[2]

Calvinism is based upon the presupposition that moral principles are self-evident. "Scripture", says Calvin, "exhibits fully as clear evidence of its own truth as white and black things do of their color, or sweet and bitter do of their taste".[3] The authority of Scripture he finds in "the fact that God in person speaks in it". He insists that "as God alone is a fit witness of himself in his Word, so also the Word will not find acceptance in men's hearts before it is sealed by the inward testimony of the Spirit". He thus concludes that "those whom the Holy Spirit has inwardly taught truly rest upon Scripture, and that Scripture indeed is self-authenticated;

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[1] Feyerabend, 1981: 35-37.

[2] Ibid.: 38-39.

[3] Calvin, n.d.: I, vii, 2.

hence, *it is not to right to subject it to proof and reasoning*".[1]

The critique of this kind of voluntarism is an imperative task in 17th century England. As G. Cragg shows,[2] the latter half of that century saw the development of *rational* religion, from the wane of Calvinism through Cambridge Platonism and Latitudinarianism to the wax of Deism. Political solution -- the question of toleration -- was no doubt a continuous topic in this movement; yet the problem of truth, especially the relationship between religion and reason, was also a dominant concern. The place of reason as a critical faculty in religion was particularly important for this intellectual movement, because reason was a decisive weapon to attack the argument of *infallibility* which is true of both Catholicism and Calvinism.[3] The plea for reason, however, required delicate arguments since religious opinions of this age were still partly Calvinistic -- or, more simply, people were after all Protestant -- and therefore care had to be taken regarding the danger of being called Socinian. Locke was an important part of this movement; we can understand his critique of innatism, or MDR, and his presentation of MIN, as an alternative in this context.

(2) A second defect of MDR is purely scientific.[4] A historical example of MDR was Aristotelian Scholasticism of the 17th century. One of the essential elements of this school is the Aristotelian theory of *scientia.* "For a long time", according to Woolhouse, "that theory in effect *defined* what 'knowledge' is. Scientific knowledge according to this theory is of 'that which is necessary [and] cannot be otherwise'.[5] It is to be contrasted with 'opinion' which is of contingencies which may or may not be, or which may be otherwise".[6] It is held that the nature of man which Aristotle defined as rationality primarily consists in the acquisition of *scientia.* The warranty of necessity and certainty for the *scientia* then resides in the

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[1] Ibid.: I, vii, 4-5.

[2] Cragg, 1950.

[3] Popkin, 1979: ch.IV; *Leviathan,* xliii, pp.400-401; Sommerville, 1992: 108-109.

[4] And scientific problem was intimately related to religious problem. Cragg, 1950: ch. V.

[5] Aristotle, *Posterior Analytics*, 88b32.

[6] Woolhouse, 1983: 41.

methodological proposition that it is the syllogistically derived knowledge from certain axioms or first principles, the certainty of which come from their *real* definitions. The real definition for Aristotelian theory is that which shows us what something really or essentially is. "It captures the essence or essential attributes by giving the *genus* to which that kind or *species* of things belongs and the *differentia* which makes it differ from other species and makes it the species that it is".[1]

The 17th century saw antagonism against this theory of *scientia.* Interesting, however, is that two great philosophers who are usually regarded as the founders of modern philosophy are proponents of this idea of *scientia.* Francis Bacon and René Descartes, although they are both fierce critics of Scholasticism and they differ immensely from each other in philosophical method and temperament, share the idea that scientific knowledge is certain knowledge of the real essence of things, i.e. *scientia.* It was this idea that philosophical, but more importantly *practical* scientists, Boyle and Newton, ardently rejected. As practical scientists, they are well aware of the fundamental uncertainty of empirical knowledge, and realize that we must construct hypothetical knowledge instead of metaphysically certain knowledge if we are to acquire practical, i.e. useful knowledge.[2] An alternative to the theory of *scientia* is, therefore, what the scientists of this century, especially the members of the Royal Society, need to explain and justify their scientific activities.[3]

In this context, two points are worth attention. Firstly, the philosophical justification of empirical science requires an intellectual defence against scepticism. The critique of modern scepticism, especially Pyrrhonism, undermines the authority of reason and perception. It can be argued not only that man can make an error in his reasoning and man's perception is often deceptive, but that the knowledge based upon experience itself has only

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[1] Ibid.: ch.8.

[2] Osler, 1970: 3-16

[3] Shapiro,1983: 24f.

insufficient status as scientific knowledge.[1] Hobbes is an example. According to Hobbes, men observing natural phenomena abstract signs as cause or effect from the sequence of facts, just like "clouds are a sign of rain to come, and rain of clouds past".

> This taking of signs from experience, is that wherein men do ordinarily think, the difference stands between man and man in wisdom, by which they commonly understand a man's whole ability or power cognitive. But this is an error; for these signs are but conjectural; and according as they have often or seldom failed, so their assurance is more or less; but never full and evident; for though a man hath always seen the day and night to follow one another hitherto; yet can he not thence conclude they shall do so or that they have done so eternally. Experience concludeth nothing universally.[2]

For Hobbes, the only science that is clear and certain is the knowledge based upon nominal definition, the model of which is geometry. "Philosophy", for Hobbes, "was a causal enterprise and, as such, secured a total and irrevocable assent, not the partial assent at which Boyle aimed". He considers that the systematic activity of experiment is utterly different in kind from that of philosophy.[3] Hobbesian philosophy is thus dogmatic or absolutely certain.[4] The empiricist alternative to the theory of *scientia* therefore must be defensible and justifiable against both scepticism and dogmatism. It will be, against scepticism, reliable and, against dogmatism, fallible.

Secondly, the type of empirical natural philosophy which the Royal Society advocated was supposed to be compatible with, or indeed supportive of, the Christian *Weltanschauung*. According to Thomas Sprat, a proficient propagandist of the Royal Society, natural philosophers "meddle no otherwise with Divine things, than onely as the Power, and Wisdom, and Goodness of the Creator, is display'd in the admirable order, and workman-ship of the

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[1] On modern sceptics' arguments for the fallibility of the senses, see Tuck, 1988.

[2] Hobbes, 1969: I, iv, 9-10. On Hobbes's anti-experimentalism, particularly his critique of Boyle, see Shapin and Schaffer,1985. On the relationship between Hobbes and the Royal Society, see Ibid.: 131-139; Skinner, 1969: 217-239; Malcolm, 1988.

[3] Shapin and Schaffer, 1985: 19-20, 129.

[4] For a member of the Royal Society, Hobbes (and Aristotelian Scholastics) is a dogmatic philosopher. True philosophers are, on the other hand, those "whose minds are so soft, so yielding, so complying, so large" that "they will pass by nothing, by which they may learn: they will be always ready to receive, and communicate Observations: they will not contemn the Fruits of others diligence: they will rejoice, to see mankind benefited, whether it be by themselves, or others". Sprat,1959: 28-34.

Creatures. It cannot be deny'd, but it lies in the Natural Philosophers hands, best to advance that part of Divinity".[1] There is an ideological relationship or mutual dependence between natural philosophy and religious and social opinions in the later 17th century England. Of great importance for us is the relationship between rational theology and natural philosophy of the Royal Society. "The social philosophy", for example, "of the latitudinarians could rest on their understanding of the natural order, on the discoveries of the new science, because they believed that the worlds natural and political were interrelated. One variation or other of that belief was commonplace in early modern English thought. ... The design and harmony in the material order, imposed by spiritual forces, provided a model or guide to show how social and political relations work if Christians were to fulfill the providential plan and still compete with one another".[2] The proper model of activities of natural philosopher was a great weapon in religious and social disputes. "Sprat uses the scientific activities of the Royal Society and its empirical methodology as a weapon against the 'inner light' or Anabaptist view of religion and church structure that dominated the thinking of the large numbers of radical sects that had threatened not only the church but also the social and political hierarchy".[3]

(3) The third problem of MDR in the context of modern society is closely associated with the first and second ones. It is a problem of *scientia*, but with regard not only to scientific theory but also to other intellectual activities. It is also a question concerning "fallibility" or "certainty", which we have thus far examined. 17th century England saw an intellectual movement in which standards of knowledge in many disciplines had been transformed. "By the end of the seventeenth century", B. Shapiro says, "most English thinkers, no matter what their field of inquiry, had ceased to believe that their labors would produce the certitude or 'science' that had for centuries been the goal of the philosopher".[4]

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[1] Ibid.: 82.

[2] Jacob,1990: 60-61.

[3] Ibid.: 37; Sprat, 1959: 54, 63-64, 82.

[4] Shapiro, 1983: 4.

Now this is quite similar to the second problem, but the difference is that the present problem is concerned with a much wider range of issues. It addresses a fundamental (and traditional) philosophical distinction between "philosophy"-- or to put it more precisely *Wissenschaft* -- and "opinion" or "rhetoric". Shapiro argues that "the development of a family of ideas that breached the epistemological barrier between logic and rhetoric, or knowledge and opinion, created a distinct intellectual style that marked the endeavors of nearly all seventeenth-century Englishmen engaged in philosophy, the investigation of nature, religion, history, law, and even literature".[1]

Though Shapiro's theme is interesting, and relevant to my thesis, I have neither the time nor intention to closely scrutinise her theme here. However, I will turn to this question of Knowledge and Opinion, because, as we have seen, Locke before the *Essay* strongly embraced this traditional distinction, and even in the *Essay* holds it, but he is nevertheless a crucial part of this intellectual movement which blurred the strict distinction. This is quite a complicated matter in the interpretation of Locke' s philosophy, and I have not a clear solution for it. Yet I will discuss this problem later apropos of his moral philosophy, which will disclose some fundamental puzzles of Lockean moral philosophy, and give us some explanation for them.

The Image of Moral Life

We have so far examined Locke's critique of innatism and its methodological, moral, political and theological implications. It is confirmed that for Locke, and for his contemporaries, methodological concern is so closely woven together with religious concern that it is extremely difficult to disentangle them. This is a reason why, though I concentrate on the ethical meaning of the *Essay,* I must also inspect Locke's methodological or natural scientific arguments. Interpreting Locke's criticism of innatism by moulding it into the methodological

[1] Ibid.: 9.

critique against MDR, I have included in his targets the arguments which might not be regarded as innatist properly. By this inclusion I want to disclose theoretical questions that Locke confronts in the development of his own positive theory, namely, MIN. The central question is the problem of self-referential or circular structure of knowledge, the solution of which must fulfill a twofold task, namely to avoid both dogmatism and scepticism. MIN should be at the same time proper theory of education, religion, ethics and politics. MIN is in fact a "form of life".[1] Indeed, the contest between MDR and MIN is the contest between two forms of life, the settlement of which cannot be attained by verification, i.e. adjustment to the circumstance, although I employed the word "adaptation" to modern society to show the defects of MDR. As historians of science tell us,[2] the victory of some form of life -- some scientific theory or paradigm -- over another is intelligible by historical and sociological vocabulary, not by the scientific explanation that demonstrates the intrinsic nature of them. My primary concern is not the explanation of the success of MIN over MDR, which is a strictly historical inquiry, but the explanation of the structure of MIN itself, which is a philosophical inquiry.

One particular philosophical question is worth attention here. Although Locke's empiricism is an alternative to MDR, this is a questionable strategy with which to overcome the problem of circularity, because empiricism in a naïve form boasts the same theoretical structure as Calvinism.[3] If by empiricism it is meant that only by experience can true knowledge be gained, then what experience is to empiricists the Bible is to Calvinists. Experience is a text in which truths are written. Therefore, the doctrine of "experience alone" has the same puzzle as that of "the Bible alone", in that we are at a loss in finding the way to identify what is a relevant experience, and to interpret and apply our knowledge of experience in a practical context. R. Rorty holds that Locke actually incurred this dilemma and succinctly

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[1] Wittgenstein, 1961: I:23.

[2] Kuhn, 1970.

[3] Feyerabend, 1981: 37-38.

explains this problem from another perspective. He insists that the defect of Locke's philosophy lies in the confusion "between a mechanistic account of the operations of our mind and the 'grounding' of our claims to knowledge".[1] That is to say, "Locke did not think of 'knowledge that' as the primary form of knowledge. He thought, as had Aristotle, of 'knowledge of' as prior to 'knowledge that', and thus of knowledge as a relation between persons and objects rather than persons and propositions".[2] Experience for Locke consists of impressions on the mind which are also representations of nature. In order to derive some proposition from these representations we need a faculty of judgement which Rorty considers Lockean philosophy lacks.

To overcome the problem of circularity, Rorty would advise we increase our familiarity with the circle. We cannot, after all, avoid the "hermeneutic circle". We would in vain try to find a certain vantage point where we can arbitrate among a variety of circles of discourse in the manner of a philosopher king. A philosopher's business is to facilitate the conversation between circles, rather than to dominate the conversation with one single voice of Rationality. This is the best way to open the closeness of circularity.[3] I certainly agree with Rorty on a philosopher's business, but with at least one qualification about his description of Locke. Rorty's (and other philosophers') understanding of Locke's empirical argument is too simple and partisan to recount the fundamental element of his *Essay*, namely, that it is written for primarily a practical and ethical purpose. I shall suggest that we can interpret the *Essay* not as a scientific (i.e. psychological) or rationalist inquiry to solve ethical problems by disclosing some rational and fundamental facts of our moral and intellectual faculties, but, *mutatis mutandis*, as a philosophical inquiry to make us more familiar with our moral life.

Before we embark upon the examination of Locke's positive arguments, I would like to illustrate here his whole image of moral life by quoting a few parables in the *Essay*. This

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[1] See, for example, *Essay*, IV:viii:9-10.

[2] Rorty, 1980: 140-142.

[3] Ibid.: ch. VII, VIII.

illustration will help to explain Locke's moral vision, because what we are going to do in the following chapters is a hermeneutic activity in which we make a to-and-fro movement between Locke's particular arguments and the whole image. The first parable is about a "Servant"; by this, of course, our role as a servant of God is insinuated:

> It will be no Excuse to an idle and untoward Servant, who would not attend his Business by Candle-light, to plead that he had not broad Sun-shine. The Candle, that is set up in us, shines bright enough for all our Purposes. [I:i:5]

This parable shows his trust in God, who is so benevolent as to give us intellectual faculties which are fitting for our concernment in this world. It also illustrates the ethic of moderation and vocation which instructs us to discharge the duty of each one, and not to be so haughty as to be dissatisfied with our own calling. It is a caveat against scepticism: "If we will disbelieve every thing, because we cannot certainly know all things; we shall do much-what as wisely as he, who would not use his Legs, but sit still and perish, because he had no Wings to fly"[I:i:5].

The ethic of moderation is luminously expressed as well in a second parable, the image of a "Sailor":

> 'Tis of great use to the Sailor to know the length of his Line, though he cannot with it fathom all the depths of the Ocean. 'Tis well he knows, that it is long enough to reach the bottom, at such Places, as are necessary to direct his Voyage, and caution him against running upon Shoals, that may ruin him [I:i:6].

This image tells us that if we employ our own intellectual faculties sufficiently, we can avoid wreckage in leading a life. This parable is particularly interesting because it may portray a relation between morality and politics: the image of sailing is typical in the history of political thought for implying government, *gubernaculum*, and to avoid the wreck through voyage is a representative image of the task of government; keeping peace. In order to keep a ship from the calamity, a sailor needs a measure which is available to him. A great and primary function

of understanding is provide us with measures to keep us from misery. As for politics, the measurement signifies the limit within which a government can manage itself freely without falling into demolition. The search for such a measure is our primary business in philosophy.

> Our Business here is not to know all things, but those which concern our Conduct. If we can find out those Measures, whereby a rational Creature put in that State, which Man is, in this World, may, and ought to govern his Opinions, and Actions depending thereon, we need not be troubled, that some other things escape our Knowledge [I:i:6].

The ethical and religious image which can bridge the two parables is that of a pilgrim. I think Locke's picture of pilgrimage is worthy of the last quotation of this chapter, because it vividly elucidates his understanding of man's moral predicament:

> in the greatest part of our Concernment, [God] has afforded us only the twilight, as I may so say, of Probability, suitable, I presume, to that State of Mediocrity and Probationership, he has been pleased to place us in here; wherein to check our over-confidence and presumption, we might by every day's Experience be made sensible for our short-sightedness and liableness to Error; the Sense whereof might be a constant Admonition to us, to spend the days of this Pilgrimage with Industry and Care, in the search, and following of that way, which might lead us to a State of greater Perfection [IV:xiv:2].

Chapter 5

Pursuit of Morality II

1) INSTRUMENTS AND THE METHOD

Historical Plain Method A fundamental methodological ground of the *Essay* is the Cartesian conception of the self. Locke takes it as beyond doubt that man has a clear perception of his own being [IV:x:2]. Self-consciousness is therefore the clearest and firmest foundation of our knowledge. This is an ontological proposition based upon an intuition. Yet unlike Descartes, Locke does not found this position upon methodological scepticism. He rather relies simply on the clearness of his consciousness. The problem of deception (that what appears to us might be an illusion) does not bother him, because he believes that perception is a natural thing which is based solely on God's design, and that God cannot deceive us [IV:xviii:5]. He holds that to be too sceptical in general is not our appropriate business in this world [II:xxxii:15; IV:xiv:1].[1] His trust in God results in his trust in his consciousness and in the objective existence of what appears naturally in his consciousness, which in turn guarantees that he and others independently receive a same or similar impression from the same object.

"Self is", Locke defines, "that conscious thinking thing, ... which is sensible, or conscious of Pleasure and Pain, capable of Happiness or Misery, and so is concern'd for it self, as far as that consciousness extends"[II:xxvii:17]. If my interpretative platform is right -- if the *Essay* is a book that teaches us the way to happiness -- it is nothing other than a book regarding the self. It is a book precisely and painstakingly describing the self and its faculty. Care, however, must be taken here about what is actually described as the self. At the

[1] Journal 1677. Frid. Feb. 12, ff.55-57: *Early Draft*, pp.90-91. See, Shapiro, 1983: 22.

beginning of the *Essay*, Locke proclaims that "I shall not at present meddle with the Physical Consideration of the Mind". His purpose is to examine "the discerning Faculties of a Man, as they are employ'd about the Objects, which they have to do with", and he calls his method in the *Essay* the "Historical, plain Method"[I:i:2]. His concern is not the *constitution* of the self, but the *exercise* of the self. These two must be differentiated, because, as G. Ryle writes, "We do not see better for knowing about our retinas. We do not swim better for knowing about our sinews, tendons, muscles and arteries".[1]

The function of the mind, and the precise and clear description of its activity, Locke wishes to elucidate in this essay. He holds that thinking is no more than consciousness, that which we actually perceive in our mind [II:i:11,12]. Locke says, "When we see, hear, smell, taste, feel, meditate, or will anything, we know that we do so. ... consciousness always accompanies thinking"[II:xxvii:9]. Locke famously regards experience as the fountain of all the materials of reason and knowledge, and experience, he holds, consists of two modes of consciousness: one is outward, "sensation"; the other is inward, "reflection" or introspection [II:i:1-4]. He claims that all the knowledge we have ultimately comes only from these two inlets, and so, therefore, does moral knowledge. We have in our minds no moral ideas which are not somehow derived from experience. This empiricist approach seems to be philosophically untenable since he exposes himself to what is called a naturalistic fallacy, deriving "ought" from "is". The hazy distinction between descriptive and normative propositions, though he has a sense of the distinction [II:xxviii:16],[2] is characteristic of Locke's moral argument.

Theory of Ideas

Other than the conception of the self as the ground of knowledge, Locke inherited another important Cartesian notion, that is, the theory

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[1] Ryle, 1971: 153.

[2] Waldron, 1994: 60.

of ideas.[1] By idea he means "Whatsoever the Mind perceives in it self, or is the immediate object of Perception, Thought, or Understanding"[II:viii:8], that is, "whatever is meant by Phantasm, Notion, Species, or whatever it is, which the Mind can be employ'd about in thinking"[I:i:8]. Ideas are the materials of understanding, and their origin is experience, and they are stored in memory, "a Repository" of ideas without which we are incapable of thinking [II:x:2]. About what the ideas exactly are, especially their nature or essence, Locke is notoriously equivocal and has been severely exposed to criticisms.[2] But the advantage that Locke has by employing this term is thus: by using the metaphor of "materials", Locke can make understanding more tractable in his argument. If there are materials of knowledge, we can observe and operate the movement of understanding.[3] The method of operation implied by this metaphor was well-known in the 17th century: resolutive - compositive method, according to which we start our inquiry into things from the resolution, not in actuality but in mind, of the whole into the parts, then proceed to compose the whole again, using the parts.[4] Locke thus divides the idea into two sorts, simple and complex ideas: the whole is the latter and the parts are the former. His distinction between the two is sometimes unsound,[5] but its purpose is to make it obvious that the simple idea is self-evident, and therefore unmistakable, while the complex idea can be obscure, and therefore might cause a mistake in our understanding. Locke insists that when we perceive simple ideas, our minds are passive, but when complex ones, active [II:i:25; II:xii:1].[6] Passivity means here perfect

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[1] Yolton, 1975: 145-165.

[2] Woolhouse,1983: ch.6.

[3] The question of metaphysical status of the idea, for example whether it is the representation of the thing, is not substantially important for Locke, because his main concern is the function of the mind, not the objects of the mind. See,*Works*, vol. 10, p.248. The subject of the *Essay* is not the objects of understanding, but understanding itself which he considers consists of ideas and whose operation and function we can more easily describe if we employ the term, "idea". "If analogies help", thus D. Greenlee says, "ideas would be better likened to motions of material objects rather than those objects themselves". Greenlee, 1977: 46.

[4] Aaron, 1973: 111; Watkins, 1989: 43f.

[5] Woolhouse, 1983: 50.

[6] This explanation is in fact not accurate. When we perceive the things we do not perceive any simple idea in absolute isolation. What we observe is always a combination of simple ideas [II:xii:1; II:xxiii:1, 6; III:ix:13]. Our perception of simple ideas, therefore, is an abstraction of them from our experience. This is far from merely passive activity of the mind [II:ix:4]. (Greenlee, 1977: 41-54.) Locke insists that man infallibly knows the particular ideas such as whiteness and roundness in the

naturalness; because nature doesn't deceive us, simple ideas are always clear and distinct for our perception unless dull sense or weak memory deceives us [II:xxix:3]. The mind on the other hand actively composes complex ideas using simple ideas as materials. The ideas being artificial, the possibility remains for us to make a mistake whenever we use them.

This is roughly the basis of Locke's methodology of knowledge. The defects of understanding arise mainly from our ill use of complex ideas. He considers that all complex ideas are ultimately resolvable into simple ideas [II:xi:8; II:xxii:9]. The solution of the problem of our understanding is, in principle, the resolution of complex ideas into simple ones.[1] This methodological presupposition originates from, and is buttressed by, Locke's Workmanship model. He treats simple ideas like atoms. The mind can store, repeat, compare and unite them at its disposal, but cannot invent or destroy them [II:ii:2; II:xii:1; IV:vii:10]. Only God can create and destroy simple ideas; man's faculty of understanding consists in their acceptance and manipulation. We receive them immediately, therefore they defy our definition by words [II:vi:6; III:iv:4,7,14].[2] Simple ideas, Locke asserts, are all adequate and real [II:xxx:2; II:xxxi:2], because we are designed by God to perceive things in a way which furthers the conveniences of our lives; the simple ideas are the "Mark of Distinction in Things" which we clearly perceive by nature so as to make them useful for us [II:xxxii:14]. Locke upholds that

> simple Ideas, which since the Mind ... can by no means make to it self, must necessarily be the product of Things operating on the Mind in a natural way, and producing therein those Perceptions which by the Wisdom and Will of our Maker they are ordained and adapted to. From whence it follows, that simple Ideas are not fictions of our Fancies, but the natural and regular productions of Things without

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sense that they are different from redness and squareness [IV:i:4]. Locke calls such a kind of knowledge "intuitive Knowledge" on which the degree of certainty of all knowledge we have depends [IV:ii:1]. But the contents of intuitive knowledge are not the perception of particular simple ideas; they are propositions like "White is not Black", "a Circle is not a Triangle". We get simple ideas by making relational or identical proposition such as "A is not B" [IV:vii:4]. This is why Locke calls simple ideas clear, distinct, or, more preferably, *determined* [13]. A simple idea is, accordingly, an idea determined in a relational proposition. Locke's employment of physical or mechanical nomenclature is thus misleading. However, Locke's intention in his use of the word "simple ideas" is to show, against sceptics, that we can have certain kinds of infallible knowledge, and, against innatists, that the infallible knowledge must be based not upon the axioms but upon the particular ideas. It follows that, according to Locke, the degree of certainty of knowledge, especially abstract propositions, must be measured by the simple ideas contained in them, i.e. trivial but self-evident propositions whose certainty is infallibly known.

[1] The dissolvability of complex ideas into simple ones is *a priori* truth. Colman, 1983: 87.

[2] Journal 1676. Mund. Aug. 3, f.392: *Early Draft*, p.83.

> us, really operating upon us; and so carry with them all the conformity which it intended; or which our state requires: For they represent to us Things under those appearances which they are fitted to produce in us: whereby we are enabled to distinguish the sorts of particular Substances, to discern the states they are in, and so to take them for our Necessities, and apply them to our Uses.[IV:iv:4]

Although Locke here regards simple ideas as representation of things, they are supposed to be real, but not because they are an accurate representation. We cannot know if they are accurate since it is in principle impossible to compare ideas with things, because, according to Locke, all we can perceive is ideas alone. The reality of simple ideas rather depends on two elements: one is Locke's theological vision of a benevolent God,[1] and the other is pragmatic fact that our knowledge of simple ideas is almost always[2] congruous with our way of life [IV:xi:3]. Therefore, strictly speaking, while we in fact do not *know* the reality of ideas, we are *sure* of their reality.[3] Locke's theory of knowledge is ultimately based on such an assurance.

From this general methodological presumption, how does Locke then approach the problem of morality? As for moral argument, two sorts of complex ideas are relevant: the ideas of "mixed modes" and "relations".[4] "Mixed modes" are such combinations of simple ideas as are scattered and independent in nature but put together by the mind [II:xxii:2]. Obligation, drunkenness, murder, grace, beauty and justice serve as Locke's examples. All moral actions are categorised as mixed modes [II:xxii:12]. Mixed modes are thus the materials of moral propositions, the subject matters of moral discourse; however, the moral meaning of mixed modes is not absolutely fixed in their nature. The moral meaning of mixed modes

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[1] See, Descartes 1985: 203.

[2] I say "*almost* always", because there are sometimes disjunctions between simple ideas we have and our practice. But this fact does not deter the reality and adequateness of simple ideas, since we regards such cases as exceptions by supplying a explanation like "our senses sometimes deceive us".

[3] "Where-ever we perceive the Agreement or Disagreement of any of our Ideas there is certain Knowledge: and where-ever we are sure those Ideas agree with the reality of Things, there is certain real Knowledge"[IV:iv:18]. See also IV:ii:14.

[4] There are, Locke holds, three sorts of complex ideas, that is, Modes, Substances, and Relations. Modes are "such complex Ideas, which however compounded, contain not in them the supposition of subsisting by themselves, but are considered as Dependences on, or Affections of Substances"; Substances are "such combinations of simple ideas, as are taken to represent distinct particular things subsisting by themselves"; and Relation "consists in the consideration and comparing one Idea with another" [II:xii:3-7].

is determined by its relation to certain rules [II:xxviii:16]. "Relations" on the other hand are the ideas we have when we compare ideas, and Locke looks upon as *moral* relation, a sort of relation "which is the Conformity, or Disagreement, Men's voluntary Actions have to a Rule, to which they are referred, and by which they are judged of"[II:xxviii:4].

Mixed modes and relations, Locke maintains, are the creatures of the mind. Their nature is artificial, since they have no essence in nature. Locke considers that every idea is transient, and "a constant decay of all our Ideas" is an everyday experience [II:x:5]. This is much more applicable to mixed modes. The unity of a mixed mode consists only in its being treated as a unit by certain people in discourse:[1] that is, without a name imposed on it which is the bond of its composing ideas, and without frequent use of the name in practical discourse, it would easily resolve into parts [II:xxii:5-8;III:v:10, 11; IV:v:4].[2] Names, what the mind artificially attaches to mixed modes, are their essence. Locke calls such essence nominal essence. Mixed modes are the archetypes for themselves, that is, they conform only to themselves, namely, to their nominal essence. Therefore, all mixed modes are real and adequate;[3] the same as relations. Not designed to represent anything but themselves, they "can never be capable of a wrong representation, nor mislead us from the true apprehension of any thing, by [their] dislikeness to [themselves]".

> So that we cannot but be infallibly certain, that all the Knowledge we attain concerning these Ideas is real, and reaches Things themselves. Because in all our Thoughts, Reasonings, and Discourses of this kind, we intend Things no farther, than as they are conformable to our Ideas. So that in these, we cannot miss of a certain undoubted reality. [IV:iv:5]

This is Locke's basic understanding of moral notions. A problem is detectable; in spite of his basic assumption which we discerned in the previous chapters that moral law is objective, Locke's approach seems to make moral notions purely subjective, i.e. the mere

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[1] Perry, 1967: 225.

[2] *Some Thoughts*, §98.

[3] Thus, the nominal essence of a mixed mode is the same as its real essence; while in the case of substance, these two sorts of essence are radically different.

creation of a human mind. The problem of morality becomes a matter for artificial definition. Locke's understanding of moral notions might be sound, if morality is a purely individual matter, because if so, all that the individual person has to do in moral affairs is define his moral notions carefully, and apply them consistently in his moral action and judgement. Morality in this sense is the pursuit of consistency and sincerity -- a matter of non-contradiction. Yet this is not the ordinary sense of morality; moral matter is something concerning other persons. If, as innatists or positivists (like Calvinists) contend, there exist guarantees that each man can acquire moral rules or axioms (i.e. God's laws), then this morality of consistency becomes more plausible, because what each individual subjectively follows is now the objective rule. It is, however, this supposition that Locke stringently rejected in Book One of the *Essay*. How, then, following his understanding of human nature, can we render his arguments for moral notions more intelligible?

Practice and Morality

From the description of man's faculty of knowledge, Locke continues to develop his moral argument from that of the activity of people. That is, he investigates the nature of mankind not only in singularity but also in plurality, because to be plural -- to live in a society and to converse with others through language -- is itself the very nature of mankind. Man's sociability was a currency of modern natural law theorists such as Grotius, Pufendorf and Locke, as well as of Thomists and Stoics.[1] Locke positively says, "since men in society are in a far different estate when considered single and alone, the instances and measures of virtue and vice are very different under these two considerations".[2] And when Locke approaches the problem of moral notions from this aspect, other dimensions arise.

First, about mixed modes. In an ideal type situation, man acquires them by composing simple ideas artificially. Their origin and character is artificial, in the sense that they have no

[1] Buckle, 1991.

[2] King, vol. II, p.94.

archetype in nature [III:v:3]. Mixed modes necessarily have their own names, since without names they cannot sustain themselves as a unit. Again in an ideal type, the ideas which constitute a mixed mode must exist before its name. However, in reality, we get the names of moral notions before we know the meaning of them. Practice of words always precedes their definition. Locke himself admits this fact [III:v:15; III:ii:4]. Indeed, he observes that when we are talking about mixed modes, the objects of our discourse are not mixed modes themselves, but the names that stand for them, that is, abstract concepts [III:v:11]. What has really been discussed in our moral discourse is not a particular moral action, but an abstract notion of a sort of action, something already defined as an archetype in a name of a mixed mode [III:v:12; IV:vi:1-3].

We learn names as we learn a language in a society, and we, like a parrot, usually obtain only the sound of the name corresponding a sort of conduct, such as courage or timidity, before its precise meaning or usage, that is, its nominal definition [I:ii:23; II:xi:8; IV:viii:7]. Sometimes we observe some actions before we learn the names that stand for them, but such is rare, because our perception of actions depends on the name we have given them. Mixed modes in fact are epistemologically archetypes, according to which we discern, or determine, the sorts of conduct we observe.[1] Conduct, sorted out from experience as meaningful, or not meaningful, therefore, hinges on the language we have learned [III:v:11]. Locke holds that the creation of mixed modes in a society is conditioned by the way of life in that society: e.g. the reason why English has the name of "parricide" for the-murdering-a-parent but no unique name for the-murdering-a-child is because of the current legal practice of that society [III:v:6; II:xxviii:2].[2] We mould the names of mixed modes according to our conveniences.[3] Therefore, the troubles we have with mixed modes mainly come from the

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[1] Yolton, 1970: 160-161.

[2] *Some Thoughts*, §143, 168.

[3] Locke considers that not only moral notions but also the idea of Species we have in sorting natural things such as insects is conditioned by habits. Journal 1676. Sat. Sept. 19, ff.442-3; 1677. Frid. Nov. 19, ff.356-358: *Early Draft*, pp.83, 98-99.

improper use of the language used in a society. To follow the propriety of speech, Locke argues, is an appropriate way to avoid mistakes [II:xxx:4; II:xxxi:5; II:xxxii:17].[1]

It is true that Locke insists that the signification of a word is based on the ideas arbitrarily imposed upon it by men, and that "every Man has so inviolable a Liberty, to make Words stand for what Ideas he please, that no one hath the Power to make others have the same Ideas in their Minds, that he has, when they use the same Words, that he does", but it does not follow that our ordinary use of words is arbitrary; Locke's point in referring to man's absolute liberty to compose the signification of words is to show what causes us to make a mistake in the use of language; that is, in the misuse of our liberty. We wrongly assume that there is "a natural connection" of ideas in the word we speak; but in fact we can and do change the connection as we wish. What enables us to share the meaning of words by which we converse is "common use", to which we tacitly consent:

> common use, by a tacit Consent, appropriates certain Sounds to certain Ideas in all Languages, which so far limits the signification of that Sound, that unless a Man applies it to the same Idea, he does not speak properly: And let me add, that unless a Man's Words excite the same Ideas in the Hearer, which he makes them stands for in speaking, he does not speak intelligibly. [III:ii:8]

Although we have the absolute liberty to mould words, in order to speak properly, that is, to live in a society, we have to tacitly follow a linguistic convention; that is to say, if we are to actualise our linguistic faculty, we should regulate our own liberty by a conventional rule. Linguistic convention in moral language is a rule which regulates man's conduct by presenting archetypes by which we comprehend the signification of moral conduct.[2] The meaning of mixed modes is, in a sense, natural, because their components -- simple ideas -- are natural; the significations of them, however, are in practice conventional, because the names that stand for them are conventional.[3] This is, Locke insists, the reason why we are much more

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[1] *Educational Writings*, pp.398-399.

[2] Colman, 1983: 118-134.

[3] Yolton, 1993: 251-253.

liable to have "a false Idea of Justice, or Gratitude, or Glory", i.e. mixed modes, than any other complex ideas [II:xxxii:10-12].

Second, about relations. Locke consistently regards moral relation as legal relation. He insists that "what Duty is, cannot be understood without a Law; nor a Law be known, supposed without a Law-maker, or without Reward and Punishment"[I:iii:12]. Moral good and evil are, he holds, "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 or Pain, attending our observance, or breach of the Law, by Decree of the Law-maker, is that we call Reward and Punishment"[II:xxviii:5]. Locke then describes three sorts of moral rules which people generally take as the standards of their activity in everyday life; that is, the divine law, the civil law, and the law of opinion or reputation [II:xxviii:7-10].

The first one, the Divine law, is the law that God has promulgated through either the light of nature or revelation, by which we make judgements whether our acts are sins or duties. The second, the Civil law, is "the Rule set by the Commonwealth, to the Actions of those, who belong to it" for the purpose of protecting the "Lives, Liberties, and Possessions" of the citizens by taking away the "Life, Liberty, or Goods, from him, who disobeys". According to this law, we are judged to be criminal or innocent. The third, the law of reputation, is what is called virtue and vice.

As to the last law, our conception of virtue, Locke recognises its essential relativity. He writes:

> the measure of what is every where called and esteemed Vertue and Vice is this approbation or dislike, praise or blame, which by a secret and tacit consent establishes it self in the several Societies, Tribes, and Clubs of Men in the World: whereby several actions come to find Credit or Disgrace amongst them, according to the Judgement, Maxims, or Fashions of that place. [II:xxviii:10]

This law of reputation, Locke insists, has much stronger impact upon the regulation of our

own conduct than the other two laws,[1] because no one can bear the punishment which follows if he breaks it; that is, no one can "live in constant Disgrace and Disrepute with his own particular Society". "Solitude", says he, "many Men have sought, and been reconciled to: But no body, that has the least Thought, or Sense of a Man about him, can live in Society, under the constant Dislike, and ill Opinion of his Familiars, and those he converses with"[II:xxviii:12].[2]

In the preface of the second edition of the *Essay* Locke admits that his explanation about the law of reputation is merely descriptive; he describes here the rule *called* virtue and vice, and how it regulates people's behaviour. He denies that the law of reputation is perfectly agreeable with the true moral law, which contains "the eternal and unalterable nature of right and wrong"[354-355; II:xxviii:8].[3] However, he nevertheless points out that the concept of virtue is, on the whole, congenial to the law of nature. He explains this point as follows:

> though, perhaps, by the different Temper, Education, Fashion, Maxims, or Interest of different sorts of Men, it fell out, that what was thought Prase-worthy in one Place, escaped not censure in another; and so in different Societies, Vertues and Vices were changed: Yet, as to the Main, they for the most part kept the same every where. For since nothing can be more natural, than to encourage with Esteem and Reputation that, wherein every one finds his Advantage; and to blame and discountenance the contrary: 'tis no Wonder, that Esteem and Discredit, Vertue and Vice, should in a great measure every-where correspond with the unchangeable Rule of Right and Wrong, which the Law of God hath established; there being nothing, that so directly, and visibly secures, and advances the general Good of Mankind in this World, as Obedience to the Laws, he has set them, and nothing that breeds such Mischiefs and Confusion, as the neglect of them. [II:xxviii:11][4]

Therefore, Locke insists, even in the corruption of manners among men, the law of nature can survive.

By examining thus the moral argument in terms of men's sociability, Locke appears to escape the defect of pure subjectivism. It seems that his argument, however, has developed in a wrong direction, if we consider it according to his theoretical project about moral

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[1] *Some Thoughts*, §38.

[2] On the impact of Nicole' s *Essais* on Locke's idea of civility, see, Marshall, 1994: 180-189, esp.183.

[3] *Correspondence*, vol. IV, no.1309.

[4] *Some Thoughts*, §61.

science. His position, in spite of his objectivist view of the law of nature, becomes close to that of conventionalists; furthermore, it can be considered to "involve cultural ethical relativism".[1] Regarding mixed modes, to consider that their meanings are to be conditioned by a convention is not inappropriate, because it is after all a matter of sorting and defining moral conducts by words. However, to make a proper use of moral notions is to follow the convention of a society; it is, as it were, to observe a moral rule. To speak in a proper way is thus synonymous with being regulated by a conventional moral rule. When it comes to moral relations, his method appears to be more problematic, because his assertion that the law of reputation is in the main similar to the law of nature makes it difficult to show how we can tell convention from nature. How, that is, can we know the virtue of one society is more accurate or sound than another in relation to natural justice? Where lies the Archimedean point of morality by which we can judge among different rules? As long as the ideas of moral relations are the workmanship of the mind, the description of them does not give us an external standard by which to evaluate them.

In the first edition of the *Essay*, Locke terms the law of reputation (i.e. the Law of Virtue and Vice) the "philosophical Law", because he holds philosophers "have most busied themselves to enquire after it, and talk about it"[1st. ed. II:xxviii:10]. In a manuscript entitled "Of Ethics in General" (which was evidently intended to be a part of the *Essay* only to be unfinished), Locke spells out this law. It is, he insists, beyond doubt that morality is "the great business and concernment of mankind, and so deserves our most attentive application and study"; but morality has been regarded as a "science distinct from theology, religion, and law". Therefore the study of morality has been "the proper province of philosophers, a sort of men different from divines, priests, and lawyers".[2] He maintains that there are such laws as virtue or vice in the world, and that they consist of mixed modes recognised in a society, for instance, justice, temperance, fortitude, drunkenness and theft. He also insists there is a

[1] Colman, 1983: 135-136.

[2] "Of Ethics in General", in King, vol. II, pp.123-124.

general rule of philosophical law: that is, "that those actions are esteemed virtuous which are thought absolutely necessary to the preservation of society, and those that disturb or dissolve the bonds of community, are *every where* esteemed ill and vicious".[1] Of course, this general rule corresponds with that part of the law of reputation which in the *Essay* Locke considers agrees with the law of nature. Let me call it *the overlapping concept of virtue*.

Philosophical law contains other than this overlapping concept of virtue, which varies greatly from society to society. The knowledge of this aspect of virtue, Locke contends, does "teach us no more than to speak properly according to the fashion of the country we are in, without any very great improvement of our knowledge, more than what men meant by such words" as virtues and vices. It seems clear that Locke regards the overlapping concept of virtue as congruous with the law of nature, but the teaching about philosophical law --"to know the right names of certain complex modes, and the skill of speaking properly"-- is, he holds, insufficient for the proper study of morality, because it cannot, Locke stipulates, demonstrate the moral standard which arbitrates the different opinions among philosophical authorities, such as "Aristotle or Anacharsis, Confucius". Locke's main target is without doubt the Aristotelian-Scholastic teaching of morality:

> The ethics of the schools, built upon the authority of Aristotle, but perplexed a great deal more with hard words and useless distinctions, telling us what he or they are pleased to call virtues and vices, teach us nothing of morality, but only to understand their names, or call actions as they or Aristotle does; which is, in effect, but to speak their language properly. The end and use of morality being to direct our lives, and by showing us what actions are good, and what bad, prepare us to do the one and avoid the other; those that pretend to teach morals mistake their business, and become only language-masters where they do not do this, -- when they teach us only to talk and dispute, and call actions by the names they prescribe, when they do not show the inferments that may draw us to virtue and deter us from vice.[2]

There is a remarkable parallel between Locke's argument for morality and his argument on methodology which we examined in the last chapter. The theory of philosophical law is a MDR, whose advantage is the tendency for the preservation of a society (this corresponds

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[1] Ibid., pp.124-125.

[2] Ibid., pp.125-130.

to the overlapping concept of virtue) and whose disadvantage is its self-referential character (virtue is what is called virtue). How, then, do we acquire the ideas of good and bad? How are they taught? This is the same question as concerns the exit of the closed system of MDR. Locke's answer, consequently, must be experience.

2) MORAL GOOD AND MAN'S LIBERTY

Pleasure and Pain About the ideas of good and bad, Locke has a clear and noted doctrine. Happiness is the *telos* of morality; good is what contributes to happiness and evil to misery; and happiness and misery consist in pleasure and pain.[1] He betrays his hedonism, saying "That we call Good, which is apt to cause or increase Pleasure, or diminish Pain in us; or else to procure, or preserve us the possession of any other Good, or absence of any Evil. And on the contrary we name that Evil, which is apt to produce or increase any Pain, or diminish any Pleasure in us; or else procure us any Evil, or deprive us of any Good"[II:xx:2]. It is important to notice that pleasure and pain are simple ideas, and, therefore, they are clear and distinct. This means that they are natural, that is, independent of man's volition. As the most influential simple ideas on our actions, the ideas of pleasure and pain have considerable importance for moral argument.

Concerning the function of pleasure and pain, Locke has a theological supposition. He insists that their foundation is in fact God's design. God has annexed to good things the power to produce in our mind the idea of pleasure so as to induce us to work upon them; to harmful things, the idea of pain to advise us to withdraw from them. What actually or physically causes in our mind the ideas of pleasure and pain is the power the things have in

[1] "Morality", p.26.

themselves, but that power is equipped by God. God, in a sense, is working on us through the power inherent (namely implanted by God) in things. The remarkable complexity we find in the operation of the power in things reflects God's wisdom and benevolence; God, says Locke, "not designing our preservation barely, but the preservation of every part and organ in its *perfection*, hath, in many cases, annexed pain to those very Ideas, which delight us". The examples he raises are heat and light, those which give us delight in an appropriate degree, but would hurt us in an excessive, i.e. beyond useful, degree [II:vii:4].[1] As the word "perfection" indicates, Locke understands God's interlude in the operation of nature through pleasure and pain as part of His teleological design of the world: hedonistic principles imply for Locke the *telos* of nature.

Thus, the ideas of pleasure and pain regulate and motivate our conduct according to God's design. Why, then, do we make a mistake? Why do we sometimes choose morally wrong action? Locke often asserts that natural desire determines our will [II:xxi:29]. This assertion is also founded on Locke's Workmanship model that we cannot disobey such natural desires implanted by God as hunger and thirst [II:xxi:34]. He even argues that to talk about "free will" is absurd, because he thinks we cannot help willing, and therefore, have no freedom to will [II:xxi:24]. Some people choose, however, what is in fact harmful to them, and there are diverse conceptions of happiness, i.e. good life, among people, and they pursue this happiness with not always harmonious effects [II:xxi:54].[2] And what is worse, this fact sometimes causes an apparent evil, that is, the disorder of society. Why?

Locke insists that the origin of our conduct is our desire, and as concerns the judgement of what is desirous for us -- that is, what does bring us good -- we are prone to disagree with each other. If we follow only our subjective conception of good, that is, if we do not take notice of true and objective happiness into account, we will be the slaves of our

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[1] "Pleasure and Pain. The Passions", MS. Locke f. I, pp.325-47: Journal for 16 July 1676, in *Law of Nature*, p.265.

[2] King, Vol. II, pp.219-222.

temporal and fragile perception of pleasure and pain. This is, Locke holds, the reason why despite all men's desire for happiness, men choose different things, and in this respect, man is in the same level as poor insects like Bees [II:xxi:55]. The comparison with insects indicates Locke's *moral* perfectionism: both the negative fact that while bees' behaviour is always harmonious men's is often discordant, and the positive fact that men nonetheless have achieved far greater things than inferior creatures, exhibit that there is a substantial difference between man's natural faculty and other lesser creatures'. If he embraced a purely naturalistic conception of moral conduct, he would have to admit that if we act perfectly like insects under the guidance of natural desire, our conduct is just, for it is following the dictate of nature. He rejects, however, such a purely naturalistic hedonism. He rather considers that not only are we obliged to *obey* our "natural" desire, but we have to *regulate* our own desire. This faculty of regulation he calls human liberty.

Man's Liberty

In the history of philosophy in the west, the problem of liberty has occasionally derived from the question of theodicy. Locke's conception of liberty presently at issue can well be interpreted from this perspective. Man's misery in moral affairs is due to man's wrong judgement of what is good for him, that is, the misuse of his own freedom. True, man's idea of good differs in one case from person to person, and even in one person from time to time, but it does not mean that the moral law, i.e. God' s will, is not always immutable. "The eternal Law and Nature of things", Locke says, "must not be alter'd to comply with [man's] ill-order'd choice". Therefore the idea of good we measure from our perception of things must have objective nature. It is men's wrong judgement, our failure to comply our choice to the nature, not the nature itself, that causes us to incur the punishment which God and nature will impose on us. "He has vitiated his own Palate, and must be answerable to himself for the sickness and death that follows from it"[II:xxi:56]. By wrong judgement in this context Locke means "not what one Man may think

of the determination of another; but what every Man himself must confess to be wrong".

> For since I lay it for a certain ground, that every intelligent Being really seeks Happiness, which consists in the enjoyment of Pleasure, without any considerable mixture of uneasiness; 'tis impossible any one should willingly put his own draught any bitter ingredient, or leave out any thing in his power, that would tend to his satisfaction, and the compleating of his Happiness, but only by a wrong Judgment. I shall not here speak of that mistake, which is the consequence of invincible Error, which scarce deserve the Name of wrong Judgement; but of that wrong Judgement, which every Man himself must confess to be so.[II:xxi:62]

The wrong judgement is wrong calculation of rational good. Man by nature can apprehend rational good and thus make by himself rational desire. This faculty is what God equips man with, which, properly employed, would lead him up to true happiness. Locke explains this faculty, as always, by describing the faculty of our mind.

What actually determines our volition Locke calls desire. He more precisely defines it as the "uneasiness a Man finds in himself upon the absence of any things, whose present enjoyment carries the Idea of Delight with it". It follows from this that "the chief if not only spur to humane Industry and Action is uneasiness"[II:xx:6]:

> what is it that determines the Will in regard to our action? And that upon second thoughts I am apt to imagine is not, as is generally supposed, the greater good in view:[1] But some (and for the most part the most pressing) uneasiness a Man is at present under. This is that which successively determines the Will, and sets us upon those Actions, we perform. This Uneasiness we may call, as it is, Desire; which is an uneasiness of the Mind for want of some absent good. All pain of the body of what sort soever, and disquiet of the mind, is uneasiness: And with this is always join'd Desire, equal to the pain or uneasiness felt; and is scarce distinguishable from it. [II:xxi:31]

What Locke holds here is purely descriptive. He does not mean that our conduct ought to comply with our sense of uneasiness, but that our conduct is usually provoked when we perceive the absence of possible and attainable good. Uneasiness certainly arises from our perception, but this perception is neither purely passive nor mechanical, because it includes in itself judgement concerning what is good, and which good is attainable, for us [II:xxi:40,

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[1] This was actually his supposition in the first edition of the *Essay* in which he said "the greater Good is that alone which determine the Will"[II:xxi:29. 1st. ed.]. On the reason why Locke changed his idea, see, Colman, 1983: 216.

43].[1] This faculty of *judgement* -- which is the real cause of desire -- Locke understands as the power of the mind, and it is in this power that the very nature of man, or the design of mankind, consists.

There are, Locke maintains, two kinds of power in general: active and passive. A material body has only the passive power, that is, the cause of its movement is always something external.[2] God on the other hand embodies the perfect, purest active power, that is, nothing can be the cause of His action [II:xxi:2].[3] Men are in between the two categories; they are partly active and partly passive in their motions. In so far as we have a body, we have a passive power. Our faculty of perception, as far as that of simple ideas is concerned, is passive. However, Locke insists, we find by experience -- by introspection -- an active power within us by which we can move the parts of our bodies [II:xxi:4]. He refuses to regard this active power as free-will, because in his view will is always determined by our conception of uneasiness, yet he considers, nonetheless, that will is a faculty of the mind, and the mind has an active power, which he calls free. He contends that "free" is a predicate of a person, the subject of both volition and understanding, namely of judgement [II:xxi:5-14].[4]

Locke insists that the liberty of man resides in the mind's power to suspend the execution and satisfaction of its desires, to examine the objects of them on all sides, and to compare them with others [II:xxi:47]. Desire is "an uneasiness of the Mind for want of some

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[1] "Pleasure and Pain. The Passions", p.269.

[2] Although Locke's locutionary use of the word "power" allows to say "the Sun has a power to blanch Wax" [II:xxi:1], his explanation in §4 and his support of the corpuscular theory suggest that he presupposes the pure passivity of bodies in power. See also "Pleasure and Pain. The Passions", p.271.

[3] Jacob,1990: 64-65. According to Fraser, Locke's philosophy presupposes the existence of substance for power; there is no power without the agent. Therefore, the existence of power in this world presupposes the agent who is the first and ultimate cause of the power, God. See, Fraser edition, vol. I, p.310, n.4.

[4] It was Kant who brought this distinction between man's passive and active power into an extreme and regard it as an antinomy. Kant, 1929: 409-415. Schematically speaking, Kant insists that the faculty of willing, i.e. the power which is independent of the necessity of nature, is the source of man's freedom. "It is this capacity, rather than the results of exercising it, that is most fundamental to the dignity and worth of human beings because it distinguishes humans from other animals and elevates them above the realm of causally determined nature. What makes them a human subject at all is not the particular aims, interests and conceptions of the good that they decide to adopt and follow, but rather the capacity to think and act autonomously which is made manifest in such decisions".(Mulhall and Swift, 1992: 43; Williams, 1983: 34-36.) It is this voluntarism that makes Kant a classical deontological liberal: this voluntarism shows that not the good but the right, i.e. not the ends but our capacity of choosing and complying them, is primarily relevant for moral argument. (On the relationship between the individual's power of choice and a right, see, Tuck, 1979: 6-7.) Though Locke's account of liberty sometimes becomes very close to this Kantian position, he by no means holds this strong voluntarism.

absent good"[II:xxi:31], and our actions are for the most part determined by what we consider the most pressing uneasiness. Therefore, the determination of our action depends mainly upon our judgement of what is the most pressing absent good. If our mind is merely passive, and does not examine our conception of uneasiness, we are inclined to commit wrong judgements. We, as a matter of fact, can act passively, and in so doing, we are also prey to the uneasiness we conceive at the moment. Our conception of uneasiness, in this state of passivity of the mind, is determined by customs or fashions which are, as it were, ready-made judgements [II:xxi:45]. Indeed, according to Locke, our conceptions of uneasiness are quite often formed by habits and education, not by our own mind, and this is the reason why we make wrong judgements, because habits and education have corrupted "the palates of Men"[II:xxi:69].

To act without examination of our own desire is to make a hasty judgement. The first and great use of man's liberty, Locke insists, is to hinder this stupid hastiness of the mind [II:xxi:67]. He appeals to the *fact* that we, human beings, have a faculty of liberty, and the neglect of it would result in "all that variety of mistakes, errors, and faults which we run into, in the conduct of lives and our endeavours after happiness". From this fact about humanity Locke derives the function of human liberty, saying "when, upon due Examination, we have judg'd, we have done our duty, all that we can, ought to do, in pursuit of our happiness; and 'tis ... a perfection of our nature to desire, will, and act according to the last result of a fair Examination"[II:xxi:47]. The use of human liberty is a matter of the perfection of human nature; it is also a natural duty of mankind, because Locke thinks to exercise this liberty is "the great privilege of finite intellectual Beings"[II:xxi:52]. We are thus obliged to employ this liberty because we *can*, and therefore, even if because of due reason we cannot fulfill this obligation -- for example, when we are under the command of some violent passions -- then "God", he writes, "who knows our frailty, pities our weakness, and requires of us no more than we are able to do, and see what was, and what was not in our power, will judge as a

kind and merciful Father"[II:xxi:53].

Now, up to this stage of the argument, Locke's argument for desire has developed into the problem of autonomy. The self-regulation of the mind is not the abridgement, but the "end and use of our Liberty". The active power we find in the power of our mind is the power with which God equips us; but it is not an unconstrained power. Will is not a purely formal faculty of man which can categorically and unconditionally impose a command on itself [II:xxi:71]. Such a conception of will -- "will" as an absolute indifference -- defies man's perfectibility which Locke espouses with his theologico-teleological vision.

> A perfect Indifferency in the Mind, not determinable by its last judgement of the Good or Evil, that is thought to attend its Choice, would be so far from being an advantage and excellency of any intellectual Nature, that it would be as great an imperfection, as the want of Indifferency to act, or not to act, till determined by the Will, would be an imperfection on the other side. A Man is at liberty to lift up his Hand to his Head, or let it rest quiet: He is perfectly indifferent in either; and it would be an imperfection in him, if he wanted that Power, if he were deprived of that Indifferency. But it would be as great an imperfection, if he had the same indifferency, whether he would prefer the lifting up his Hand, or its remaining in rest, when it would save his Head or Eye from a blow he sees coming: 'tis as much a perfection, that desire or the power of Preferring should be determined by Good, as that the power of Acting should be determined by the Will, and the certainer such determination is, the greater is the perfection.

Freedom and necessity thus are reconciled in this perfectionist vision:

> every Man is put under a necessity by his constitution, as an intelligent Being, to be determined in willing by his own Thought and Judgement, what is best for him to do: else he would be under the determination of some other than himself, which is want of Liberty. [II:xxi:48]

Locke's argument of autonomy has two features which deserve distinct attention. First, it contains in itself two dimensions of dependence: autonomy is, from the vertical point of view, theonomy,[1] that is, the rule of God, because to make right judgement is to follow the necessity of nature whose author is God; but it is, from the horizontal point of view, the self-rule, because each man is free if and only if he himself is the master of his own

[1] I borrowed the dialectical pair of terms of "autonomy" and "theonomy" from Paul Tillich's theological vocabulary. See, Carey, 1984.

judgement. No man is the master of another. Every man hence is perfectly equal to each other as a moral self. Second, Locke's conception of autonomy is at once descriptive and normative: it is derived from his depiction of the faculty of the mind; but we are obliged to be autonomous because it is God's design. Man is a dependent being in the religious sense, but he should be independent in his relationship with his fellows. His dependence on God requires his independence as a moral agent.

These two features are important also for us to understand Locke's account of perfectionism. Man's perfectibility, in his account, must be imperfect. Locke's theory of liberty dictates that perfect happiness must be the necessary good; such is the property of God alone, whose infinite Wisdom and Goodness necessarily prevent Him from choosing what is not good; "the Freedom of the Almighty hinders not his being determined by what is best"[II:xxi:49]. Lesser intelligent creatures are as much inferior to the supreme Being as their liberty and necessary good are less synchronised [II:xxi:50]. Man, a short-sighted being, can neither perfectly comprehend the necessary good, nor can he do what is really better immediately. That is why in spite of their common or necessary desire for happiness, men conceive and seek a variety of good in their lives. Men place their happiness in different things: "therefore 'twas a right Answer of the Physician to his Patient, that had sore Eyes. If you have more Pleasure in the Taste of Wine, than in the use of your Sight, Wine is good for you; but if the Pleasure of Seeing be greater to you, than of Drinking, Wine is naught"[II:xxi:54].

Locke's account of human liberty explains why there are in fact conflicts among what men choose as their good, and suggests how we should overcome them. Man's liberty helps him pause to think and examine what would really give him greater good among his options, such as "Seeing or Drinking?" and to make another more rational choice, that is, to produce in his mind a rational desire by comprehending the necessary congruity between the better choice and his own conceived happiness. Of course, man's imperfect nature prevents him

from consistently making perfectly rational choices; man is, after all, a fallible being. But Locke has no doubt that we can improve our faculty of judgement if we learn his theory of mind [II:xxi:69]. Locke considers that to improve our own conduct of understanding is a primary duty of mankind. And about the natural limits of understanding, he suggests, we don't have to worry, because infinitely merciful God will allow for our weakness; Locke's idea of man's autonomy is thus dependent on, and protected by, this idea of God's paternalism. Herein is clarified the central importance of retributivism in Locke's moral argument: man deserves happiness by his effort in his natural duty, which God alone will judge in perfect propriety.

Natural and Moral Good

Although Locke's notion of autonomy tells us that to be autonomous is to reconcile freedom and necessity, it does not mean merely that to be free is to follow the necessity of nature. "Agents", says Locke, "that have no Thought, no Volition at all, are in every thing necessary Agents"[II:xxi:13]. Man is by no means such an agent. He in fact has thought and volition, and it is his *duty* to exercise fully these faculties of the mind, which is the perfection of his nature. Natural necessity is, therefore, different in kind from moral necessity. Moral necessity is the necessity which intellectual agents must realise by themselves. This distinction between moral and natural necessity reflects Locke's moral objectivism. Comparison with a moral sceptic, Hobbes, will help us understand this point. About the definition of will, Hobbes takes quite a naturalistic position insisting that the action depends solely on the last inclination or appetite; he denies the Scholastic definition of the will that it is a rational appetite, and says "Will ... is the last appetite in deliberating"; and deliberation for Hobbes is nothing but the "alternate succession of appetite, aversions, hopes and fears".[1] Locke certainly has a similar view about will, but he insists that it is "a perfection of our nature to desire, will, and act

[1] *Leviathan*, VI, p.33.

according to the last result of a *fair* Examination"[II:xxi:47]. Man's perfection thus resides in the formation of a rational appetite: "the highest perfection of intellectual nature, lies in a careful and constant pursuit of true and solid happiness; so the care of our selves, that we mistake not imaginary for real happiness, is the necessary foundation of our liberty"[II:xxi:51]. Compared with Hobbes, Locke is hence closer to the Aristotelian-Scholastic tradition.

Locke' philosophical position that all the knowledge we have ultimately stems from experience tends to misrepresent him as a moral naturalist. One of his earliest critics, Thomas Burnet, accused Locke of this point.[1] True, Locke in a section of Book One carelessly regards "a desire of Happiness, and an aversion to Misery" as "innate practical Principles", which are "natural tendencies imprinted on the Minds of Men"[I:iii:3], and Burnet actually quotes from this section. However, Locke himself made a comment on this section as his reply to Burnet: "Men have a natural tendency to what delights and from what pains them. This universal observation has established past doubt. That the soul has such a tendency to what is morally good and from what is morally evil has not fallen under my observation, and therefore I cannot grant it for as being".[2] As soul Locke is referring to the intellectual faculty of man which directs him to do some action as a moral agent.[3] He accordingly looks upon moral principles which are distinct from practical principles as the principles which intellectually guide men's moral conduct. Moral principles -- principles of moral good -- are the restraints on practical principles, that is, principles of natural good:

> Principles of Actions indeed there are lodged in Men's Appetites, but these are so far from being innate Moral Principles, that if they were left to their full swing they would carry Men to the over-turning of all Morality. Moral Laws are set as a curb and restraint to these exorbitant Desires, which they cannot be but by Rewards and Punishments, that will over-balance the satisfaction any one shall propose to himself in the breach of the Law. [I:iii:13]

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[1] Burnet, 1989: 24.

[2] Ibid., p.66.

[3] *Essay*, II:xxvii:26-27; Yolton, 1993: 268-271.

What, then, does Locke consider is the difference between moral and natural good? An example we have so far examined concerning this difference is the distinction between "seeing" and "drinking": both give us pleasure, but a rational intellectual being, Locke holds, could not avoid choosing the former rather than the latter; otherwise, he would make a wrong judgement. In a manuscript entitled "Thus I Think",[1] Locke develops this distinction: "if I prefer a short pleasure to a lasting one, it is plain I cross my own happiness". He raises here the examples of lasting pleasure under five headings:

> 1st. Health, -- without which no sensual pleasure can have any relish.
> 2nd. Reputation, – for that I find every body is pleased with, and the want of it is a constant torment.
> 3rd. Knowledge, – for the little knowledge I have, I find I would not sell at any rate, nor part with for any other pleasure.
> 4th. Doing good, -- for I find the well-cooked meat I eat to-day does now no more delight me, nay, I am diseased after a full meal. The perfumes I smelt yesterday now no more affect me with any pleasure; but the good turn I did yesterday, a year, seven years since, continues still to please and delight me as often as I reflect on it.
> 5th. The expectation of eternal and incomprehensible happiness in another world is that also which carries a constant pleasure with it.

These five categories are the standards by which we are to make our judgement on our everyday actions; they are, as it were, a code of moral practice, and Locke seems to accept the code as his own moral standard since in his educational writings, he actually -- though implicitly -- uses it in his advise for the regulation of children's conduct.

It seems that a utilitarian distinction between a short and lasting pleasure is the principle Locke holds of moral good. But according to Locke's understanding of morality, the mere presentation of a moral code is not sufficient for us to therein detect what is the moral principle. True, the code quoted above is superior to the maxims of moral intuitionists, because it is based upon the proof -- rational deliberation or calculation of pleasure -- rather than mere intuition. However, moral principles are for Locke categorically different from prudence. Prudence helps us to detect the contents of moral principles, but does not oblige

[1] King, vol. II, pp.120-122.

us to do our duties.[1] Locke persistently upholds in almost all his ethical writings that the idea of moral duty presupposes the idea of law: "what Duty is, cannot be understood without a Law; nor a Law be known, or supposed without a Law-maker, or without Reward and Punishment"[I:iii:12]. Locke thus in the "Of Ethics in General" insists that without a law "moral goodness will be but an empty sound":

> The difference between moral and natural good and evil is only this; that we call that naturally good and evil, which, by the natural efficiency of the things, produces pleasure and pain in us; and that is morally good or evil which, by the 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. Thus, drinking to excess, when it produces the head-ache or sickness, is a natural evil; but as it is a transgression of law, by which a punishment is annexed to it, it is a moral evil. For rewards and punishments are the good and evil whereby superiors enforce the observance of their laws; it being impossible to set any other motive or restraint to the actions of a free understanding agent, but the consideration of good or evil; that is, pleasure or pain that will follow from it.

Of course, Locke has no doubt that there is "a lawgiver to all mankind, with power and will to reward and punish" and "he has declared his will and law"; that is, God is the lawgiver and the law of nature is his will.[2]

Now, we seem to have come back again to the starting point of our argument: our interpretation of the *Essay* in search of Locke's theory of morality, namely the law of nature, has reached his assumption of the existence of that law. Locke's arguments for moral notions, moral good and man's liberty do not by themselves demonstrate his theory of the law of nature; they merely presuppose it. This is a quite natural consequence, because as we have seen his whole argument in the end depends upon his theological argument called the Workmanship-model. This circularity is, however, a fatal defect for Locke, since in Book One he refuses any intellectual attitude which is based upon the unexamined dogmatic presupposition. Moral science must be founded on reasoning. His reasoning on moral good certainly shows us a code of moral conduct which must constitute the definite part of his

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[1] Hart, 1961: 83-84. On Locke's anti-consequentialism, see, Harris, 1994: 265.

[2] King, vol. II, pp.128-131.

theory of moral laws, but it is insufficient at least in the two points: first, it lacks the sufficient argument for moral obligation; second, it is still not a satisfactory rule of interpretation upon our own experience -- pleasure and pain -- about what is morally good or not, because the distinction between short and lasting is still vague and there is no lexical order among the codes.

Indeed, what Locke expects for the science of morality is the clearness and certainty comparable to that of mathematics. Although in many respects, Locke shows similarities to Aristotle, the ancient philosopher of experience, yet, as far as moral science is concerned, his view should be called Platonic, because we find more than etymological continuity between his concept of idea and Plato's Idea in his following remarks:

> All the Discourses of the Mathematicians about the squaring of a Circle, conick Sections, or any other part of Mathematicks, concern not the Existence of any of those Figures: but their Demonstrations, which depend on their Ideas, are the same, whether there be any Square or Circle existing in the World, or no. In the same manner, the Truth and Certainty of moral Discourses abstracts from the Lives of Men, and the Existence of those Vertues in the World, whereof they treat: Nor are Tully's Offices less true, because there is no Body in the World that exactly practises his Rules, and lives up to that pattern of a vertuous Man, which he has given us, and which existed no where, when he writ, but in Idea.[IV:iv:8][1]

This Platonism,[2] however, does not contradict his empiricism because, he believes, what the arguments in Book Two demonstrate is that even the most abstract idea in mathematics is *acquired* only from our own experience: mathematics and moral science are *a priori* science only because their *validity* are independent of experience.[3] However, as far as the knowledge

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[1] This kind of Platonism is characteristic of a Christian philosophy which endorses the strongly voluntaristic concept of God Almighty. For example, according to Gilson, Matthew of Aquasparta, a disciple of St. Bonaventura and the Italian Cardinal, insisted that "the existence of sensible things is not necessary required for true human knowledge; so long as the divine light is there, we can know the whole truth about things". Gilson,1938:: 57-59.

[2] On Locke's Platonism, see, Lovejoy, 1936: 362, n.2.

[3] However, there is in fact a great puzzle in Locke's philosophy about the knowledge like mathematics or morality: the knowledge of mathematics is *a priori*, general and instructive, but, as we will see below, Locke upholds nominalistic view of knowledge, according to which only particulars exist and general knowledge we have is trivial, i.e. uninstructive. Metaphysically, these two types of view of knowledge are hardly reconcilable. Therefore, as J. Milton says, "Locke was perhaps the first philosopher for whom mathematical knowledge was not a paradigm but a problem". It is generally confirmed that Locke's treatment of mathematics is unsuccessful. Milton, 1981: 139-140; O'connor,1967: 168-169. About how successful is Locke on morality, see my argument below.

of morality is concerned, Locke considers we need the empirical knowledge about the existence of some beings: "Moral knowledge must", writes M. Ayers, "rest on knowledge of the existence of at least one inter-personal relationship, between an omnipotent, wise and beneficent creator and his rational, free creature, capable of pleasure and pain".[1]

It is time for us to inquire into Locke's argument for the demonstrability of moral science.

[1] Ayers, 1991: vol. II, 188

Chapter 6

Pursuit of Morality III

1) DEMONSTRABILITY OF MORALITY

Demonstrability of Moral Science In order to understand and scrutinise Locke's argument for moral science, I think it appropriate to start with the interpretation of a famous passage in Book Four: that is,

> The Idea of a supreme Being, infinite in Power, Goodness, and Wisdom, whose Workmanship we are, and on whom we depend; and the Idea of our selves, as understanding, rational Beings, being such as are clear in us, would, I suppose, if duly considered, and pursued, afford such Foundations of our Duty and Rules of Action, as might place Morality amongst the Sciences capable of Demonstration: wherein I doubt not, but from self-evident Propositions, by necessary Consequences, as incontestable as those in Mathematicks, the measures of right and wrong might be made out, to any one that will apply himself with the same Indifferency and Attention to the one, as he does to the other of these Sciences.

Another famous passage follows in which we find the examples of such demonstration:

> Where there is no Property, there is no Injustice, is a Proposition as certain as any Demonstration in Euclid: For the idea of Property, being a right to any thing; and the Idea to which the Name Injustice is given, being the Invasion or Violation of that right; it is evident, that these Ideas being thus established, and these Names annexed to them, I can as certainly know this Proposition to be true, as that a Triangle has three Angles equal to two right ones. [IV:iii:18]

It is above evidenced that by demonstration Locke means to imply the entailment relationship between notions. The demonstration of morality is a matter of definition of mixed modes that comprise moral arguments; the definition is, however, not *real* in the sense that it signifies the nature or essence of things, but *nominal* because it is the creature of the mind and is nevertheless *real* only in the sense that it is the archetype for itself -- the clearness and certainty of definition depend on the *perceptibility* of an interaction of ideas in the definition.

> moral Knowledge is as capable of real Certainty, as Mathematicks. For Certainty being but the *Perception* of the Agreement, or Disagreement of our Ideas; and Demonstration nothing but the *Perception* of such Agreement, by the Intervention of other Ideas, or Mediums, our moral Ideas, as well as mathematical, being Archetypes themselves, and so adequate, and complete Ideas, all the Agreement, or Disagreement, which we shall find in them, will produce real Knowledge, as well as in mathematical Figures. [IV:iv:7].

This argument is no doubt based on Locke's argument for moral notions. In other words, this assertion itself adds nothing to what we have already learned of his theory of moral notions which in principle entails this demonstrability. If the demonstrability is merely the possibility of clear definition, Locke's theory does not teach us much at all.[1]

The question is how we can acquire and employ the real and certain knowledge of morality as foundations for our duties and rules of action. There is no doubt that the quality of knowledge Locke holds of morality is similar to that of *scientia*, the sort of knowledge concerning that which is necessary and cannot be otherwise. Locke indeed upholds the traditional distinction between Knowledge and Opinion; there is a standard which tells us what Knowledge is, and every idea which is short of this standard is Opinion. What is knowledge? Knowledge is, Locke insists, the *perception* of the relationship between the Ideas we have [IV:i:2], and there are degrees of evidence in our perception which show the demarcation of certain knowledge and probable knowledge, i.e. Knowledge and Opinion. Locke's definition of Knowledge reveals that it after all differs significantly from *scientia*: unlike the theory of *scientia*, Locke's theory of certain knowledge does not refer to the real essence of the things.

I named in the fourth chapter Locke's methodology MIN with view to his criticism against MDR, and we find in Book Four his theory of certain knowledge to be based on methodological nominalism as well. Locke moreover seems to espouse metaphysical nominalism, because he insists that Essences and Species are barely abstract ideas on which

[1] Harris, 1994: 264.

we impose names [IV:vi:4], and that all things that exist are particulars [III:iii:1]."General and Universal", Locke insists, "belong not to the real existence of Things"[III:iii:11].[1] He always takes his nominalist ontology for granted rather than make any argument or demonstration for it. That only particulars exist is for him a *prima facie* fact, a matter of fact our experience plainly perceives without need of proof. His confidence is philosophically unwarranted and shows only the fact that his philosophy is entangled in a philosophical tradition which stretches back to no less than later medieval Scholasticism;[2] but this is not my point. What is significant is how his nominalism affects his theory of knowledge.

Locke insists that knowledge is the perception of the agreement and disagreement of ideas. If we, therefore, wish to have certain knowledge, it must be based on a clear and certain perception of ideas. Mind, he persists, has the faculty to perceive certainly and infallibly each idea to agree with itself and disagree with what is not itself; and, what is most important, "it is certain, that the first exercise of this faculty, is about *particular* Ideas". "A Man", Locke holds, "*infallibly* knows, as soon as ever he has them in his Mind that the Ideas he calls White and Round, are the very Ideas they are, and that they are not other Ideas which he calls Red or Square"[IV:i:4].

There are, he upholds, three sorts of knowledge according to the degrees of certainty; viz. "Intuitive, Demonstrative, and Sensitive" knowledge [IV:iii:14]. *Intuitive* knowledge the mind gains when it "perceives the Agreement or Disagreement of two Ideas immediately by themselves, without the intervention of any other", such as "White is not Black", and "this kind of Knowledge is the clearest, and most certain, that humane Frailty is capable of". Locke's confidence, therefore, against sceptics that there is certain infallible knowledge is warranted by his theory of intuition:

> This part of Knowledge is irresistible, and like the bright Sun-shine, forces it self immediately to be

[1] Milton, 1981; Staniland, 1972: ch.2.

[2] Milton, 1981.

> perceived, as soon as ever the Mind turns its view that way; and leaves no room for Hesitation, Doubt, or Examination, but the Mind is presently filled with the clear Light of it. 'Tis on this Intuition, that depends all the Certainty and Evidence of all our Knowledge, which Certainty every one finds to be so great, that he cannot imagine, and therefore not require a greater: For a man cannot conceive himself capable of a greater Certainty, than to know that any Idea in his Mind is such, as he perceives it to be; and that two Ideas, wherein he perceives a difference, are different, and not precisely the same. [IV:ii:1]

Intuitive knowledge is founded on the perception between the simple ideas which we are by nature designed to perceive in a clear and distinct way.[1]

Consequently, the certainty of *demonstrative* knowledge depends ultimately on intuition. The mind arrives at demonstrative knowledge when it perceives the agreement or disagreement of any ideas not immediately: "when the Mind cannot so bring its Ideas together, as by their immediate Comparison, and as it were Juxta-position, or application one to another, to perceive their Agreement or Disagreement, it is fain, by the Intervention of other Ideas (one or more, as it happens) to discover the Agreement or Disagreement, which it searches". Locke calls this work of the mind "Reasoning" [IV:ii:2], those intervening ideas "Proofs", the plain and clear perception of agreement or disagreement "Demonstration", and a quickness in the mind to find out proofs and to apply them right "Sagacity"[IV:ii:3]. Concerning the certainty of demonstrative knowledge Locke explains as follows:

> This Knowledge by intervening Proofs, though it be certain, yet the evidence of it is not altogether so clear and bright, nor the assent so ready, as in intuitive Knowledge. For though in Demonstration, the Mind does at last perceive the Agreement or Disagreement of the Ideas it considers; yet 'tis *not without pains and attention*: There must be more than one transient view to find it. *A steddy application and pursuit is required to this Discovery: And there must be a Progression by steps and degrees, before the Mind can in this way arrive at Certainty, and come to perceive the Agreement or Repugnancy between two Ideas that need Proofs and the Use of Reason to shew it.* [IV:ii:4].

Demonstrative knowledge thus requires the *persistent exercise* of reason. The acquisition of it starts from a "probable conjecture"[IV:ii:2], a doubt about the certainty of the knowledge which intuitive knowledge would never produce [IV:ii:5]. We reach demonstration by reasoning, that is, by carefully applying proofs to a probable conjecture until we find a clear

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[1] See above, pp.125-7.

and distinct train of ideas between the ideas considered. Every clear connection of ideas must be intuitive; therefore, Locke says, "in every step Reason makes in demonstrative Knowledge, there is an intuitive Knowledge of that Agreement or Disagreement, it seeks, with the next intermediate Idea, which it uses as a Proof". This is a great demand or burden on our mind, and without our careful and continuous employment of mind, demonstrative knowledge is impossible.

> So that to make any thing a Demonstration, it is necessary to perceive the immediate Agreement of the intervening Ideas, whereby the Agreement or Disagreement of the two Ideas under Examination (whereof the one is always the first, and the other the last in the Account) is found. *This intuitive Perception of the Agreement or Disagreement of the intermediate Ideas, in each Step and Progression of the Demonstration, must also be carried exactly in the Mind, and a Man must be sure that no part is left out*, which because in long Deductions, and the use of many Proofs, the Memory does not always as readily and exactly retain: therefore it comes to pass, that *this is more imperfect than intuitive Knowledge, and Men embrace often Falsehoods for Demonstrations*. [IV:ii:7]

Demonstrative knowledge is thus less exact than intuitive knowledge; we are likely to err in demonstration. An example of a demonstrable and exact science is mathematics, and it is capable of demonstration, Locke holds, because our mind can intuitively perceive the ideas which comprise it -- for instance, number, extension and figure. Other sciences therefore would be capable of demonstration, if we could intuitively perceive their component ideas [IV:ii:9].

"Intuition and Demonstration", Locke contends, "are the degrees of our Knowledge; whatever comes short of one of these, with what assurance soever embraced, is but *Faith*, or *Opinion*, but not *Knowledge*, at least in all *general* Truth". There is, however, the other perception of the mind which Locke considers does not reach perfectly such degrees of certainty as intuition and demonstration, but goes beyond bare probability, and therefore deserves the name of Knowledge -- that is, the perception of the mind that concerns "the particular existence of finite Beings without us". Locke insists that no one can be as sceptical as to deny the existence of particular beings without our minds when we perceive intuitively their ideas in our minds. He thus calls this kind of knowledge "Sensitive knowledge" [IV:ii:14].

Even if we ignore the philosophical difficulty about Locke's view of sensitive knowledge, our knowledge about external objects is still extremely limited by his philosophy, because "Sensitive knowledge", as Osler holds, "lacks the scope of intuition or demonstration. It is confined to the objects producing ideas in our minds at the moment".[1] We cannot have certain knowledge about the general truth about external objects, i.e. substances; Locke accordingly embraces a quite sceptical view: "natural Philosophy is", he insists, "not capable of being made a Science"[IV:xii:10]. We cannot have *scientia* about natural science; but it does not mean that our knowledge of natural bodies is utterly unwarranted. Natural science is certainly a body of opinions (i.e. hypothesis), but there are, Locke holds, degrees of reliability among opinions, and one of the great tasks and achievements of the *Essay* is to demonstrate how to measure and regulate the probability of judgement.[2]

Unlike natural science, moral science is, Locke insists, capable of demonstration. Being creatures of the mind, moral notions are archetypes for themselves; if we are sufficiently careful and persistent in reasoning, we can in principle demonstrate moral knowledge. The very basis of all certain knowledge is our intuitive knowledge about particular ideas. Demonstration is the careful trace of a train of connections between intuitive perceptions which are in fact trifling propositions like "white is not black". How then can we acquire the demonstrative knowledge of morality from trifling propositions? If demonstrative knowledge is merely the connection of trifling propositions, such as "Right is Right, and Wrong is Wrong", a demonstrative science of morality is useless [IV;viii:3].

Let me turn again to the first quotation in this section in which Locke asserts that the ideas of God and our selves will supply the foundations of our duties and rules of action. I should now examine his demonstration of these ideas.

Our Knowledge of God In Book Four of the *Essay*, Locke attempts the

[1] Osler, 1970: 14.

[2] The chapters XIV, XV, XVI, and XX in Book Four are devoted to this problem.

demonstration of the existence of a God. In summation, his argument is: "we have the Knowledge of our own Existence by Intuition; of the Existence of God by Demonstration"[IV:ix:2]. About the intuitive knowledge of our own selves, Locke certainly follows the Cartesian proof, but compared to Descartes, his argument is so simple that it seems almost tautological. His position is after all based on the simplest account of empirical knowledge: "Experience ... convinces us, that we have an intuitive Knowledge of our own Existence, and an internal infallible Perception that we are"[IV:ix:3]. This view is consistent with his nominalism -- sensitive knowledge is concerned only with particular things.

Upon this almost commonsensical but certain knowledge, Locke builds his demonstration of God's existence. His train of thought is roughly as follows: (1) Man has a clear perception of his own Being. (2) Man knows by intuitive certainty that bare nothing cannot produce any real Being. (3) From eternity there has been something. (4) Because all the powers Beings possess must be derived from the same eternal source and original, this eternal Being must be the most powerful. (5) A knowing intelligent Being exists, since man finds knowledge in himself. (6) According to (2) and (5), there has been a knowing Being from eternity. (7) There is an eternal, most powerful, and most knowing Being. The conclusion of his demonstration is thus "there is an Eternal, Omniscient, Omnipotent Being"; such a Being, he holds, we call a God, and this is "so fundamental a Truth, and of that Consequence, that all Religion and genuine Morality depend thereon"[IV:x:2-7].

How then does this idea of existence of an Eternal, Omniscient and Omnipotent Being become the foundation of morality? The true ground of morality, Locke insists, "can only be the Will and Law of a God, who sees Men in the dark, has in his Hand Rewards and Punishments, and Power enough to call to account the Proudest Offender"[I:iii:6]. Does this idea of a God, however, hold any moral character? This is the very question that Locke's first critics raised against him. It was Thomas Burnet who thrust a decisive question upon Locke:

> You allow, I think, moral good and evil to be such antecedently to all human laws; but you understand them to be such ... by the divine law. To know your mind farther, give me leave to ask: what is the reason or ground of that divine law, whether the arbitrary will of God, the good of men, or the intrinsic nature of the things themselves? ... You seem to resolve all into the will and power of the law-maker. But has the will of a law-maker no rule to go by?

And Burnet's question reaches the fundamental point:

> To consider and propose this matter more at large, 'tis not enough (as I judge) for our satisfaction, and to establish the certainty of revealed religion, that we know the physical or metaphysical attributes of the divine nature. We must also know its moral attributes, as I may so call them: such as goodness, justice, holiness and particularly veracity. Now these I am not able to deduce or make out from your principles. You have proved very well an eternal, all-powerful and all-knowing being. But how this supreme being will treat us, we cannot be assured from these attributes.[1]

We have Locke's response against Burnet, but it is disastrously insufficient:

> I cannot much blame him ... for concealing his name. For I think anyone who appears among Christians may be well ashamed of his name when he raises such a doubt as this, viz. whether an infinitely powerful and wise being be veracious or no, unless falsehood be in such reputation with this gentleman that he concludes lying to be no mark of weakness and folly. Besides, this author might if he had pleased have taken notice that in more places than one I speak of the goodness of God.[2]

This is a hopelessly bad answer. Locke is committing the very error he fiercely criticised in Book One of the *Essay*; that is, asserting a proposition dogmatically, without proof. He after all asserted the *goodness* of God, but seemed to fail to demonstrate it.[3] When he says, "If I have the Will of a supreme, invisible Law-maker for my Rule: then, as I supposed the Action commanded, or forbidden by God, I call it Good or Evil, Sin or Duty"[II:xxviii:14], he only exposes an utterly vacuous proposition about the meaning of moral good. He as a matter of fact remained silent against Burnet, although after his reply Burnet published other critiques.

This is one of several episodes which has been recognised among Lockean scholars

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[1] Burnet, 1989: 25-26.

[2] Ibid.: 34.

[3] We cannot understand the goodness of God as the pleasures God supplies us with, because God's good is moral good which regulates natural good, the pleasures we have.

as the evidence of Locke's failure to construct the demonstrative science of morality.[1] He, as a matter of fact, did not write a treatise of morality in spite of his friends' persistent requests. There are many manuscripts Locke left in which he tried to make a demonstration of morality, but all were abortive.[2] There exists, among other things, his confession that he could not accomplish this task.[3]

Concerning the crucial reason why Locke could not write a treatise of morality, there are some hypotheses: Schneewind, following squarely Burnet, attributes Locke' failure to his voluntaristic concept of God's arbitrary character;[4] Colman insists that although Locke succeeded in demonstrating some moral concepts from his idea of God, he ultimately failed to derive the Golden Rule from his principles;[5] according to Yolton, Locke's precepts of natural law are so messy that he could not lay out "the entire system of moral rules and concepts ... in an interconnected way", and was consequently satisfied (or obliged to be satisfied) only to announce specific rules as laws of nature;[6] Harris points out that Locke's looseness of usage about the ideas of law or obedience, which is the product of an unexamined custom of his days, might be a cause of his difficulty to explain the validity of the obligation of natural law.[7] It seems to me, however, that the theoretical problems Locke encounters boil down to the question I raised at the fourth chapter; the problem of circularity. And this Burnet also had already pointed out:

> If you say we know [how God will treat us] by revelation, then the question returns: how do we know the truth of that revelation? We must not take it from the report of that revelation itself, for then we argue in a circle. And it must be collected from some other attributes than the bare power and

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[1] My understanding of Locke's failure to achieve a demonstrative moral science owes much to Kato, 1988: ch.3. See also, Kato, 1981; Dunn, 1984: 60-70; Wootton, 1989.

[2] Aaron, 1973: 256.

[3] *Correspondence*, vol. IV, no.1693, 1538; *Reasonableness*, p.140, 142-143.

[4] Schneewind, 1994; Harris, 1994: 380 n.57, 315-316.

[5] Colman, 1983: 203-204

[6] Yolton, 1970: 171-177.

[7] Harris, 1994: 277.

knowledge of the revealer.[1]

There is no doubt that Locke is in this circle, because against Burnet's criticism, Locke raised the attributes of Christian God. Is the *Essay* itself, then, a grave failure? I shall consider the significance of Locke's failure from another, more positive, perspective.

The Law of Nature If Locke's voluntaristic concept of God is a crucial difficulty, then it would enhance our understanding of Locke's problem to turn once again to his arguments in the *Law of Nature*, where he more explicitly demonstrates such an idea. As regards the obligation of the law of nature, he explains its two modes; it obliges us "effectively" and "terminatively". These correspond with the voluntaristic distinction about God's power, viz. God's absolute power and God's ordained power. The effective cause of the law of nature is God's will which is the absolute and unlimited power, and which is the ultimate cause of all the duty we have; the obligatory force of every law -- whether it is moral or civil, positive or natural -- stems from God's absolute power. This does not however mean that the law of nature, as the Divine law, is arbitrary; the terminative cause of the law of nature is its content, i.e. what God has already ordained through nature and revelation, and has rational nature. Locke's pursuit of the law of nature is a hermeneutic attempt to read the terminative cause (God's ordained will) in nature. Therefore, the characteristic of Locke's idea of God is not arbitrary: Locke, as we have already seen, in fact insists that "the Freedom of the Almighty hinders not his being determined by what is best".[2] It is, as J. Mackie demonstrates,[3] logically impossible to reconcile the three propositions, "God is omnipotent", "God is wholly good" and "yet evil exists"; history of ideas shows there are various compromises to uphold all of these

[1] Burnet, 1989: 26.

[2] See above, p.143.

[3] Mackie, 1955: 200-212.

simultaneously by obscuring one of three -- and Locke is, following a tradition of medieval voluntarism, among such compromisers by limiting in a certain way God's omnipotence.

Certain laws of nature regulate in a rational way the order of nature as a whole, and for this reason nature boasts such magnificent harmony. This is a basic assumption both voluntarist and intellectualist natural law theorists might share. Thomas Aquinas, a prominent intellectualist, terms such laws *lex aeterna*:

> law is nothing else but a certain dictate of the practical reason 'in the prince' who rules a perfect community. It is clear, however, supposing the world to be governed by divine providence ... that the whole community of the Universe is governed by the divine reason. Thus the rational guidance of created things on the part of God, as the Prince of the universe, has the quality of law. ... This we can call the eternal law.[1]

Although all the creatures are, Aquinas holds, under the government of this law, there are differences in the degree of participation among creatures.

> of all others, rational creatures are subject to divine providence in a very special way; being themselves made participators in providence itself, in that they control their own actions and the actions of others. So they have a certain share in the divine reason itself, deriving therefrom a natural inclination to such actions and ends as are fitting. This participation in the eternal law by rational creatures is called the natural law [*lex naturalis*].[2]

Thus, the natural law is for Aquinas derived from the eternal law; it is a law for rational creatures who can and should partake the divine reason or right reason. It is therefore "the light of natural reason [*lumen naturalis rationis*]", implanted in our mind, that reveals natural law.[3] "Man, Aquinas held, being a rational creature, participates in the eternal reason: hence the *must* which *lex aeterna* addresses to the rest of creation is *ought* to him".[4]

The eternal law is the rational dictate of God which regulates both man and the other creatures: this law comprehends natural law -- the moral law for rational beings -- and the

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[1] Aquinas, 1970: 113.

[2] Ibid.: 115.

[3] Ibid.

[4] Hazeltine, 1969: xxi.

laws of nature -- the scientific laws that govern non-intellectual beings. For intellectualists, the dictate of reason is the mark which reveals natural law. What is, then, such a mark for voluntarists who hold law as not "something pertaining to reason", but the will of a law-giver or sovereign?[1] Let me quote F. Oakley's exegesis about the theory of law by a medieval voluntarist, Pierre d'Ailly:

> Not everything that the divine will wishes is a law obliging the rational creature, but only "whatever the divine will wishes to be law". Thus for example it can will the heavens to be moved, the sun to rise, and many other things to come to pass and yet clearly give rise to no obligation. For to be obliged is to be held bound either to behave or avoid behaving in a certain fashion or to possess or lack a certain disposition; this necessarily involves having from one's superior a precept or prohibition concerning some matter within the area of one's freedom of action. ... only that which the divine will indicates by precept and prohibition is law.

By His absolute power, God could obligate a rational creature immediately, but by His ordained power, "He can do so only by means of a created law, or in other words only by means of some signs which make known His obligatory will".[2] It might seem that voluntarism reduces all laws to positive ones, and denies natural law;[3] but d'Ailly and other medieval voluntarists do not embrace such an opinion: there are, they hold, different obligatory signs of the divine will, and "the natural law consists of those obligatory signs which are natural things, or naturally possessed".

> Some of these natural signs, he [d'Ailly] tells us, spring immediately from nature "just as the first principles of morality which are known only by conscience [*sinderesim*] and the light of natural reason [*lumen naturalis rationalis*]," that is to say, those moral principles such as "Render to each his own" to which anyone of sound mind naturally assents without recourse to the instruction of the learned. Other signs, such as the moral conclusions drawn from these axioms solely by means of a process of natural reasoning, come from nature only in a mediate way; these would include, for instance, the moral doctrines of the Gentile philosophers. It is of these latter signs that St. Paul is thinking when he speaks of the Gentiles who do not have the law but "who do by nature the things contained in the law".[4]

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[1] Oakley, 1961a: 66-72.

[2] Oakley, 1964: 187.

[3] Thomists like H. Rommen or E. Gilson take this view and regard voluntarism as the genesis of nihilism. Cf. Rommen, 1947: 204-205; Gilson, 1938: Part One. Although their interpretation is misleading, it contains a truth, since "the voluntarist phase of natural law thinking", some historians assert, "actually encouraged legal positivism in its definition of law as the command of the sovereign". Oakley, 1961a: 73-78.

[4] Oakley, 1964: 188.

The voluntarist theory of natural law is thus surprisingly similar to its rival theory. What is the difference between them? The overlapping part concerns God's ordained power; a difference therefore consists in what is meant by God's absolute power, where voluntarists hold the reservation that although natural law is immutable within the framework of the present economy, God's absolute power could always invalidate this economy as occurs in the case of miracles.[1] This idea serves, in the case of d'Ailly, to originate political views which are the product of "the exercise of natural reason in a radically contingent world"; and the fundamental superiority of divine law over other laws (like civil laws) enhances the Aristotelian idea of equity, *epikeia*, as applied to natural law theories. Another remarkable difference is the definition of law in general. D'Ailly insists that obligation, not reason, is the distinguishing mark of law, and to be obliged is "to be held to do something or not to do it, and 'to be held is to have a precept or prohibition from one's superior' concerning some matter on which one is free to act".[2] It is clear that Locke's theory of natural law radicalises these differences so that he can no longer uphold even the view of medieval voluntarists; it is clear that Locke's critique of innatism rejects d'Ailly's view of natural law which is based on *lumen naturalis rationis*. Indeed, by insisting that actions are good or evil only in its relation to moral rule, Locke escalates voluntarist theory of law into a more positivistic manner and deprives moral meaning from any action and thus upholds the morally neutral concept of actions: every action is, in principle, morally indifferent, without reference to any rule.[3]

Locke is, however, not a positivist, but a natural law theorist; yet judging from his radicalised voluntarism, he has great difficulty finding the *mark* of natural law as divinely ordained moral law. Let me employ here H. L. A. Hart's distinction of *primary* and *secondary*

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[1] Oakley, 1961a: 71.

[2] Oakley, 1964: 164, 174,189-197. On the idea of *epikeia*, see below, p.225n.4.

[3] See above, p.53.

rules[1] as an explanatory device for Locke's problem. Locke enumerates in his writings the laws of nature,[2] on the whole, *primary* rules of natural law displaying the contents of that law. The problem is that Locke fails to present *secondary* rules of natural law to explain why the primary rules are really natural law, i.e. morally obligatory. There are at least two kinds of *secondary* rule of law: *the rule of validity* explaining why primary rules are obligatory, and *the rule of interpretation* explaining how primary rules are to be interpreted and applied. I'd like to summarise my interpretation of Locke's moral argument using these rules as explanatory devices in the following.

2) THE ETHIC OF RATIONAL BELIEF

Perfection and Punishment The rule of validity for natural law is that which explains why the precepts of that law are obligatory. Voluntarist theory holds that natural law is obligatory because it is the will of God, and Locke also holds this view. Why then are we to obey God's will? What is, that is to say, the obligatory force of God's commands? Intellectualists often criticise voluntarists on this account; voluntarist explanation reduces the cause of natural law to fear, i.e. God's punishment. In the *Law of Nature*, Locke made an argument for this point. The force of rightful obedience is based not solely upon the power of a superior, but upon the right and authority he exercises over inferiors.[3] However, in the *Essay* Locke does not reproduce this argument. Of course, its fundamental assumption -- the Workmanship model -- indicates that God holds absolute authority over us -- we are totally dependent upon the will of God [IV:xiii:3]. But this does not explain the reason for God's authority. If Burnet is right, that is,

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[1] Hart, 1961: ch. V.

[2] See, a list of Locke's laws of nature in Yolton, 1970: 176-177.

[3] See above, pp.83-85.

if Locke's demonstration about God fails to disclose God's attributes such as His goodness except His infinite power and intellect, then Locke's position can not be differentiated from Hobbes's; the right of nature God has over men, Hobbes holds, arises from His irresistible power.[1] And Locke's arguments for law in general in the *Essay* have more stress on the reward and punishment than in the *Law of Nature*. The accusation of Hobbism on the *Essay* by his contemporaries was thus warranted.

Punishment is for Locke an indispensable characteristic of law. Without punishment (or reward) law is ineffective. This is based on his accounts for man's liberty and psychology. From the very early writings Locke asserts at least implicitly the fundamental liberty of man; man has the power of willing which is by nature arbitrary and which without regulation by law becomes the absolute guide of his own conduct. One of Locke's "abortive mature sketches for a demonstrative ethics" underwrites this point.

> The original and foundation of all Law is dependency. A dependent intelligent being is under the power and direction and dominion of him on whom he depends and must be for the ends appointed him by that superior being. If man were independent, he could have no law but his own will, no end but himself. He would be a god to himself and the satisfaction of his own will the sole measure and end of all his actions.[2]

This idea of existential liberty is closely related for Locke with his psychology of man, which is in general pessimistic. We saw his pessimism is clearly expressed in the *Two Tracts*;[3] this is a persistent issue for all his moral argument. Locke is certainly a rationalist, but he is also sceptical of the power of reason; reason seems to be helpless before the power of desires and beliefs,[4] and this is the cause of our moral failures and of moral relativism which in fact exists in this world. Men can and ought to live according to reason, but as a matter of fact most are

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[1] *Leviathan*, xxxi, pp.235-236.

[2] Ethica B. MS Locke c 28, p.141, quoted in Dunn, "Individuality and clientage", p.24. This is Dunn's favourite passage which seems to inspire him into his interpretation of Locke. It is quoted also in Dunn, 1969a: 1. On the mature Locke's knowledge about the history of men's vices, see, Tarcov, 1984: 164-166.

[3] See above, pp.45f..

[4] Dunn, 1984: 60.

not rational enough to comply their own moral duty. The most efficient means to control man's desire is thus control by another desire. Punishment is necessary for man's perfection.[1]

Locke's distinction between natural and moral good is therefore relevant in this respect. Locke's God is, unlike the God of Descartes or Leibniz, not the mere creator of the world whose perfectness prevents Him from working on the present economy; God is always taking care of us in one way or another, and through nature man understands His grace. There are two kinds of natural punishment, punishment not by men or men's institutions, but by God. First is the natural consequence of free choice; Locke's utilitarian argument about the preference of a lasting pleasure over a short one pertains to this.[2] Five examples of lasting pleasure -- health, good reputation, knowledge, doing good and the expectation of eternal happiness -- are all but the last one concerned with general worldly happiness being the consequence of our choice of action. Locke's argument for the overlapping concept of virtue is also pertinent for this point; to put it simply, it is what contributes to the public good of community, the most important element of which is security.[3] Consequently, both individual and collective choices which contribute to the maximisation of pleasure are good; if we miscalculate or neglect the consequence we cannot avoid punishment;[4] Locke calls this a wrong judgment, a judgement which *necessarily* produces a bad consequence, obliging us to recognise its wrongness, like a miscalculation in mathematics.[5] This punishment is accordingly *natural* because though it sometimes stems from men -- like in a case of reputation -- the real reason for the punishment is the failure to comply with rational necessity, which if we are sufficiently rational, is intelligible to us.

Of course, this does not mean that the utilitarian principle is *the* rule of validity for

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[1] "Voluntas", quoted in *Law of Nature*, pp.72-73.

[2] See above, p.146.

[3] See above, pp.134-5.

[4] It is Richard Cumberland who developed this way of argument into a unique theory of natural law, which made him a precursor of utilitarianism. See, Cumberland, *A Treatise of the Laws of Nature*, in Schneewind, 1990: vol. I, 140-155, esp.143. Tyrrell advised Locke to imitate Cumberland (and Paker) to overcome Locke's difficulty in his natural law theory, but Locke did not follow that suggestion. Wootton, 1989: 50-51.

[5] See above, pp138-9.

the law of nature. Utility is not the ground of law. Locke admits, however, that there is an amount of overlapping between natural law and the philosophical law. Given the goodness of God, this is not surprising, because if we successfully follow His design, there must be a reward for it. In the *Law of Nature*, Locke attacks the opinion that self-interest is the basis for the law of nature on the ground that what is right and obligatory is sometimes the denial of self-interest: "a great number of virtues, and the best of them, consist only in this: that we do good to others at our own loss".[1] But this does not infer that happiness has no connection with moral law. "Utility is", says Locke, "not the basis of the law or the ground of obligation, but the consequence of obedience to it". The utility of natural law is a result of its rightness.[2] The ground of its rightness is the will of God. The validity of natural law consists in its formal cause; moral theory of Locke's natural law is thus deontological. But this does not contradict the consequentialism which Locke's doctrine of punishment implies. Rightness and goodness do not contradict each other in the will of God. However, the perfect integrity between the two is possible *only* in the will of God; man's imperfect intellect cannot achieve such an integrity that what man regards as good is not always right. The priority of right over good is the result of man's imperfectibility; if we are sceptical of our own judgement of what is good, the obedience to authority is a good wager -- this is a political prudence of sceptics. But Locke is not so sceptical as to separate right and good completely. There is one point I can suggest here on this matter. Locke's theory of utility can entail a kind of consequentialism. Our calculation of the future net result of our choice does not prove or guarantee that our choice will be perceived according to the law of nature. But, our recognition of the results of our actions in the past can be the test of the validity; the consequence is apparent from hindsight whether some action is righteous or not, with regard to the law of nature. If we apply this test to the inclination of action, we can make a probable

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[1] *Law of Nature*, p.207.

[2] *Law of Nature*, p.215.

judgement of the validity of an action; one which has a *tendency* to produce more good (or evil). This test is, however, not a certain apparatus, because our judgement of the consequences of actions is bound to be controversial, given the imperfectness of our intellectual faculty. I will turn later to this problem in my examination of Locke's theory of revolution.

The other natural punishment is formally more fundamental for Locke's theory of natural law, that is, God's last judgement. Locke's concept of the divine law no doubt presupposes the reward and punishment of God in the after life. His account of personal identity is also dependent on this idea.[1] The integrity between right and interest is also embodied in this idea; the eternal happiness of man, the greatest happiness conceivable for man, depends on the Last Judgement, itself based on the righteousness of conscientious conduct. The demonstrability of this supposition is a great scandal of Locke; it is, especially for many contemporaries, quite doubtful that the philosophy of the *Essay* can demonstrate the eternity of the soul.[2] It is, however, clear that Locke's moral theory depends in principle on this idea, and that he presents one purely philosophical theory to support it, that is, the Pascalian theory of wager.

As early as 1676 Locke developed an argument for the fundamentals of morality, "the doctrine of a deity" and "the immortality of the soule", not by the demonstration of them, but by the theory of wager which shows which choice we have about them is the best conceivable one. That is, his argument concerns the choice between the two ways of life, a life of atheists and of theists; his conclusion is that every reasonable man will choose the latter, because reason "always follows the more probable side". The argument is based on his psychology that our will is the result of the calculation of our own pleasure and pain which produces desire (i.e. uneasiness); no one, Locke holds, "thinkes himself at liberty to reject any doctrine or excused from acting suitable to it because he cannot cleare some doubts he has about it,

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[1] See below, pp.241-3.

[2] Wootton, 1989.

soe long as the contrary opinion involves grosse absurdity and manifest contradictions". Locke explains that atheism is a bad wager in the following way:

> suppose the seeming probability lay on the Atheists side yet when annihilation or which is noething better eternal Insensibility the best estate the Atheist can hope for if he be in the right shall be put in the ballance with everlasting happynesse the reward of the religious if his perswasion deceive him not, and on the other side annihilation (which is the worst can happen to the believer if he be mistaken) be compard with infinite misery which will certainly overtake the Atheist if his opinion should happen to prove false, it would make a man very wary he imbraces an opinion where there is such unequall ods and where the consequences are of such moment and soe infinitely different.[1]

In the *Essay* this argument becomes the part of his theory of human liberty -- the chapter on "Power" -- where Locke uses it to show that atheism is a example of "wrong Judgements", a judgement which every rational being must regard as wrong [II:xxi:70].

Locke's theory of wager, which is presumably the borrowing from Pascal, shows that altruism or a virtuous life is better than egoism or a life based on self-interest.[2] If his argument is sound, it shows the superiority of a paradigm of ethics over any others. In Book One of the *Essay*, Locke asserts that there are three paradigms of morality.

> That Men should keep their Compacts, is certainly a great and undeniable Rule in Morality: But yet, if a Christian, who has the view of Happiness and Misery in another Life, be asked why a Man must keep his Word, he will give this as a Reason: Because God, who has the Power of eternal Life and Death, requires it of us. But if an Hobbist be asked why; he will answer: Because the Publick requires it, and the Leviathan will punish you, if you do not. And if one of the old Heathen Philosophers had been asked, he would have answer'd: Because it was dishonest, below the Dignity of a Man, and opposite to Vertue, the highest Perfection of humane Nature, to do otherwise. [I:iii:5]

It follows that rational man, according to Locke, should and would choose among the three -- Christian, Hobbesian and Aristotelian -- paradigms of morality the first one which is based on the punishment by God in the after life.

This reasoning certainly betrays that Locke after all founds the validity of natural law upon a prudential calculation involving the pleasure and pain of the after life. Given his theory

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[1] Journal 1676. Wed. Jul. 29: *Early Draft*, pp.81-82.

[2] Colman, 1983: 224-228.

of psychology, this is an inevitable result; "Desire", Locke insists, "is always moved by Evil, to fly it: Because a total freedom from pain always makes a necessary part of our Happiness: But every Good, nay every greater Good does not constantly move Desire, because it may not make, or may not be taken to make any necessary part of our Happiness"[II:xxi:71]. Locke's theory of the rule of validity for the law of nature is thus a kind of rule-utilitarianism. The primary rule of natural law is obligatory not because it will maximise our pleasure but because the secondary rule -- which is in turn based upon the rational calculation of possible pain -- obliges us to follow it. Our relationship with the precepts of natural law is therefore deontological; they are obligatory rules even though they require the loss of our present utility. The utility that we will gain by obeying the law is a consequence, not a bargain, of the obedience.[1] If we can hold that rule-utilitarianism is distinct from act-utilitarianism, i.e. if we can reject the contention that the former will necessarily dissolve into the latter,[2] then we can recognise that Locke succeeds in refuting a moral egoism.

Does this, however, mean that Locke after all adjusts the validity of natural law to acknowledge the fear of God's punishment? Is it a disguised Hobbesism? Let us remind ourselves that Locke's theory of wager is a *rational* calculation of good. Our fear of God's punishment is not immediately perceived because otherwise no one *de facto* may act immorally, for fear of the *prima facie* punishment. God's punishment is rationally perceived; it stems from a rational belief in God. Punishment is surely the consequence of our actions, but Locke's grounding of the validity of natural law is not consequencialist. God's punishment is a special punishment, buttressed by perfect intelligence and propriety. Our rational anticipation of it constitutes our moral desire to comply the divine law, but our fear is not imposed on our mind for its own sake; punishment and the anticipation of fear are part of God's *instruction* for us -- God is a father who educates us and disciplines our conduct.

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[1] *Some Thoughts*, §107.

[2] On this issue, see, for instance, Smart and Williams, 1973; Hodgson, 1967.

Locke's theory of pleasure and pain is, as we examined, founded on his teleological account for God's design; pleasure and pain represent the voices of a God who intends us to do something.

The rationally conceived idea of fear of God must be distinguished from our instinctive fear. We must in this respect take Locke's perfectionism into account. Locke's individualistic intellectualism obliges us to suspend our instinctive desire to reexamine it so that we can reconstruct more rational desire within our mind. The fear of God's punishment is a rational belief and a consequence of the fulfilment of our intellectual duty. It is therefore an *internalisation* of morality effected by any individual. This internalisation of morality is indispensable for the law of nature to be effective, for otherwise it is helpless since it is not reason alone but passion that constitutes the necessary desire to influence our actions. Locke's philosophy stands upon his most basic conviction that all knowledge is ultimately derived from experience. We can understand it as his empiricist manifesto. However, we can detect another facet of his argument if we take into consideration the problem of internalisation of morality. The truth of morality or natural law is universal; the precepts of natural law are *a priori* true. However, they must be discovered through experience; we must acquire moral knowledge of *universal* character, through our *personal* experience. Every moral knowledge therefore must be *individually examined* knowledge; experience is a principle of radical individuation. Only if you discover moral law -- the idea of God and His reward and punishment in the after life, among others -- by full employment of your own intellectual faculties, can you be a moral agent.[1]

This argument, however, seems insufficient as a response to Locke's critics, especially Burnet. Locke's individualistic intellectualism is based on his Workmanship model which presupposes the goodness of God. Yet, according to Burnet, there is a logical gap between Locke's demonstration of a god and the idea of God's goodness. In Locke's philosophy, our

[1] See, *Some Thoughts*, §140, for Locke's idea of "Wisdom" and his abhorrence of "Cunning".

rationality is dependent upon the reasonableness of the world whose author is God. Our morality is no less dependant on the morality of God. But there is a serious logical problem. Locke's definition of moral good holds that our action is moral only if we obey moral rule whose author is our superior; this however cannot be true of God, who has no superior above Himself. Locke's definition of morality is thus unequipped to describe God's moral attributes. God's goodness is after all an assumption. Locke's argument is circular: we are obliged to discover God's goodness, because God is good enough to oblige us to do so.

The Ethics of Belief The argument we have thus far examined has already contained part of Locke's theory about *the rule of interpretation* of natural law which instructs us how to identify and apply its precepts. Locke's assumption that there is a harmony between natural law and its utility indicates that a certain kind of utilitarian test is applicable if we are to judge whether a particular action accords with natural law. But the utility itself is not the mark of natural law. Voluntarist theory of law holds that law is the will of the law-giver intent to prescribe law. It follows that what God intends or declares to be His moral law, is clearly the law of nature. The true test of natural law is therefore whether what we regard as that law can be considered what God *actually* intends to be a law. The problem is that God does not immediately declare His command; the law of nature reaches us *through* nature. It is hidden in nature; that is to say, God's will is hidden in nature. The test of natural law is therefore hypothetical; we examine what we conceive to be that law by what we assume through our inquiry into nature to be God's will. We find here the circularity again. Nature is under the scrutiny of nature. What can terminate the circularity of the argument is Locke's fundamental assumption, God's goodness.

As a matter of fact, Locke's failure to lay down the demonstration of morality shows that he could not yield the theory of natural law to the rule of interpretation. But our

interpretation of Locke's thought so far indicates that Locke made several attempts to demonstrate what natural law should be like. He also declared in his writings that some precepts *are* the laws of nature. He had no doubt that the *Essay* established the demonstrability of moral science; he hoped some genius in future would accomplish the demonstration. What Locke takes for the primary rules of natural law are in fact provisional; they wait for the true demonstration in future for their truthfulness. It does not however follow that they are groundless; we, according to Locke, have sufficient reason to believe them to be the laws of nature. As long as they are the products of our considered and examined reflection on nature, it is highly probable that they point to the part of natural law, because we are designed by God to perceive them so. Locke's God is so benevolent that He could not leave us in the darkness. As long as we are true to our natural duty, we will not utterly contradict God's expectation. Only if we neglect our duty, and misunderstand God's design, do we then deserve punishment. That is to say, the actual demonstration of moral science is, though truly desirable, not necessary for our ordinary life; we are sufficiently guided by God if we hold the rational belief of God available for ordinary reasonable people [IV:xiv:3, IV:xvi:4].

My interpretation of Locke's moral argument thus blurs the distinction, or the degree of importance, between demonstration and belief. The obfuscation of the contrast between Knowledge and Opinion is, as B. Shapiro shows, a significant intellectual movement in 17th century England, of which Locke was an important part.[1] The recognition of the importance of probable or fallible knowledge over certain or infallible knowledge implies many theoretical points, but what is particularly outstanding is the new way of understanding scientific knowledge. Scientific knowledge is now not a system of infallible knowledge; its certainty is to be measured by a probability based upon evidence gained from experience or experiment. It is, in a sense, a rational belief which scientists share among themselves. It is

[1] Shapiro, 1983.

fallible because new theory or experiment might change its validity, but it is nevertheless the best reliable knowledge on which we will construct our civilization. Its structure is open; in the 20th century, K. Popper reinterprets this new way of scientific knowledge in his theory of falsification and insists that the scientific knowledge is the only appropriate knowledge for open, liberal society.[1] To stress the importance of belief is not contradictory to a rational and scientific approach to knowledge.

Locke's theory of mixed modes certainly holds that moral knowledge can be certain and infallible, but what a *de facto* tenet in his various writings is surely that our probable knowledge about the law of nature is the reliable guide for our moral conduct. Indeed, my interpretation of Locke's epistemology betrayed that *all* knowledge we have is ultimately dependent on assurance.[2] What is important is thus the degree of assurance; the validity of knowledge depends on the degree of assurance we can ascribe to it. The centrality of belief is expressed in Locke's definition of demonstration and probability:

> As Demonstration is the shewing the Agreement, or Disagreement of two Ideas, by the intervention of one or more Proofs, which have a constant, immutable, and visible connexion one with another: so Probability is 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. [IV:xv:1]

Both demonstration and probability are founded on the judgement of the mind, because, according to Locke, our knowledge is founded on the mind's perception of the relation between ideas. Of course, demonstrative knowledge by nature forces us to judge its certainty; but, as we examined, the mind needs careful and effortful application of proofs to a probable conjecture before arriving at demonstrative knowledge -- a conjecture is the starting point of the rational argument. This shows that as far as the attitude of our mind is concerned, there is no great difference between demonstrative and probable knowledge; all we have to

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[1] Gray, 1989: ch.2.

[2] See above, p.127.

do is trace the connections of our ideas and apply carefully our proofs and evidence to a probable conjecture -- this Locke calls "right reasoning".[1]

The persistent and careful exercise of our intellectual faculties, especially the regulation of our own passion to mould a rational desire, is consequently the primary *duty* for man as a rational being. Indeed, this duty is for Locke a kind of categorical imperative. The fulfilment of this duty is significant for its own sake alone, that is, regardless of its consequence in this world. He writes,

> he that examines, and upon a fair examination embraces an error for a truth, has done his duty, more than he who embraces the profession (for the truths themselves he does not embrace) of the truth without having examined whether it be true or no. And he that has done his duty, according to the best of his ability, is certainly more in the way to Heaven than he who has done nothing of it. For if it be our duty to search after truth, he certainly that has searched after it, though he has not found it, in some points has paid a more acceptable obedience to the will of his Maker, than he that has not searched at all, but professes to have found truth, when he has neither searched nor found it.[2]

Of course this duty is not purely formal or groundless; there is a great guarantee that right would produce good, because our intellectual faculties are designed by our Maker to guide us to happiness. God is, moreover, a merciful father who will account for our silly mistake -- a "wrong judgement" in the weaker sense.

This interpretation accords with what a good part of Book Four of the *Essay* deals with; the problems of belief, i.e. of assent, judgement, probability, enthusiasm, and the relationship between reason and faith.[3] I don't think we need to examine Locke's argument on this issue here because it is already brilliantly done by J. Passmore as the question of "the ethics of belief",[4] and I owe much to him for my understanding of this question. Let me emphasise two points. First, as Passmore shows, Locke's ethic of belief is closely related to

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[1] *Some Thoughts*, §189;*Educational Writings*, pp.398-399.

[2] King, II, pp.75-76. See, *Essay*, IV:xvii:24.

[3] "Belief, opinion, and faith", according to Yolton, "are often interchangeable in the Essay, especially when Locke writes about improper grounds for belief. All three are closely related to assent, which in turn is discussed in the account of probability". Yolton, 1993: 25.

[4] Passmore, 1986.

his other religious and political questions: "the first, to advocate, if only within limits, religious toleration; the second, to undermine one particular sort of religion, 'enthusiasm', fanaticism, yet without weakening religious faith".[1] This point is congruous with my account of Locke's critique of innatism which requires a certain kind of vision of ethical life as an alternative to the fanatical, dogmatic, and sceptical types of vision; Locke's ethics of belief is an answer. Second, Passmore insists that the central point of Locke's ethical vision is the rational man's love of truth.[2] I certainly agree with him, but I would rather term it the rational man's love of God.

It might seem that this is merely a trivial change of term. But my interpretation of Locke's thought demands this concept as the pivot of his system of ideas. As Passmore elsewhere shows,[3] the love of God is an important concept in Christian perfectionism. Indeed, Leibniz's criticism of voluntarism hinges on this problem. Leibniz holds that our proper motivation to the divine law is our love, not fear, of God. It is the pleasure we feel when we imitate God that prompts us to perfect ourselves. Justice, he insists, also requires love. "Justice is," writes Leibniz, "nothing else than that which conforms to wisdom and goodness joined together: the end of goodness is the greatest good, but to recognize it wisdom is needed, which is nothing else than knowledge of good. Goodness is simply the inclination to do good to everyone, and to arrest evil, at least when it is not necessary for a greater good or to arrest a greater evil. Thus wisdom is in the understanding and goodness in the will. And justice, as a consequence, is in both". God possesses both goodness and wisdom in their perfection. Therefore, if and only if justice "is founded on God or on the imitation of God, it becomes universal justice, and contains all the virtues".[4]

Locke cannot accept this ostensibly intellectualist argument, because the unbridgeable

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[1] Ibid.: 24.

[2] Ibid.: 42f.

[3] Passmore, 1970: ch.4.

[4] Leibniz, 1988: 50, 59-60, 72.

distance between God and man he finds a substantial impasse. The idea of imitation of God might appear to Locke dangerous enough to provoke the religious fanaticism that he ardently abhors. Our proper attitude to God is, first of all, dependence. However, as Locke's argument of liberty indicates,[1] our dependence on God results in our autonomy. There is a dialectical relationship between dependence and independence, heteronomy (or theonomy) and autonomy. Locke did also try to understand this relationship by way of the idea of love. His first attempt to theorise the principles of hedonism -- his journal for 16 July 1676 written in shorthand -- starts from the consideration of love. Locke's intention seems to found the principle of love of all mankind in general (which he considers the man of wise mind harbours) by the ideas of pleasure and pain, but it was an abortive attempt.[2] In the journal for 1st September 1676, he dealt with the question of love of God in relation to our love of others.

> Men, by the common light of reason that is in them, know that God is the most excellent of all beings, and therefore deserves most to be honoured and beloved, because He is good to all His creatures and all the good we receive comes from Him. By the same light of nature we know also that we ought to do good to other men, because it is good for ourselves so to do. Men are capable of it, it is the only tribute we can pay to God for all the good we receive from Him, and it cannot but be acceptable to God, being done for His sake, and to men whom we cannot but know that He has the same kindness for as for us.

We have already seen a similar view in the *Law of Nature* which has some similarities with Thomism..[3] Locke here relates the love of God with the love of truth.

> They, then that consider that they ought to love God and be charitable to men, and do to that purpose seek to know more of Him and His mysteries, that they may better perform their duty of love to Him and charity to their neighbours, shall no doubt find that all that God requires of them to know, and shall run into no damnable errors, but will find God and His truth.

Those who do not follow this duty of loving God are egoists, who regard themselves as gods.

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[1] See above, pp.142-3.

[2] *Law of Nature*, pp.265f.

[3] See above, p.92.

However, the love of God does not necessarily contradict self-love, because the increase of our knowledge "should make our lives better".[1] The reconcilement of three ideas of love -- the love of God, self-love and the love of neighbours -- is the great question of Christian ethics,[2] and is also true of Locke's moral argument, for he insists that "most unshaken Rule of Morality, and Foundation of all social Virtue" is "*That one should do as he would be done unto*"[I:iii:4, italics are original], the Golden Rule stemming from the Christian neighbourly love.[3] However, Locke did not include in his most important book, the *Essay*, any theoretical reflection on love. This is presumably because of his failure to integrate the idea of love -- especially the Golden Rule -- with his voluntarism and hedonism. "Locke's final appeal", Colman rightly insists, "to future rewards and punishments weakens his attempt to establish the Golden Rule as a moral principle".[4] This is another grave failure, which again leaves Locke's idea of God's goodness a mere assumption.

Life as a Pilgrim

Locke's answer (at least practical, and not theoretical) for the question of reconciling the three ideas of love, according to our charitable interpretation, should consist in his vision of intellectual ethical life, the love of truth. Locke sketched this vision in his journal for 8th Feb. 1677.[5] The argument starts from the recognition of the limits and imperfection of our mind. He insists then that in spite of the imperfectibility of our understanding, we are properly furnished by nature with the faculties which are necessary for our conveniences in this world.

> If we consider our selves in the condition we are in this world we cannot but observe that we are in an estate the necessitys whereof call for a constant supply of meat drinke cloathing and defence from the weather and very often physick; and our conveniences demand yet a great deale more. To provide these

[1] *Law of Nature*, p.281.

[2] Passmore, 1970: 88f.

[3] See, *Conduct*, §43, pp.122-123.

[4] Colman, 1983: 199-201, 203-205.

[5] *Early Draft*, pp.84-90

> things nature furnish us only with the materials for the most part rough and unfitted to our uses it requires labour art and thought to suit them to our occasions, and if the knowledg of men had not found out ways to shorten the labour and improve severall things which seeme not at first sight to be of any use to us we should spend all our time to make a scanty provision for a poore and miserable life ... .

The improvement of our understanding and consequently of "conveniences" is the design of nature, which the ends of our faculties make apparent. And Locke goes on to maintain that another use of man's knowledge is "to live in peace with his fellow men and this also he is capable of". The acknowledgement of a god, he holds, naturally leads man to see the probability of afterlife, and to assure the *existence* of a universal moral law. Rational creatures would observe "one unquestionable morall rule doe as you would be don to", which rule is buttressed by God's judgement in another life. Thus, although we are ignorant of many things, we are sufficiently informed by nature of our natural duties.

> The business of men being to be happy in this world by the enjoyment of the things of nature subservient to life health ease and pleasure and by the comfortable hopes of an other life when this is ended: And in the other world by an accumulation of higher degrees of blisse in an everlasting security, we need noe other knowledg for the atteinment of those ends but of the history and observation of the effects and operations of naturall bodys within our power, and of our dutys in the management of our own actions as far as they depend on our wills i.e. as far as also they are in our power.

The vision of ethical life Locke thus sketches, I contend, permeates the whole argument of the *Essay*, and also his other major writings, the *Two Treatises* among others. Certainly Locke failed to present a coherent philosophical justification or explanation of this vision, but he left it in his influential works as a vivid, convincing, and incomplete (therefore open) vision. The historical importance of Locke as a liberal or proto-liberal, I suggest, consists in this intellectual and ethical inheritance, because this vision comprises three important ethical traditions in liberalism, namely, deontology, utilitarianism and perfectionism. First, the duties Locke presents in his works are, as far as this world -- i.e. the matter of secular happiness -- is concerned, categorical; they are not grounded on the prudential calculation of pleasures we feel. Locke's system of duties, the centre of which is the duty of full exercise of our faculty of liberty, is deontological. Second, Locke's ethical

vision is nevertheless not categorically ascetic. The fulfilment of our natural duties would result in the increase of the utility of our life, and ultimately in the eternal bliss in another life. The increase of the conveniences in this world should be the natural consequence of this ethical life, which in turn becomes a test by which we examine our past conduct, a result of our exercise of liberty. Third, Locke's theory of duty is based upon a teleology, what we call Workmanship model. The development of our intellectual faculties is of supreme importance in his vision; and there is a parallel between the perfection of human understanding and the increase of public welfare. The advancement of learning contributes to the cultivation of society to an extent which civilization is the end result.

The pivot of these three views in Locke's thought is no doubt the idea of God. It is therefore natural that after the impact of secularisation, especially Kant's final erasure of Deism, liberal moral philosophy divided into three traditions which now appear to be mutually contested. But this division is a mere abstraction. Almost all influential moral theory contains some mixture of these traditions in one way or another. I'd just like to suggest here that the examples of the result of the secularisation of Locke's idea of rational Deity are Rousseau's idea of General Will and Adam Smith's idea of Impartial Spectator.[1]

The importance of Locke's ethical vision, however, is not merely historical. If various philosophical arguments in the *Essay* still have some merits for us -- and I believe so -- we can still learn from Locke's ethical vision, to which they contribute. Such arguments are what we have examined: his critique of innatism, Scholasticism, enthusiasm, and MDR, his theories of ideas, moral notions, desire, liberty, law, virtue, moral good, demonstration, probability, etc. All combine to enrich Locke's vision of ethical life, which I briefly described at the end of chapter four using the images of servant, sailor and pilgrim. And these philosophical arguments give some substance to this vision. For example, although Locke's theory of moral notions could not provide the positive theory of demonstration of morality, it gave him a

[1] On the theological origin of the idea of the general will, see, Riley, 1986. On Smith's moral theory, see, Haakonssen, 1981.

theoretical method for the criticism of other rival theories. The *Essay* requires those who are engaged in moral discourse to avoid anything but a clear and distinct language. Moral critique is for Locke linguistic critique; this is what Locke employed in his critique of Filmer.[1] Another example is Locke's caveat, concerning our moral errors stemming from our own nature. The nature of our moral notions is the very origin of our mistakes in moral conduct. We, in a moral discourse, cannot help but use the abstract names, whose basis is not in nature, but convention, and which can easily become insignificant noise by way of our carelessness [III:ii:7]. The complexity of mixed modes is sometimes beyond the capacity of our understanding [III:ix:6]. And what is worse, misuses of moral notions are usually reproduced and multiplied by our constant use [III:x:16]. Against this predicament of man in relation to moral language, Locke confesses that though we must improve this situation, it is impossible to reform totally our use of moral language, because our liberty in moulding moral notions is itself our nature, and thus we can and should not deny it [III:xi:2]. Another lesson Locke gives us concerns the problematic nature of our psychology. We shape the desire in our mind partly passively and partly actively, but whether passive or active, it is the product of our judgement in the mind. Locke admits that though it is preferable to examine our own desire before a hasty judgement (willing), when we are actually leading a life it is impossible to do it all the time. We must be satisfied that we are in principle free, that is, if required we can demonstrate the rightness of our judgment. However, we often commit the neglect of our own liberty, that is, the uncritical reliance on customs as the substitute for our own examined judgement. And moreover, since our mind ordinarily finds more pleasure in a wit than in an argument, we are quite often deceived voluntarily by the obscure but witty language of a rhetorician [III:x:34].

These examples are far from exhaustive; the *Essay* is full of philosophical insights for moral, practical and useful way of life, and Locke's genius seems to consist in his argument

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[1] Yolton, 1970: ch.8.

about what we should not do rather than what we ought to do. He is truly an excellent "Under-labourer". But his vision of ethics, I like to suggest, provides a positive moral argument as well which is superior to his official theory of demonstrative science of morality. Locke's moral thinking is hermeneutical rather than demonstrative, and there are two important concepts for his hermeneutics; the ideas of a hermeneutical self and of God as a heuristic apparatus.

The Lockean self has its beginning in the Cartesian ego. But a self will not remain merely abstract consciousness, since Locke's theory of moral notions shows that the self cultivates itself by assimilating to the linguistic customs of its society.[1] The self must acquire first of all the proper way and skill of speaking of its own language through practice. Moral development inevitably starts from a convention which usually contains the overlapping conception of virtue. But the self may find by its rational nature that linguistic convention is not always true to rational nature, and it then will feel the necessity to reexamine its own convention. If it is truly rational, it will find natural duties imposed by nature, and constitute in its mind the love of truth. Now its proper task is the perpetual interpretation of nature and convention surrounding itself, and the frame of reference for this interpretation is the design of God; the world (God's ordained power) must be interpreted with the question, *What is God's intention?* The self would then be obliged to undertake conjecturally the perspective of God to examine the matter of this world; this conjecture makes the world -- workmanship of the rational Maker -- appear to be purposeful, and its design should be considered impartial and universal. The law governing this world, i.e. the law of nature, must contain both justice and good. However, owing to its imperfect intellectual faculty, the self cannot grasp the law of nature in its entirety; but as long as it is engaging in a dutiful hermeneutical activity, the self will (presumably in this life, but ultimately in another life) be rewarded by God, whose goodness guarantees this reward.

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[1] *Some Thoughts*, §146.

This is admittedly a circular argument based on an undemonstrated assumption of God's goodness, and even betrays Locke's ethnocentrism.[1] But it uncovers a means to deriving moral rules from experience and it is, I insist, superior to the demonstrative method as Locke understood it, because it dispenses with that hubristic illusion which philosophers usually have regarding moral argument, that is, to ground their moral system on the Archimedean point. Of course, Locke considers that the will of God must be such a point, but the reasonableness and goodness of God is merely an assumption and there is always a latitude where we might interpret God's will, namely the law of nature (and this latitude explains the changes of thought Locke made through his life, yet within a basically cohesive structure of theocentric system of ideas; and creates the possibility for future Lockean thinkers to develop his thought through reinterpretation). There is a hermeneutical circle between God's will and our experience, whose movement is vertical[2] and which can contain in itself elements which sometimes appear to us mutually contradictory. Indeed, Locke's theory of moral notions and demonstration embraces a theory of self-understanding through the elucidation of our own linguistic convention.[3] It is therefore natural that Locke's theory exposes his ethnocentrism; and if, as Rorty professes,[4] we cannot escape ethnocentrism, the virtue of philosophy consists in the extent to which it is familiar with its own system and is open to other systems, i.e. how it might contrive to avoid a *vicious* circle. I think the fact that Locke's philosophy has survived history and become influential even outside Western and Christian culture shows *a posteriori* its virtue.

Let me conclude the three continuous chapters concerning the *Essay* by answering the question I raised at the beginning of them. Was Locke a systematic thinker? M. Oakeshott raised the same question about Hobbes in the famous Introduction to his edition

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[1] See, for instance, Iiv:12.

[2] See above, p.82.

[3] Yolton, 1970: ch.7.

[4] Rorty, 1989.

of *Leviathan*. Against the alleged image of Hobbes as a system builder, Oakeshott holds that Hobbes's intellectual energy perpetually freed him from the formalism of his self-imposed system. There is, Oakeshott writes, "a false expectation" that "a philosophical system should conform to an architectural analogue". He insists that the coherence of Hobbes's philosophy resides not "in an architectonic structure, but in a single 'passionate thought' that pervades its parts". The thread of Ariadne in Hobbes philosophy is "the continuous application of a doctrine about the nature of philosophy". It is thus Hobbes's idea of what is philosophy -- philosophy is reasoning about the sequences of cause and effect -- that gives coherence to Hobbes's philosophical enterprise as a whole.[1]

. . . . . There is no doubt that Locke's thought seems still less architectonically constructed . . . . than Hobbes's. But my interpretation nevertheless shows that there is a vision which gives coherence to Locke's thinking. It is an ethical vision provoked by the image of the pilgrim. I'd like to call it *the ethic of rational belief*, because it consists of the two fundamental ideas, our rational belief in God and the regulation of our belief by reason. It is a vision of the perpetual duty of mankind which Locke not only integrated with the contents of his moral argument but also fulfilled by himself through his intellectual works.[2] Locke made a lot of changes in his opinion about various issues and embraced philosophical views mutually inconsistent even within the same book, but this sense of duty remains the most persistent element of his thought. He was, therefore, a moralist before anything else; it is his character as a moralist that gives coherence to his philosophy. This might account for Russell's appraisals of Locke:

> He is always sensible, and always willing to sacrifice logic rather than become paradoxical. He enunciates general principles which, as the reader can hardly fail to perceive, are capable of leading to strange consequences; but whenever the strange consequences seem about to appear, Locke blandly refrains from drawing them. To a logician this is irritating; to a practical man, it is a proof of sound judgement.

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[1] Oakeshott, 1975a: 11-12, 15-28.

[2] Dunn, 1984: 88-89.

> A characteristic of Locke, which descended from him to the whole Liberal movement, is lack of dogmatism.
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> No one has yet succeeded in inventing a philosophy at once credible and self-consistent. Locke aimed at credibility, and achieved it at the expense of consistency. Most of the great philosophers have done the opposite. A philosophy which is not self-consistent cannot be wholly true, but a philosophy which is self-consistent can very well be wholly false. The most fruitful philosophies have contained glaring inconsistencies, but for that very reason have been partially true. There is no reason to suppose that a self-consistent system contains more truth than one which, like Locke's, is obviously more or less wrong.[1]

G. Ryle made a conclusion from his conversation with Russell that "Locke invented Common Sense".[2] The substance of the Common Sense Ryle explains as "an Ethics of Thinking",[3] which seems roughly equivalent to my jargon, the ethic of rational belief.

> Locke required of us not just that we remember, from time to time, the quite general lessen that we are fallible, but that we remember all the time to subject our particular opinions to the disciplines appropriate to them. All of our opinions could be and ought to be *considered* opinions. None of us can claim with a good conscience that we always succeed in this labour of intellectual self-control. But the very fact that we have had consciences about our lapse shows by itself how deep Locke's lesson has sunk into us. Of course, that our opinions should always be *true* cannot be secured. But that they should always be well weighed and tested can in principle be achieved. John Locke taught us to wish to achieve this and to be sorry when we fail. Certainly we do often fail, but certainly we are sorry when we fall below our standards. It was Locke who gave us these standards.[Italics are original.][4]

Locke's moral vision is thus Socratic; the unexamined life is not worth living.

At the centre of this Socratic moral teaching is the Lockean concept of a hermeneutical self. Each individual self is under the perpetual obligation of interpreting his environment in search for the will or intention of God. This as a categorical duty stems from the liberty the self is equipped with by God. The consequence of this duty will contribute to happiness and the general good of the world. The end of duty is the perfection of the self. The following two chapters will deal with the substance of this moralist's vision.

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[1] Russell, 1946: 630, 637.

[2] Ryle, 1971: 147. Russell's reply to Ryle betrays the ethnocentrism of "Common Sense": "By God, Ryle, I believe you are right. No one ever had Common Sense before John Locke – and no one but Englishmen have ever had it since".

[3] Ibid.: 150-156.

[4] Ibid.: 157.

Chapter 7

Politics of Public Good

1) THE BASES OF ARGUMENT

We have examined Locke's individualistic intellectualism embodied in the *Essay*, which I termed "the ethic of rational belief". The central component of this ethical vision was the idea of a hermeneutical self -- a self perpetually under the duty of interpretation and execution of God's revealed will. Now we turn to Locke's political theory expressed in the *Two Treatises*, to examine the Lockean self as conceived in his political vision. The reputation of Locke as a liberal owes much to his political opinions, which are assumed to contain elements of classical liberalism, especially political individualism.[1] What we shall do in this chapter is reexamine the assumption that Locke is a liberal, according to our account of Locke's vision of morality. The final goal of this chapter is an elucidation of the relationship between morality and politics in Locke's political vision, and of his conception of the political self, or, how or to what extent Locke is an individualist at all in his political theory.

Two Treatises *and its Historical Context* Recent scholarship of Locke's political thought has been spending much energy in identifying the main audience of the *Two Treatises* and in dating its composition, both of which are closely interconnected to disclose the intention -- or illocutionary function -- of the author. Despite or because of this abundance of the products of the Lockean industry, we are now in a state of uncertainty; there seems to be no established explanation for the context of

[1] A classical example is Vaughan's statement, "Locke, the prince of individualists". Vaughan, 1925: vol. 1, 156. Even John Dunn, who is hesitant to commit anachronism of labelling Locke a liberal, constructed his account of Locke's political thought on Locke's religious individualism. See, Dunn, 1969a; Dunn, 1985a.

the *Two Treatises*. I shall not be here involved in this controversy, because the aim of this thesis is hermeneutical, not historical; that is, what we can learn from, not know about, the *Two Treatises*.[1] However, this does not mean I will ignore the historical context. Although my main concern is the philosophical or conceptual analysis, I will sometimes be obliged to rely on historical evidence revealed by recent studies to understand the meaning of some arguments. There is a historical context that is distinctively relevant for our enquiry -- a fact that is considered certain in light of recent studies; that is, that Locke's theoretical target is absolutism, represented typically by the political thought of Filmer. This is particularly relevant, for Locke's disapproval of Filmer is theoretical as well as political in nature, and his attack on Filmer's ideas illuminates negatively some fundamental principles on which Locke's political and moral argument is dependent.

In the *First Treatise*, Locke succinctly summarises[2] Filmer's doctrine into two propositions: "That all Government is absolute Monarchy" and "That no Man is Born free" [I: 2][3]. Political power, according to Filmer, has its own basis only in the direct delegation of the authority over the terrestrial world from God to Adam, the representative of mankind.[4] Filmer insists that every man but the king must be born completely subject to someone: in a household to a father, in a state to a monarch. This hierarchy is at once natural and providential. This vertical relationship is utterly categorical, with no possibility of amendment. Filmer's absolutism is logically the most thorough one, as to the currency of the 17th century's theories of this doctrine. He reproaches not only republicans such as Milton or Hutton, but also other absolutists like Grotius and Hobbes, since they hold

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[1] On the meaning of the difference between hermeneutical and historical, see above, p.31.

[2] It must be remembered that "Locke himself is not a trustworthy guide to Sir Robert's ideas". Sommerville, 1991: xxiv. But I will not be concern with a historical Filmer; my concern is the ideas of Filmer as a context of Locke's political thought.

[3] The numbers in brackets in this chapter signify the book number of *Two Treatises* followed by its paragraph number(s).

[4] On the theory of the representation of mankind by Adam, see Harris, 1994: ch.7.

contractarianism.[1] Only the divine right theory Filmer regards as legitimate because it unconditionally buttresses the *de fact* political order.

In his early writings Locke was indifferent to the foundation of political legitimacy. He did not commit either to social contract or *jure divino* theory. That is, Locke in 1660s admitted the divine right theory as a legitimate one. Locke in the *Two Tracts* besides supported a Bodinian theory of non-resistance. We saw that the most serious theoretical problem in the *Two Tracts* is its failure to provide a paradigm of legitimacy, which stems from its voluntarism.[2] The burden of refutation of Filmerian thought (which also holds extreme voluntarism as a precept), therefore, required Locke to reconstruct his theory of natural law which is after all based on a voluntaristic notion of God. It is appropriate to turn again to Locke's arguments for the law of nature, and to inspect how his ideas have developed from an absolutist to a more liberal position in the *Two Treatises*; that is, how Locke has re-moulded his arguments for the law of nature in opposition to Filmerian ideas.

The Law of Nature It seems almost unnecessary to stress the centrality of the notion of natural law in Locke's political theory, because he regards it as the moral law, i.e. the fundamental of morality,[3] and politics is, he holds, "a part of moral philosophy".[4] This means, granting his ambitious but uncompleted project of demonstration of moral science, that political theory is a demonstrable science; that is, it consists of clear concepts the relationship of which is clear and distinct.[5] Politics, holds Locke, consists of two parts, "the original of societies and the rise and extent of political power" on the one hand, and "the art of governing men in society" on the other hand.[6] These

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[1] Filmer, *The Anarchy of a Limited or Mixed Monarchy*, and *Observations Concerning the Original of Government*, in Filmer, 1991.

[2] See above, pp.62-3.

[3] *Essay*, II:xxviii:8.

[4] *Educational Writings*, p.395.

[5] See, *Essay*, IV:iii:18 quoted above, p.150.

[6] *Educational Writings*, p.400; Journal for 26th Jun. 1681, in *Early Draft*, pp.116-118.

two parts I would like to call the *constitutional* and the *prudential* parts respectively. The *Two Treatises* is considered by Locke himself to belong to the former -- though we will see it concerns the latter as well. Therefore, the *Two Treatises* should be a book of a rational moral science that primarily demonstrates the relationship between normative concepts concerning political power, that originate from the notion of the law of nature. This interpretative assumption is confirmed by the fact that the *Two Treatises* contains the extensive references to the law of nature for its theoretical support.

We thus naturally expect that the notion of the law of nature should be exhibited extensively in the *Two Treatises*. However, to our disappointment, Locke refrains from a precise delineation of the law of nature, merely saying "it would be besides my present purpose, to enter here into the particulars of the Law of Nature ... yet, it is certain there is such a Law, and that too, as intelligible and plain to a rational Creature, and a Studier of that Law, as the positive Laws of Common-wealths, nay possibly plainer"[II: 12]. Locke in the *Two Treatises* after all seems to simply assert the existence and importance of natural law, without much elaboration or justification.

Now, we have already sketched in the previous chapters Locke's notion of that law contained in his early writings and the *Essay*. Let me assume that the fundamental notion of the law of nature we have hitherto analysed is agreeable with, or not contradictory to, that of the *Two Treatises,* which we find upholds many precepts that he looks upon as the parts of the natural law. In the last chapter I interpreted Locke's reasoning of natural law as an activity of a hermeneutical self attempting to understand God's intention through his own rational examination of God's character (God is good and rational) and his experience (his knowledge of nature and convention). The self, that is to say, acquires the precepts of God's will only through *his own* historical condition. The knowledge of natural law thus historicized -- though it is yet rational since it is the product of rational inquiry -- is therefore dependent on the milieu of the hermeneutical self. Locke, one of such selves, was in a predicament that

urged him to refute the absolutism of a Filmerian kind. Then how did Locke develop the basic notion of the law of nature?

Natural Equality The most basic idea Locke derived from his notion of the natural law is the concept of natural equality.[1] We may say that Locke takes this doctrine as the fundamental of his argument since his opponent, Filmer, attacks it: to repudiate Filmerian absolutism is to espouse the idea of natural freedom of mankind.[2] However, this is not the only reason. We have already investigated Locke's individualistic intellectualism that upholds in principle the equality of the basic intellectual faculty of mankind. This idea implies moral equality in the sense that we are all (at least potentially) equipped to approach the moral law in good stead. As a moral agent, we are in principle equal. This idea of equality stems from Locke's basic assumption of nature, the Workmanship model.[3] The idea of moral equality, however, does not necessarily yield the idea of political equality. Moral equality is compatible with political inequality without theoretical contradiction. This is quite obvious if we remember that the adherents of the doctrine before Locke were all political theorists of absolutism. Locke in early writings as well derives from his notion of natural law the absolute duty of political obedience, and the preservation of the hierarchical social structure. The equality of man as a moral agent -- his perfectionism -- and the fact of political inequality do not conflict each other in his conceptual separation of morality and politics in the *Two Tracts*.

In the *Two Treatises* Locke makes a solid conceptual bridge between moral and intellectual equality on the one hand, and political equality on the other. Without this attempt he could not demonstrate that the political theory properly understood must at least exclude

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[1] The "natural Equality of Mankind" is, according to Barbeyrac, an adequate account of man's moral life, which the Stoics correctly apprehended, and on which the modern natural law theories – the" Science of Morality" – by Grotius, Selden, Hobbes, Pufendorf and Locke were constructed. Tuck, 1979: 174-7.

[2] Dunn, 1969a: 50, 58f.

[3] The relationship between Locke's individualism and his theory of knowledge is succinctly described in Oakeshott, 1993: 53f.

a certain type of absolutism from the legitimate -- i.e. consistent with natural law -- ideas of a political regime. One of the objectives of the *First Treatise* is to show that Filmer's theory is morally wrong in this respect. Filmerian absolutism has its own basis in this fundamental inequality, which Filmer symbolises as Adam's right of dominion over all his posterity. Adam, and kings, monopolise political power by divine will. Their absolute authority is established as purely voluntary. Against this pure voluntarism, Locke deploys the intellectualist argument in his theory of natural law; since God is not only omnipotent, but also omniscient and benevolent, He wills the happiness of His creature, which the creature may rationally pursue. Locke for instance insists that the arbitrary rule of a father over his children, which is a basic contention that Filmer makes to support his argument for the arbitrary rule of the monarch, is inconsistent with the will of God;

> Be it then as Sir Robert says, that Anciently, it was usual for Men to sell and Castrate their Children,... Let it be, that they exposed them; Add to it, if you please, for this is still greater Power, that they begat them for their Tables to fat and eat them: If this proves a right to do so, we may, by the same Argument, justifie Adultery, Incest and Sodomy, for there are examples of these too, both Ancient and Modern; *Sins*, which I suppose, have their Principal Aggravation from this, that they cross *the main intention of Nature*, which willeth the increase of Mankind, and the constitution of the Species in the highest perfection, and the distinction of Families, with the Security of the Marriage Bed, as necessary thereunto [I: 59].[1]

The "intention of nature" is discernible for all mankind equally; this signifies not only the equal status of every man, but the risk that all mankind equally runs of intellectual delinquency. It is true that a monarch, who gets a political office with authority, has unequal power over his subjects -- this kind of political inequality is a structural necessity, that a fanatical anarchist alone may complain of;[2] but as for intellect, even the monarch has no privileged faculty. Namely, he is equally fallible. Locke advises his opponents to "remember that Absolute Monarchs are but Men"[II: 13]. Filmer's theory is incompatible with Locke's

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[1] The parents' right, or *dominium*, of killing or giving away their children, is a highly unclassical account. It is a highly un-Thomist one. Tuck, 1979: 50f. Filmer's voluntarism is extreme and modern.

[2] Rees, 1972: 12.

moral and intellectual philosophy. An intellectual objective of the *Second Treatise* is, accordingly, to demonstrate a theory that is compatible with it.

Natural equality of mankind on which the argument of *Second Treatise* depends, i.e. natural equality in terms of the natural-social condition of mankind, consists of two elements: the natural equality as status, and the principle of equal treatment. Both stem from the Christian natural law tradition, the former from the concept of equal creatures of the Deity, the latter from the Golden Rule. The principle of equal treatment is the idea of mutual love among men which Locke derives from the authority of "the Judicious Hooker".[1] And this principle is dependent on the idea of equal status of mankind, founded on Locke's workmanship model:

> For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker; All the Servants of one Sovereign Master, sent into the World by his order and about his business, they are his Property, whose Workmanship they are, made to last during his, not one anothers Pleasure [II: 6].[2]

Locke adds to this view the fact of equality of man's intellectual[3] faculty.

> And being furnished with like Faculties, sharing all in one Community of nature, there cannot be supposed any such Subordination among us, that may Authorize us to destroy one another, as if we were made for one anothers uses, as the inferior ranks of Creatures are for ours [II: 6].

What is important here is the idea of natural equality -- it is not an ideal; it is a natural fact derived from the notion of the law of nature; equality at issue is therefore moral equality, and

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[1] "The like natural inducement, hath brought Men to know that it is no less their Duty, to Love others than themselves, for seeing those things which are equal, must needs all have one measure; If I cannot but wish to receive good, even as much at every Man's hands, as any Man can wish unto his own Soul, how should I look to have any part of my desire herein satisfied, unless my self be careful to satisfie the like desire, which is undoubtedly in other Men, being of one and the same nature? to have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me, so that if I do harm, I must look to suffer, there being no reason that others should shew greater measure of love to me, than they have by me, shewed unto them; my desire therefore to be lov'd of my equals in nature, as much as possible may be, imposeth upon me a natural Duty of bearing to themward, fully the like affection; From which relation of equality between our selves and them, that are as ourselves, what several Rules and Canons, natural reason hath drawn for direction of Life, no man is ignorant". Hooker's *Ecclesiastical Polity*, Lib.1, cited in *Two Treatises*, II: 5.

[2] I: 52-54.

[3] Although Locke does not explicitly here mention "intellectual" faculty, it is this faculty that Locke considers makes the demarcation between us and other inferior creatures. See above, pp.100-1, and Harris, 1994: 174-177.

it is not something that men seek, but what men already possess. It is a fact from which Locke derives normative principles. In other words, the social and political norm (which requires structural inequality) can be justified only as long as it is justifiable against this fact of moral equality, that is, it is so useful for mankind as to bargain his equal right based upon his equal status and his right of equal treatment. However, the term of "bargain" may not be appropriate, because Locke insists man cannot abandon his own status wilfully. The terms that Locke actually uses are consent and trust. The importance of the ideas of consent and trust in the *Second Treatise* resides in their demonstration of the social and political inequality that un-problematically advances from moral equality: namely, how the state of nature replaces itself with civil society without contradiction to the law of nature.

Political Power It is understood that the notion of political power is central in Locke's argument of politics. His definition of political power is as follows:

> Political power then I take to be a Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property, and of employing the force of the Community, in the Execution of such Laws, and in the defence of the Common-wealth from Foreign Injury, and all this only for the Publick Good [II: 3].

This definition itself is not illuminating enough for us as a definition, because it still contains some ambiguous words that beg elucidation. But it is a fit starting point for us to interpret his political thought as a whole. In the following two sections, we will interpret and scrutinise the unclear but crucially important concepts, "Property" and the "Public Good".

2) PROPERTY

After his definition of political power, Locke starts his *Second Treatise* by describing the state of nature. "Men living together according to reason", he defines, "without a common

Superior on Earth, with Authority to judge between them, is properly the State of Nature"[II: 19]. This definition clarifies the distinction between the state of nature and civil society, i.e. whether there is a common authorized judge or not. Thus wherever there is not such a judge, we are always in the state of nature: e.g. "all Princes and Rulers of Independent Governments all through the World, are in a State of Nature"[II: 14].[1] The idea of this state is a conjectural rather than hypothetical one, since it is supposed to be actually existent. Locke considers it to be an historical idea, though his sense of "history" is different from our sense; the state of nature for him is historical since it is based on the evidence in the Old Testament, and consistent with the idea of the law of nature -- for Christian natural law theorists natural law is not only rational but also historical, because it is the law of God, who created and can terminate this world, i.e. who creates History.

The state of nature is an existent historical condition where men live together; it is a social state,[2] in which men have everything except a common authorized judge. It follows that man has property before entering a civil society unless, as Hobbes conceives,[3] property is impossible without a civil society. Locke entertains two meanings about the idea of property, one is broader, and the other is narrow. The broad one is men's "Life, Liberty and Estate"[II: 87,123],[4] the narrow one is only their possessions. Now, in his famous chapter in the *Second Treatise*, the fifth chapter, Locke discusses the latter in detail. What he tries to explain there is that the world was originally given to mankind in common by God, but men inevitably come to have private property *without consent*, and that the state of property ownership now (17th century English society) is compatible with the law of nature. The

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[1] Locke insists that making promises and compacts does not put men out of the state of nature. Only does the compact which men agree together mutually "to make one Body Politick", that is, the social contract. Therefore, as long as the states are mutually independent, if they make a league, they are still in a state of nature.

[2] Simmons says, "the social character of even Locke's state of nature is almost universally conceded". Therefore, he contends, "Taylor's charge that Locke was an 'atomist' seems wrong". Simmons, 1992: 66.

[3] *Leviathan*, xiii, p.78.

[4] Barbeyrac, 1729: 4n.

framework of this argument was in fact set by Locke's theoretical opponent, Filmer,[1] who argues against Grotius[2] that to suppose the original common dominion of the world granted by God and simultaneously the introduction of private ownership through consent, is not only ridiculous because it is impossible for all mankind to make such consent on each private property, but also impious because it means man's will can change the divine will -- as well as seditious, because it amounts to an implication of doctrine of natural freedom of mankind that would make every private individual an absolute judge of his own conduct.[3] By criticising this Filmerian criticism of Grotius, Locke tries to prove the naturalness of property-right, i.e. its independence from civil society. This is to show the logical priority of the institution of property ownership over that of civil relationship, which is significant for Locke's moral and political theory.

The Origins of Property Locke insists that both natural reason -- his idea of natural equality excludes any privileged person with right over the world[4] -- and revelation (*Psalms* 115:16) tell us that God has given the earth to mankind in common [II: 25].[5] If the earth is a common property, i.e. no one's private property, the question posed is, "how anyone should ever come to have a property in anything"[II: 25]? In the *First Treatise*, Locke shows the connection between the property right and the law of nature through the principle of self-preservation as follows:

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[1] But this does not signify that Filmer created this framework. These theoretical questions were common property of the 16th and 17th century's natural law theories, with which Filmer is well familiar. Horne,1990; Buckle, 1991.

[2] Filmer, *Observation concerning the Originall of Government*, in Filmer, 1991.

[3] Notice that Filmer's attack on Grotius's ideas of natural freedom and the justice based upon men's consent is undoubtedly consistent with Locke's argument for the law of nature we have discussed in the previous chapters, especially chapter 3.Filmer's account of the origin of private property is that the world was originally granted exclusively and privately to Adam by God, and after that only the successors of Adam, that is the monarchs, do have the dominion over the world, and therefore the rights of private ownership that the subjects have are the grant of the monarchs, and consequently are conditional ones in that if they wants the grant must be returned to themselves. On the concept of natural freedom, see, Tully, 1993a: ch. 1 and 9.

[4] "Morality", p.27.

[5] I:29, 30, 40, 85. Another passage that is relevant in the Bible is *Genesis* 1: 28.

> God having made Man, and planted in him, as in all other Animals, a strong desire of Self-preservation, and furnished the World with things fit for Food and Rayment and other Necessaries of Life, Subservient to his design, that Man should live and abide for some time upon the Face of the Earth, and not that so curious and wonderful a piece of Workmanship by its own Negligence, or want of Necessaries, should perish again, presently after a few moments continuance: God, I say, having made Man and the World thus, spoke to him, (that is) directed him by his Senses and Reason, as he did the inferior Animals by their Sense, and Instinct, which he had placed in them to that purpose, to the use of those things, which were serviceable for his Subsistence, and given him as means of his Preservation. And therefore I doubt not, ... Man had a right to use of the Creatures, by the Will and Grant of God [I: 86. Cf. II: 26].[1]

This teleological view reveals that we all have a use-right of the world, and this is one of the natural rights men possess in the state of nature [I: 41]. This right comprises a pivotal part of Locke's idea of property in the broad sense, since it is synonymous with a right of survival. The ideas of the use-right and the common ownership are compatible, because use does not need the possession.[2] We can use the common stock as long as we don't violate others' same right. We accordingly have a positive right to use (consume) the world, in so far as we respect others' same negative right not to be hindered in their use of the same common world. This right is thus based on the natural equality of mankind; each man has the equal right of use which stems from his status as a man and from his equal treatment of others. This natural right must be secure unless the resources in the world for men's subsistence become severely scarce, which is highly unlikely in the primitive state of mankind, in which they assumedly live a modest life.

Apart from this use-right, Locke holds, every man in the state of nature has another right of property, a right of property in his own person [II: 27].[3] This is the idea of self-ownership; every man, and only the man himself, is his own master. This relates to an idea of natural freedom that stems from that of natural equality, because Locke's idea of natural equality indicates that there is no moral subordination among us. However, this right of exclusive possession of his own person was principally based upon God's possession of our

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[1] Harris, 1994: 149-159.

[2] See, Grotius, 1738: II:ii:2, where he quotes Cicero's words, "Tho' the Theatre is common for any Body that comes, yet the Place that every one sits in is properly his own".

[3] Tully, 1980: 104-110.

persons [I: 53]. Man is His property, and therefore, man has no right of self-destruction (suicide taboo)[II: 23].[1] In other words, man in fact does not possess his own person; he has instead an exclusive use-right over his own person that is in the ultimate sense God's possession. (This is another example of the Lockean dialectic of theonomy and autonomy). Compared with man's use-right over the world, this right of owning one's own person is unique, because it is the right exclusive against other persons -- no one but I can claim a right over my person. And the right of private property originally begins with the right of exclusion of others' rights.[2] We find that from this exclusive right Locke's famous doctrine of labour theory of appropriation derives:

> The Labour of his Body and the Works of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his Labour with, and joyned to it something that is his own, and thereby makes it his Property [II: 27].

Many interpretations have been given to the meaning of mixing one's labour with a thing, and certainly this theory requires some interpretation to comprehend. However, philosophical investigation of the labour theory of value is beside our present concern. The element that I'd like to pay attention to here is Locke's way of argument.

Locke does not present any subtle philosophical or metaphysical argument for his theory of appropriation by labour. He rather deploys "familiar ideas and customs to substantiate his contention that private rights of property could be acquired in the state of nature without preceding agreement".[3] That is to say, Locke demonstrates that the familiar practice of mixing one's labour with a thing is compatible with the fundamental vision of natural law, and that hence the idea of agreement is *unnecessary* for the explanation of the private appropriation of things. This argument is a typical example of Locke's hermeneutical explanation of the relationship between the law of nature and conventions. Convention is a

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[1] Dunn, 1969a: 88-89, 109, 125.

[2] *Some Thoughts*, §110.

[3] Olivecrona, 1989: 97.

starting point; and then we must examine it under our hypothetical understanding of God's will. If convention appears to contribute to God's will, we can safely accept it. Locke's labour theory of property has teleological structure. Enforcing labour on the world is an exercise of man's power [*dominium*], which changes the part of the world (which is *potentially* his) into his *actual* possession, that finally contributes to the design of God, man's subsistence and the increase of his conveniences.

In order to establish compatibility with the law of nature, Locke has to put two moral limitations on this practice of appropriation: one is that at least there should be "enough, and as good left in common for others"[II: 24], because this right is the extension of the original use-right that everyone equally enjoys; the other is that we must not accumulate goods more than our fair share -- i.e. as far as we can consume before spoilage -- because "Nothing was made by God for Man to spoil or destroy"[II: 31], that is, God did not create the world for no use. By making these two moral limitations on the private activity of appropriation, Locke shows that *dominium* as a *facultas moralis* -- i.e. "a *moral* power in the owner over the minds of all other men to request them to abstain from the object and restore it if they had gained possession of it without the consent of the owner" -- can be established without men's agreement. Property ownership is a moral relationship that can be sustained by each person's obedience to the natural duties alone.[1]

Locke's labour theory of appropriation has another notable facet. That is, it is the *duty* of mankind to put his labour on the earth, because the fact that we have the labouring power and its objects shows that God commanded us "to subdue the earth, i.e. improve it for the benefit of life"[II: 32]. From the point of duty, man is designed to be industrious;[2] from the point of end, the earth is design to be convenient for our use. Enclosure is, therefore, justified

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[1] Grotius and Pufendorf (and Hobbes and Filmer as well) consider that no *facultas moralis* is possible without consent. Olivecrona, 1989: 92f; Olivecrona, 1971: 276-278. Locke's peculiarity consists in his inclusion of the right of property in *suum*, man's proper share in the state of nature which Grotius holds consists of man's life, limb, and liberty. Ibid.: 278-300. On the moral and social aspect of property rights, see also, Tuck, 1979: 62, 160f..

[2] *Some Thoughts*, §207.

in so far as it is necessary for the improvement of the earth. In other words, God did not intend the earth to remain common and uncultivated: "He gave it to the use of the industrious and rational"[II: 34]. But, there are still two natural limitations on enclosure, (the "sufficient for the other" principle and the "spoilage" principle) in order to ensure that every man's possession was confined to "a very moderate proportion". This moderate share of private property, however, suffered a drastic change by a historical event -- the invention of money [II: 36].

Locke maintains that the intrinsic value of things consists in their usefulness to the life of mankind. And it is labour that multiplies the value. However, Locke holds, men agreed that one kind of metal that is durable and very few should be worth some amount of useful goods, such as foods [II: 37]. Gold, silver, and diamonds have become valuable, and it is the fancy or agreement of men that "hath put the value on, more than real use, and the necessary support of life"[II: 46]. This product of the fancy of mankind enables us to amass possessions more than our natural share, because in the shape of money we can accumulate the goods without spoiling. What is more important, the enlargement of enclosure becomes justifiable if it contributes to the improvement of the world -- the increase of the productivity in total -- because it is the increase of "the common stock of mankind"[II: 37]. Therefore, the natural limitations of private property have been overcome by the invention of money, that is, the advent of commercial society [II: 48]. To surpass the limitations, indeed, has now become the contribution to the good of mankind in general. Individual economic successes are now regarded as the mark of virtue.

Historical Explanation So far we have Locke's justification of private property. His argument is also a description of the conjectural history of property ownership: "in the beginning", he says, "all the world was America"[II: 49], and after the invention of money, men found out a way to accumulate possession without injury

to others' rights. In other words, the form of possession represents the degree of industry, i.e. the development of civilization:[1] in America -- Locke's model of the original state of nature -- the mode of life is simple and so is property ownership; while in England -- a model of the civilized and commercial society -- the mode of life is based on the fancy of men (money), and property ownership is more complex. Here complexity or sophistication represents the degree of social inequality. The structure of a simple society like 17th century America is more egalitarian in its distribution of the possessions among its members. Their shares are moderate and relatively equal, because of the scarcity of goods which results from the underdevelopment of people's labour and intellect. There is no large difference between moral - natural facts and social facts in such a society: natural equality of mankind is embodied as social equality. In a complex society, on the other hand, the agreement among its members allows unequal sharing of goods between them owing to improvement in the productivity of commodities. This inequality is justified on account of the gain of the products in a society as a whole which becomes possible by introducing the system of interchange of goods. Social inequality is here justified against natural equality because of the advantage of the increase of products, i.e. the improvement of the world [II: 41]. Just as individual prosperity is a contribution to mankind in general, so the development of civilizations is the increase in the welfare of mankind as a whole.[2] It follows that to secure the civilization is good to mankind in general. This is the task of civil government.

What is remarkable in this (hi)story is, that though there was a radical change we saw no moment when the law of nature was overthrown: it is true that two principles of natural limitation became redundant after the introduction of money, but this change was justified in so far as it contributes to the fundamental principle -- the intention of the Creator -- from

[1] Locke's Journal for 8th Feb. 1677, in *Early Draft*, pp.84-90. See above, pp.177-8; *Two Treatises*, I:33

[2] This is an apparently utilitarian argument; therefore, it is indifferent to the distribution of the goods increased, in so far as all member of the society is more or less better off by the inequality.

which those two limitations are also derived.[1] What has changed is not the law of nature, but its application to a historical condition. Money having its value in the tacit agreement and conveniences of mankind, it can neither change nor affect the fundamental of the law of nature.[2] The invention of money is an interpretation of natural law, and it is justifiable only because it is not inconsistent with God's will, that is, the improvement of the life of mankind. Therefore, if history sees that the further development of commercial society makes private property ownership inconsistent with the fundamental law of nature, we should introduce another change over the system of private ownership, a change which can be some form of regulation by a government.

. . . . . We here find another example of Locke's hermeneutics. The institution of a money . . . economy is a familiar practice which he shows is congruous with the fundamental of natural law. It is a convention, but it can be explained in terms of the teleological world view of nature. Locke's argument starts from natural equality of mankind, and he proceeds to explain the following changes as rational conventions. It is, in a sense, an explanation of the natural and rational development of customs. The relationship between nature and convention represents the fundamental aspect of man's liberty. Man's liberty, Locke holds, is harmonious with the necessity of nature.[3] But this means that not the mere obedience to the necessity, but the cultivation of potentiality in nature, is the fulfilment of liberty. Convention -- the result of men's liberty -- is thus synchronised with nature.

By this explanation Locke demonstrates that neither consent nor civil society is necessary for private property ownership. However, this does not mean that property is absolutely independent of civil society, especially property in a complex society. Money itself is the outcome of agreement, and the monetary system in a complex society is indispensably

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[1] Even in a civilised society, liberality is a important virtue, while "Covetousness, and the Desire of having in our Possession, and under our Dominion, more than we have need of" is "the Root of all Evil". *Some Thoughts*, §110.

[2] The rules based on the general agreement are *jus gentium*, which is distinct from *lex naturae*. *Law of Nature*, pp.163, 177.

[3] See above, pp.142-3.

dependent on the support of civil government. Property ownership in a civil society is in fact regulated by civil law [II: 38, 45, 50]. Nevertheless, disclosing that even property in a narrow sense (which without doubt seems to be parasitic on civil society) is in principle a natural right (a right that needs no conventional grounding support), Locke makes it clear that the concept of property is at least logically -- namely, in terms of the law of nature -- antecedent to that of civil society. This is indispensable for him, because the contention of this logical priority reveals the origin, end and extent of power in civil society.[1]

3) PUBLIC GOOD

While interpreting Locke's argument of property in the narrow sense, we have already examined something about his idea of public good, recalling that his argument for private property has always contained some reference to the benefit of mankind in general. Now, we will recognize in this section that this is also true of Locke's argument for the broader sense of property, i.e. man's life, liberty, and estate. Locke's account of property is an encapsulated explanation of the contents of natural rights of mankind grounded upon his argument concerning what kind of state we are in in the state of nature.[2] Though the state of nature is a state of liberty, it is not a state of license: "though Man in that state have an uncontrollable Liberty, to dispose of his Person or Possessions, yet he has not Liberty to destroy himself, or so much as any Creature in his Possession, but here some nobler use, than its bare Preservation calls for it"[II: 6]. This passage well reveals that the natural freedom of man is regulated by a teleological vision, which requires of us in principle *the preservation of the*

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[1] Grotius and Pufendorf found their argument on the notion of natural freedom of mankind. They considers that society "was formed for the purpose of protecting the *suum*", i.e. "a sphere of his own". (Olivecrona, 1989: 82.) Locke's position is a radicalization of this notion in that he contends that even the right of possession is the actual part of the *suum*. See note 2 below.

[2] "What Grotius calls the *suum* Locke calls a man's property. Originally he used the term 'propriety', though he later exchanged it in most places for 'property'". Olivecrona, 1989: 88.

every creature and at the same time allows us *to use* (i.e. destroy or consume) *creatures in this world for some good purpose.*[1]

The Preservation of Mankind We have already discerned above that Locke regards self-preservation as a fundamental ingredient of natural law; yet according to Locke, self-preservation itself is not the basis of natural law, let alone the first principle, because if each of us pursues his own self-preservation alone, it might, or is highly likely to, generate a serious conflict among us.[2] Self-preservation is rather an essential desire or motivation for the law of nature; it is a passion that needs reason's support and regulation.[3] The fundamental precept of natural law is instead the preservation of mankind. Locke says,

> Every one as he is bound to preserve himself, and not to quit his Station wilfully; so by the like reason when his own Preservation comes not in competition, ought he, as much as he can, to preserve the rest of Mankind, and may not unless it be to do Justice on an Offender, take away, or impair the life, or what tends to the Preservation of the Life, the Liberty, Health, Limb or Goods of another [II: 6].

This duty of self-preservation with equal treatment of others -- the duty of preservation of mankind in general -- is a normative proposition derived from Locke's idea of the natural equality of mankind: if my desire for self-preservation is naturally fundamental, and if men are naturally equal, then I will not endanger others' preservation, providing my own preservation remains unthreatened. Why then can we derive a normative proposition from the fact of natural equality? What, that is to say, does it really mean if the *fact* that we have a strong desire for self-preservation and mutual equality requires us to discharge such a *duty*?

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[1] This idea of purpose presupposes the existence of the rank among the creatures. Locke insists that "it is the Understanding that sets Man above the rest of sensible Beings, and gives him all the Advantage and Dominion, which he has over them". *Essay*, Ii:1.

[2] *Law of Nature*, p.181. See above, pp.74-5.

[3] See, *Essay*, Iiii:13, quoted above, p.145; *Some Thoughts*, §48, 110.

If we understand this duty as a harm principle, then we can look upon this precept as a prudential or strategic directive which is necessary for us to fulfill our strong desire of self-preservation under the condition of equality. The harm principle is, in this interpretation, a rule according to which we can rationally pursue our strong desire: that is to say, if we want to preserve ourselves successfully, we *ought to* follow the harm principle.

However, Locke's precept cited above demands not only that we should not harm others, but that we should "preserve the rest of Mankind". It is certainly possible to construe that Locke considers this positive injunction to be accomplished in a negative way, i.e. through the harm principle; but it seems that this precept requires more than a bare prohibition of harming others' property. Simmons expertly dissolves this Lockean principle into four categories:

> (1) Duties to preserve oneself (i.e., not to kill or endanger oneself)
> (2) Duties to preserve others (when this does not conflict with self-preservation)
> (3) Duties not to "take away the life" of another
> (4) Duties not to do what "tends to destroy" others (by, e.g., interfering with or "impairing" their "liberty, health, limb or goods")[1]

No doubt (3) and (4) are the harm principles, and Simmons, our contemporary liberal, calls them "the least controversial duties".[2] What seems to be more controversial are the two positive duties, (1) and (2). We, regarding (1), tend to hold that self-preservation is not so much a duty as a (subjective) right, which some people including liberals assume embraces a right of suicide, such as euthanasia. (2) (which includes the duty of charity [I: 42], friendship and generosity)[3] is also, but perhaps less, contentious, in that rights-based theorists such as Nozick would deny such duties, while many communitarians would accept them. How then can we make these questionable duties more intelligible?

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[1] Simmons, 1992: 60.

[2] Ibid.

[3] Colman, 1983: 182.

Metaphysical Grounding It is crucial to remember that Locke's teleological vision of nature dictates in principle the preservation of *all* creatures. The duty of the preservation of mankind, accordingly, would become more comprehensible for us, if we bear Locke's metaphysical presupposition in mind as its theoretical backdrop. The presupposition at issue is the Workmanship model, which we have so far examined again and again, and according to which man is conceived as the property of God. God's design reveals man's duty, i.e. his function in this world, and it is made intelligible for us with the aid of natural reason. Then how does Locke conceive the design of God with special regards to the preservation of His creature? In his journal of August 1680 (presumably in the middle of the composition of the *Two Treatises*), Locke wrote about "The Idea We Have of God". Any idea concerning perfection or excellency, he insists there, is a part of our idea of God, who has both attributes "in the utmost or an infinite degree". But this idea of infinity is paradoxically not without restriction. Locke says "that unlimited power cannot be an excellency without it be regulated by wisdom and goodness;[1] for since God is eternal and perfect in his own being, he cannot make use of that power to change his own being into a better or another state".[2] It follows that the world God has created is the best possible world. Then why does this perfect world suffer from change? That is to say, why is there misery or destruction, seen as punishment by God?

This seems an un-Lockean, or Scholastic, puzzle. Problematic here is that the concept of infinity attributed to the idea of God is "beyond the reach of our narrow Capacities". "Finite, and Infinite", seem to Locke, "to be looked upon by the Mind, as the Modes of Quantity, and to be attributed primarily in their first designation only to those things, which have parts, and are capable of increase or diminution, by the addition or subtraction of any

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[1] See, *Essay*, II:xxi:49, 50.

[2] *Political Writings*, p.237. In *Essay*, Locke says, "Motion cannot be attributed to God, not because he is an immaterial, but because he is an infinite Spirit". II:xxiii:21.

the least part".[1] The idea of the finite is a positive idea that our mind can maintain without difficulty. The idea of the infinite, on the other hand, is a negative idea that our mind can have only in a negative way.[2] The idea of infinity consists in our mind's capacity of continually adding a finite idea to another, and by the endless addition of the idea we have the idea of infinite space or eternity.[3] Therefore the idea of infinity is such that we can *neither* comprehend the end, *nor* set any bounds, of the addition (or division)[4] of some idea; we can have an idea of the infinity of space, but cannot conceive the idea of a space infinite.[5] We thus understand the idea of the infinity of God, and not the idea of God infinite. All we can comprehend is that the attributes of God -- His power, wisdom, goodness, etc. -- are greater than anything.[6] We cannot know God's greatness and perfection positively.

Hobbes similarly opines "the nature of God is incomprehensible; that is to say, we understand nothing of what he is, but only that he is".[7] The attributes of God that we know, Hobbes contends, are the expressions of our desire to honour Him, and to reason of God's nature from these attributes of honour is absurd; "God, they say, is the prime cause of law, and also the prime cause of that and all other actions, but no cause at all of the injustice (which is the inconformity of the action to the law). This is vain philosophy".[8] One way of avoiding the absurdity is Spinozaic pantheism, i.e. the equation of God and nature, and the acceptance of consistent naturalism. But this way Hobbes and Locke could not take.[9] Locke however did try to say something about the justice of God in his journal, and his conclusion

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[1] *Essay*, II:xvii:1.

[2] *Essay*, II:xvii:2.

[3] *Essay*, II:xvii:4,5. Consequently we can have an idea of infinity only concerning an idea that is numerically comparable. We for instance can not have the idea of the infinity of whiteness. *Essay*, II:xvii:6.

[4] *Essay*, II:xvii:12.

[5] *Essay*, II:xvii:7.

[6] *Essay*, II:xvii:1.

[7] *Leviathan*, xxxiv, p.263.

[8] *Leviathan*, xlvi, pp.459, 462-4; xxxi, p.240. See, *Some Thoughts*, §136.

[9] Strauss says, "Consistent naturalism would have been the ruin of [Hobbes's] political philosophy. That is shown in the case of Spinoza. Spinoza, more consistently naturalistic than Hobbes, relinquishes the distinction between might and right and teaches the natural right of all passions". Strauss, 1952: 169. See also Dunn, 1980b: 47-48.

is that all we can comprehend within our limited knowledge is "the justice ... of God can be supposed to extend itself no further than infinite goodness shall find it necessary for the preservation of his works".[1] This is what we can negatively know about God's justice. Hobbes admits, we know that God *is*. Locke demonstrates that there are God, ourselves, and real Being.[2] Other than God, *His creatures exist*; this is a positive notion. From this positive fact Locke concludes as follows:

> the punishment [God] inflicts on any of his creatures, i.e. the misery or destruction he brings upon them, can be nothing else but to preserve the greater or more considerable part, and so being only for preservation, his justice is nothing but a branch of his goodness, which is fain by severity to restrain the irregular and destructive parts from doing harm; for to imagine God under a necessity of punishing for any other reason but this, is to make his justice a great imperfection, and to suppose a power over him that necessitates him to operate contrary to the rules of his wisdom and goodness.[3]

This is what Locke takes to be God's justice as far as we can imagine. God's perfection -- His highest goodness -- in the last analysis reduces to the mere preservation of His workmanship. From this idea of justice we can derive the basis of the law of nature, which is God's primary command over His creatures: *Preserve God's creatures as far as possible*. This command is appended with a proviso: *Destruction of the creatures is allowable if and only if it is for the preservation of the greater or more considerable part of them*. No doubt this proviso presupposes the ranks among the creatures, but Locke considers there is no rank between men [II: 6]. It follows that the preservation of *all* mankind is a primary law of nature. This is a law, because it should be regarded as God's dictate; we are obliged by this law deontologically or categorically. However, in Locke's theory of natural law, deontology is buttressed by consequentialism; he explains elsewhere the utility of the primary law of nature:

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[1] *Political Writings*, p.238.

[2] *Essay*, IV:x:1-6. See also, II:xxvii:2.

[3] *Political Writings*, p.238.

> Children should from the beginning be bred up in an Abhorrence of killing, or tormenting any living Creature; and be taught not to spoil or destroy any thing, unless it be for the Preservation or Advantage of some other, that is Nobler. And truly, if the Preservation of all Mankind, as much as in him lies, were every one's Persuasion, as indeed it is every one's Duty, and the true Principle to regulate our Religion, Politicks and Morality by, the World would be much quieter, and better natur'd than it is.[1]

The precept of the preservation of *all* mankind implies Locke's basic normative supposition, the natural equality of mankind. This egalitarian supposition is normative, in that it equally (without exception) obliges us to accomplish God's primary command with the latter proviso, but not in that it requires us to be equal. Locke says;

> Though I have said above, ... That all Men by Nature are equal, I cannot be supposed to understand all sorts of Equality: Age or Virtue may give Men a just Precedency: Excellency of Parts and Merit may place others above the Common Level: Birth may subject some, and Alliance or Benefits others, to pay an Observance to those to whom Nature, Gratitude or other Respects may have made it due; and yet all this consists with the Equality, which all Men are in, *in respect of Jurisdiction or Dominion one over another*, which was the Equality I there spoke of, as proper to the Business in hand, being that equal Right that every Man hath, to his Natural Freedom, without being subjected to the Will or Authority of any other Man [II: 54].

This equal right of jurisdiction or dominion Locke calls "the Executive Power of the Law of Nature"[II: 13] which he insists is in the state of nature put into every man's hands, since "the Law of Nature would, as all other Laws that concern Men in this world, be in vain, if there were no body that in the State of Nature, had a Power to Execute that Law, and thereby preserve the innocent and restrain offenders"[II: 7].

Punishment Among the executive powers men hold in the state of nature, Locke includes "a right to punish the transgressors of that law to such a Degree, as may hinder its Violation"[II: 7]. This is a matter of retributive justice: everyone in that state has the right of punishing a malefactor "so far as calm reason and conscience dictates, what is proportionate to his Transgression, which is so much as may serve for *Reparation* and *Restraint*"[II: 8]. This right of punishment, Locke maintains, man holds not

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[1] *Some Thoughts*, §116.

only against a transgressor of his own right, but also against anyone who trespasses the law of nature, because by infraction of this law, "the Offender declares himself 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 their mutual security"; that is to say, "he becomes dangerous to Mankind"[II: 8]. It follows that the violation of a particular man's natural right is a crime against universal natural equity as a whole: *jus naturale* is *lex naturalis*.[1] Although the law of nature commands us to preserve all mankind as far as possible, this natural executive power includes the right of killing a murderer, because Locke believes the murderer forfeits his membership in humanity (that is, he no longer belongs to the same rank as we) by declaring war against all mankind through his crime; just as we may kill "those wild Savage Beast, with whom Men can have no Society nor Security", so we may punish him by death [II: 11].

The idea of punishment is the core of the Lockean idea of social justice. "God", Locke upholds, "having made Man such a Creature, that in his own Judgement, it was not good for him to be alone, put him under strong Obligation of Necessity, Convenience, and Inclination to drive him into Society, as well as fitted him with Understanding and Language to continue and enjoy it"[II: 77].[2] Men thus *naturally* construct a society in which they are mutually equal in the moral sense. The bond of this natural society is the mutual recognition of rights [*suum*] among the members.[3] In such a relationship, Locke considers, punishment

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[1] See, *Leviathan*, xiv, pp.79-80, where Hobbes insists that *jus* and *lex* "ought to be distinguished, because Right consists in liberty to do or to forbear, whereas Law determineth and bindeth to one of them; so that law and right differ as much as obligation and liberty, which in one and the same matter are inconsistent". This is an opinion that members of the Tew Circle, with which Hobbes had close acquaintance, held to refute Henry Parker's central claim "that under the law of nature men have a duty to protect themselves from attack, and hence that military action against the King's forces was justified". This distinction, according to Tuck, "paved the way for a demonstration that any natural right could be renounced, including the natural right of self-defence". Tuck, 1979: 102, 111, 120. Locke himself in the *Law of Nature* (p.111), holds this distinction. This is a crucial difference between young Locke a conservative and mature Locke a radical.

[2] *Law of Nature*, pp.157-159, 163. Of course, the anti-thesis to this position is found in *Leviathan*, xiii. But the principle of self-love does not necessarily result in a Hobbesian state of nature. See Krieger, 1965: 92-94, for Pufendorf's argument for natural sociability of men.

[3] The bond of society *without consent* is possible, because the moral relation among the members is based on the natural duty for each individual which stems directly from the law of nature. See, pp.197 and 200-201 above.

is a necessary means to secure social justice. Justice at issue here is retributive justice,[1] justice that is instrumental to the aim of the natural community of mankind. It is perhaps misleading to call Locke a retributivist because his argument for punishment is partly consequentialist. However, the principal message of Locke's argument is that punishment is to be proportionate to the offender's injury of right;[2] i.e. punishment should be so severe as to accommodate its two purposes, *reparation* and *restraint*, and ultimately the one purpose, the security or peace of natural society.[3] Consequentialist elements such as deterrence and repentance[4] are elements of the restraint cause. Reparation means the satisfaction of the injured party for the damage it suffered -- therefore no one but the injured party can remit the reparation. Locke holds that reparation stems from the right of self-preservation, while restraint stems from the right of preserving all mankind. Therefore murder, which no reparation can redress, deserves the death penalty [II: 11].

Inconveniences of the State of Nature This retributive justice presupposes people's faculty of judgement in the state of nature, because people have to assign an offender a penalty that is proportionate to the crime. People are supposed to be equipped with a sense of justice or equity.[5] This Locke takes for granted, because he assumes the contents of natural law are clear enough for a rational creature. But given the clearness of the law of nature, there still is a difficulty which people in the state of

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[1] Retributivism in punishment can be very loosely described as a claim "that punishment is partly or wholly justified because or when it is *deserved, a just desert, retributive, equivalent, proportional, commensurate, reciprocal, corresponding, fitting, merited, owed, according to the offence, according to our right or the offender's right*". This elucidation of retributivism is a tautology, because it does not tell what is to be deserted. However this illustrates what kind of locutions we would employ in the discussion of retributive justice, and these terms presented above Locke may and *did* use in his argument for punishment. Honderich, 1985: 119.

[2] The difference between Locke and Grotius on the natural right of punishment consists in this. Olivecrona, 1989: 82.

[3] See, II: 94, 104, 112.

[4] As for the lesser breaches of the law of nature than murder, Locke demands that "Each Transgression may be punished to that degree, and with so much severity as will suffice to make it an ill bargain to the Offender, give him cause to repent, and terrifie other from doing the like"[II: 12]. Repentance is a secondary cause, since Locke admits the capital punishment even for a potential murderer [II: 18]. What is primary is always the security of natural right.

[5] About Pufendorf's ideas on this point, see, Schneewind, 1987: 130f.

nature encounter in executing the right of punishment, a difficulty that renders Locke's doctrine "strange". That is to say, some might reasonably raise a doubt against it insisting "That it is unreasonable for Men to be judges in their own cases, that Self-love will make Men partial to themselves and their Friends", and that "Ill Nature, Passion and Revenge will carry them too far in punishing others"[II: 13].[1] Critical here is the question of impartiality; namely, Locke's strange doctrine contradicts a fundamental procedural standard of natural justice, *nemo judex in re sua* [let no one be a judge in his own cause]. Without this procedural justice, there is no guarantee in the state of nature for the impartiality of man's judgement, because the imperfect nature of man's faculty allows that the power of passion may surmount that of reason. Locke calls this problem the "Inconveniences of the State of Nature", and regards civil government as its proper remedy [II: 13].[2]

How severe then are these inconveniences? Are they so grave that the state of nature is indistinguishable from the state of war? Locke indeed makes a clear demarcation between the two states: "we have the plain difference between the State of Nature, and the State of War, which however some Men have confounded, are as far distant, as a State of Peace, Good Will, Mutual Assistance, and Preservation, and a State of Enmity, Malice, Violence, and Mutual Destruction are one from another"[II: 19]. The triple relationship among the state of nature, the state of war and civil society Locke describes as follows:

> Want of a common Judge with Authority, puts all men in a state of nature: Force without Right, upon a Man's Person, makes a State of War, both where there is, and is not, a common Judge [II: 19].

Whether we are in the state of nature or civil society, we can be put in the state of war. Why then do we need to enter civil society? We should remind ourselves that Locke calls the

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[1] On the difficulty to "let [moral] Truth have fair play in the World", see, *Essay*, IV:iii:20.

[2] There is another cause of the inconveniences, which results from the structure of the state of nature: "The inconveniences of the state of nature", Colman holds, "are a product of the tension between man's natural sociableness and his equally natural desire for personal happiness". (Colman, 1983: 185.) Impartial judge is the remedy to secure, not dissolve, this tension which is the origin of dynamism of human nature as well as the inconvenience.

troubles in the state of nature "inconveniences". They are not states of war in themselves; they are the causes of the relatively high possibility to incur the state of war, which is in principle rationally avoidable, but difficult to evade in a certain circumstance in which passion is liable to overpower reason. The state of war is in fact a potentiality inherent in the predicament of mankind no matter what condition we are in. The difference between the state of nature and civil society is a matter of degree or probability, and can be summarised with the question of how often this malicious potentiality might come up.[1] In other words, when the plausibility of these inconveniences became so high as not to be endurable -- i.e. when it came to be difficult to keep social justice -- men were obliged to escape from the state of nature into civil society. What the people then expected of civil society or government was its *efficiency* in reducing, not eradicating, the inconveniences. The central matter is therefore prudential, a matter of judgement or probability which is heavily dependent on historical circumstances.[2]

Historical Explanation Locke describes the beginning and development of governments in the same way he does the advent of private ownership, that is, using an idea of conjectural history. In spite of his attack on Filmer's patriarchalism, Locke admits that in the primeval stage of the history of mankind, government commonly began in the father, because at this stage families or households were autonomous and self-sufficient communities, where the conflicts between the members were not so fierce that the father was a fittest person to be trusted to govern them by his arbitration [II: 105]. Patriarchalism was the most efficient form of government in this stage. However, the identity of the ruler and the father was merely a historical one, in that

[1] The problem of probabilities or wagers was an important one for the members of the Tew Circle, especially Chillingworth. Tuck, 1979: 104-105; Orr, 1967: 51-53. Chillingworth employs the argument of probability in religious propositions. (And so does Locke. See, Wootton,1993: 99f.) Likewise the members of the Tew Chicle believed that to contract away their right of self-defence is a good wager for men in the state of nature. Locke's reasoning is similar, but Locke considers that to trust an absolute monarchy is a too bad wager.

[2] On probability and historical knowledge, see, *Essay*, IV:xvi:5-14; Van Leeuwen, 1970.

conceptually speaking, political and parental powers are "perfectly distinct and separate" [II: 71]. When the families united into larger communities, but the way of living there was still simple and poor, there were not yet severe conflicts of interests within the unions, and the end of government was mainly the self-defence of a community against external forces. Therefore in this second stage, the kings, which form of ruling was the most natural development from the fatherly rule, were "little more than General of their Armies"[II: 107, 108].[1] Locke calls this stage "the Golden Age", which "had more Virtue, and consequently better Governours, as well as less vicious Subjects", and compares it with future age in which

> Ambition and Luxury,... would retain and increase the Power, without doing the Business, for which it was given, and aided by Flattery, taught Princes to have distinct and separate Interests from their People, Men found it necessary to examine more carefully the Original and Rights of Government; and to find out ways to restrain the Exorbitances, and prevent the Abuses of that Power which they having intrusted in another's hands only for their own good, they found was made use of to hurt them [II: 111].[2]

This degeneration from the Golden Age is a remarkable point in the Lockean history of government. Its significance (not length of time) corresponds to the importance of the introduction of money in his history of property ownership. Locke takes issue with ambition and luxury, the passions that cause the abuses of political power. By the abuse of power Locke means the discrepancy between the interests of the governor and the governed. Inconveniences in the state of nature stem from the power of passion, and government should be an appropriate remedy for them. Now what was happening in this depraved age was that this remedy had become inefficient because of the new and strong passions caused by the luxury of the age. Until the Golden Age, Locke argues, the forms of government had been constituted by the necessity of nature or customs (i.e. second nature) -- a government had

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[1] This type of kings is what Sir Walter Raleigh called "limited" monarchies contrasted with "entire" monarchies. An example of the former is the Polonian king, and that of the latter is a royal or regal monarchy such as the king of England. In the usage of the political literature of the early modern period, the limited monarchies of this kind were conceptually distinct from the absolute monarchies. Burns, 1990: 23.

[2] G. Parry perceptively interprets this passage: "Human nature is always a mixture of self-interest and sociability, but positions of power provide opportunities for the pursuit of private interests which too many find unable to resist. Men are apt to grasp after power. Political experience teaches an apparent paradox. Government must be entrusted to men whom one distrusts". Parry, 1978: 127.

"a kind of Natural Authority"[II: 94], and then the power of a government was naturally limited and the interests of the government and the people were united [II: 110]. The separation of the two interests thus results from the evaporation of the natural restraint on the former: it is the advent of absolute monarchies that symbolises this degenerate age, and Locke quite correctly recognises that the *jure divino* theory of the absolute monarchy is a recent invention [II: 112]. What is required in this new era is the artificial limitation on government, for which we need to know and reexamine "the Original and Rights of Government", that is to say, the very tenets the *Second Treatise* teaches us.

What is corrupted is not the nature of men itself, but their circumstances; the material prosperity is prone to make men, especially those who have power, more vulnerable to the strong passion. What is then necessary is, as it were, an *institutionalised reason* that regulates passion, that is, a constitution. Locke's arguments for the institutional matters in the *Second Treatise* pertain essentially to this question -- namely, how in this degenerate age can we artificially unite, or avoid the estrangement between, the interests of the government and the people by limiting the power of the former? This limitation can be intelligible only if we grasp the aim of government; the public good. I will not examine here in detail Locke's institutional argument; but I shall in the following part of this section illustrate how Locke conceives the idea of the public good in relation to the constitution of civil government.

Civil Government "Where-ever", says Locke, "any number of Men are so united into one society, as to quit every one his Executive Power of the Law of Nature, and to resign it to the Publick, there and there only is a Political, or Civil Society". This "puts Men out of a State of Nature into that of a Commonwealth, by setting up a Judge on Earth, with Authority to determine all the Controversies, and redress the Injuries, that may happen to any Member of the Commonwealth" [II: 89]. The basic function of civil society

is jurisdictional,[1] because what men resigned to the community -- the executive power of the law of nature -- includes among other things the power of punishment (the right of jurisdiction), and this power is most integral for social justice. Moreover, it is the inconveniences in the state of nature that obliges men to renounce that power, and they result from the difficulty men find in sustaining an impartial jurisdiction. By authorization the community compensates them, becoming an "Umpire", i.e. "common Appeal"[II: 87].

Logically there are two stages in the constitution of civil society, though Locke seems to consider that these were historically brought about simultaneously. First, people consent to make one community, one body politic, "wherein the Majority have a Right to act and conclude the rest"[II: 95]. The adoption of the majority-rule is a logical consequence of Locke's two premises: people in the state of nature are equal; the aim of the community is decision-making. Second, the political community thus established entrusts the right of umpirage to a government in the constitution of a commonwealth, *civitas*. Locke holds that the way of entrusting this political power originates in the various types of government: if the community itself exercises this right, then the form of the commonwealth is a perfect democracy; if it puts the right into the hands of a few select men and their heirs or successors, then an oligarchy; if into the hands of one man, then a monarchy; and it is able to mix these three forms of government [II: 132].

This entrusted right and power (*potestas*) of a government has three functions that stem from the basic purpose of the trust, the security of a community: first, to make established, settled, known rules concerning the general matter of the community, in accordance with the law of nature: second, to apply these standing rules to more particular cases, and to give them due execution for the public good of the community: third, to defend the community against other communities and if necessary, to make league with them. Locke calls these three the legislative, executive, and federative powers respectively. About the

[1] Von Leyden, 1981: 124-127; Parry, 1978: 114.

latter two Locke says, "though they be really distinct in themselves", "yet they are always almost united" [II: 147]. However regarding the legislative and executive powers, Locke insists that they should be possessed by the separated persons, "because it may be too great a temptation to humane frailty apt to grasp at Power, for the same Persons who have the Power of making Laws, to have also in their hands the power to execute them", the result of this temptation being the substitution of private interests for public interests in government, that is, tyranny [II: 143].

The mutual relationship among the three powers is not so simple. Though Locke holds that the legislative power is "the supreme power of the Common-wealth"[II: 94], because "This is the Soul that gives Form, Life, and Unity to the Commonwealth"[II: 212];[1] yet it is a limited power simultaneously: Locke mentions a lot of limitations upon it, all of which are ultimately derived from the nature and end of this power, that is, from the supposition that it is a power entrusted by the community for the preservation of the property -- life, liberty and estate -- of its members [II: 134-142]. The supremacy of the legislative power on the other hand indicates that the other two powers are subordinate to it. However, the federative power seems to be rather independent, because the nature of this power requires the prudence and wisdom, or the practical reason, of the executive, and therefore must contain a large amount of discretion free from standing law in the federative power. This necessity of discretion is also true of the executive power, and it culminates in a prerogative. In real politics, Locke argues, the silence of law and the necessity for the public good sometimes demands the prudence of the person who holds the executive power. Moreover, some accidents may require the executive to go beyond the law [II: 159,160].[2]

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[1] Hobbes famously calls the sovereignty "an artificial soul" of a commonwealth, since he considers it gives "life and motion to the whole body". (*Leviathan*, Introduction, p.3.) Locke avoids the word sovereignty employing the supreme power, wisely because for Locke the soul of a commonwealth is not absolute.

[2] In his journal for 26th Jun. 1681, Locke writes "the well management of publique or private affairs depending upon the various and unknowne humors interests and capacitys of men we have to doe with in the world and not upon any setled Ideas of things physique, politie and prudence are not capeable of demonstration but a man is principally helped in them by the history of matter of fact an analogie in their operations and effects". *Early Draft*, p.117. See also *Educational Writings*, p.394. He is concemed here with how to acquire an appropriate connoisseurship in government, a technique of politics whose master is Machiavelli. (Oakeshott, 1991: 29.) This betrays Locke's Machiavellism which is hidden by his assertion that the *Two*

Locke thus defines a prerogative as "nothing but the Power of doing publick good without a Rule"[II: 166]. He further regards it an "Arbitrary Power" [II: 210]. ("Prerogative is", however, as H. Mansfield correctly writes, "not arbitrary in the sense of unaccountable to the people, to be sure, but it is unpredictable".)[1]

The relationship among the three powers is, as it were, a matter of craft, the art of governing made heavily dependent on a historical and political condition.[2] What is at least obvious is that all of three share and serve the same one purpose, the public good of the community.

Public Good What is, in the last analysis, the public good? Locke briefly defines it as "the good of every particular Member of that Society, as far as by common Rules, it can be provided for". This can be provided by government, since "Government being for the Preservation of every Mans Right and Property, by preserving him from the Violence or Injury of others, is for the good of the Governed"[I: 92]. The rationale of government therefore is the security of its every member's property. (It does not, however, follow that the possessions, i.e. the narrower sense of property, of individuals are absolutely inviolable; if necessity tells us to take them away, we may destroy them according to the public good. For example, "to pull down an innocent Man's House to stop the Fire, when the next to it is burning"[II: 159]. It is a duty of the magistrates to make right judgement on such cases, as strict observation of the laws may cause more harm.) And this must be achieved under the rule of law -- "by common Rules". To put it in a simple sense, *Salus populi suprema lex* [II: 158].

Treatises is a book concerning the system of rights (part of demonstrative moral science). Laslett, 1988: 87-88; Tarcov, 1984: 6.

[1] Mansfield, 1989: 189.

[2] Locke insists that "the art of government ... is best to be learned by experience and history, especially that of a man's own country". (*Educational Writings*, p.400.) Locke's argument above is no doubt based upon his own country's constitutional history; although he refrained from dealing with the issue of the ancient constitution of England, a greatest issue in the political controversy of his age. Pocock, 1987: 235-238.

4) GOVERNMENT ON TRUST

One of the characteristics of modern politics, we might say, is the awareness of the serious and sometimes unresolvable conflict between morality and politics.[1] Interpreted from the perspective of natural law, Locke's political thought seems to be unaware about this fundamental question of modern politics.[2] However, if we take into account the immediate historical context of the *Two Treatises*, we will find the contest between political duty and moral right is a vital question of this book, remembering that Locke wrote it for the promotion of disobedience against the absolute monarch, Charles II. This is a problem of political obligation, and Locke tries to solve this by demonstrating the nature of legitimate government. Government is, he holds, legitimate if and only if its aim is the public good of the community. Therefore at least one form of government is totally unacceptable as legitimate, that is, absolute monarchy.

Absolute Monarchy The absolute monarchy is, Locke contends, a government "where one Man commanding a multitude, has the liberty to be Judge in his own Case, and may do to all his Subjects whatever he pleases, without the least liberty to any one to question or controle those who Execute his Pleasure"[II: 13]. There is no doubt for Locke that absolute monarchy "is inconsistent with Civil Society, and so can be no From of Civil Government at all"[II: 90]. Absolute monarchs are conceived to have absolutely unrestricted liberty which Locke considers even the men in a state of nature don't have. And the liberty that an absolute monarch is presumed to have in judging his own case apparently contradicts a principle of natural justice, *nemo judex in re sua*, the fulfilment

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[1] Hampshire, 1978.

[2] When we try to explain politics by employing the language of morality, we tend to ignore this conflict, unless we understand there are unsolvable conflicts within morality. A notable example is utilitarianism in a naïve form.

of which is *the* aim of civil society. If the absolute monarchy were a form of civil society, the people in a state of nature would have been obliged to enter a worse condition, because it is the annulment of social justice that people enjoyed in that state. This, Locke persists, is not only utterly inconceivable, because "no rational Creature can be supposed to change his condition with an intention to be worse"[II: 131]; but also is impossible, because "no Body can transfer to another more power than he has in himself; and no Body has an absolute Arbitrary Power over himself, or over any other, to destroy his own Life, or take away the Life or Property of another"[II: 135].[1] Man does not want to be a slave [I: 1]; nor can he voluntarily become one [II: 23, 172].

Care must, however, be taken to accept Locke's arguments about absolute monarchy. In spite of his philosophical edict in the *Essay* that we must be careful of the distinctness among the ideas, Locke occasionally loosely compounds the ideas of "Despotical", "Absolute" and "Arbitrary" powers [II: 172].[2] The equation of absolute power with arbitrary power is not an established opinion in the 17th century:[3] for example, Locke's French contemporary, Bossuet wrote:

> It is one thing for a government to be absolute, and another for it to be arbitrary. It is absolute with respect to constraint -- there being no power capable of forcing the sovereign, who in this sense is independent of all human authority. But it does not follow from this that government is arbitrary, for besides the fact that everything is subject to the judgement of God ... , there are also [constitutional] laws in empires, so that whatever is done against them is null in a legal sense [*nul de droit*]: and there is always an opportunity for redress, either on other occasions or in other times. Such that each person remains the legitimate possessor of his goods: no one being able to believe that he can possess anything with security to the prejudice of the laws ... This is what is called legitimate government, by its very nature the opposite of arbitrary government.[4]

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[1] Harris, 1994: 247.

[2] Indeed, Locke himself writes "even absolute Power, where it is necessary, is not Arbitrary by being absolute, but is still limited by that reason, and confined to those ends, which required it in some Cases to be absolute" [II: 139].

[3] For various usage of the term "absolute" in 17th century England, see, Daly, 1978.

[4] Bossuet, 1990: 263-4. Bodin, the authority of absolutism in the 16th century, insists that the law of a sovereign must be what he calls "the just command [*un droit commandement*]". Bodin, 1992: 51. Burns says, "A state or commonwealth for Bodin is the government – again the *droit gouvernment* – of a number of families by a sovereign power. The sovereign *is* politically absolute; but his absolute power operates within a framework constituted by autonomous patriarchal households. ... The sovereign's absolute power certainly includes power to regulate the *res publica* – that which belong in common to all the families making up the state. It does not extend, without the consent of the heads of families concerned, to the *res privatae* – the estate and properties which sustain the households independent units". Burns, 1986: 17. See also pp.15-16 on Bossuet,

Locke himself makes conceptual distinction between God's absolute power and arbitrary power:[1] God's absolute power he considers is reasonable power. Moreover, when he shows the difference between a king and a tyrant, Locke quotes the remarks of King James I, an absolute monarch [II: 200]. Locke's critique, therefore, of the absolute monarchy seems to be true only against a Filmerian model.[2] Filmer's absolute monarch is certainly arbitrary and tyrannical, but for him (like Hobbes) there is no such a thing as tyranny -- there are only two alternatives, anarchy or government.[3] Locke's exceptional account of the absolute monarchy reflects his opponent's extremism.[4] But does it mean Locke's arguments lose their merit? For if what he attacks is so exceptional that even the partisans of absolutism regard it as illegitimate,[5] Locke's critique becomes an offensive on a straw man. The merit of the *Two Treatises* then would consist only in its rhetorical force.

If, however, we allow for Locke's historical perspective, the strength of his argument becomes more discernible. Locke insists that his age witnessed ambition and luxury corrupting those who seized power. Certainly absolute monarchy was a virtuous government

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and Skinner, 1978: II, 293-297. Locke is indeed aware that to be absolute power is not necessary arbitrary, i.e. is still subject to the end of the power, and he also, like Bodin, stresses the distinction between the *res publica* and the *res privatae* [II: 139].

[1] This reminds us of the dialectical distinction of God's absolute and ordained power. The obscurity which comes from the dialectical distinction was embodied in the 17th century in the discussions of the power of a king (who imitated God), i.e. the prerogative. Locke also called it an arbitrary power though he defined it as a delegated power. MacIlwain, 1958: 166 n.2.

[2] Daly, 1978: 244-245. But even Filmer does not neglect the public good of the state, especially the safety of a kingdom. Indeed, Filmer's political thought is supported not only by his theological argument, but by the utilitarian-prudential argument that the worst form of monarchy (tyranny) is better – less cruel and more enduring – than the worst form of democracy (anarchy). Of course, due to his voluntarism, Filmer does not regard the consideration of public good as the duty (constraint) on a king; but, he writes, "if not out of affection to his people, yet out of natural love to himself, every tyrant desires to preserve the lives and protect the goods of his subjects, which cannot be done but by justice, and if it be not done, the prince's loss is the greatest". Filmer, 1991: 30-31, 35, 42.

[3] Hobbes, *Leviathan*, xix, pp.118-9; Filmer, 1991: 36, 237, 281. What they really share is the purely voluntaristic conception of God. Filmer's sovereign's arbitrariness embodies this conception. On Filmer's concept of sovereignty, Daly says, "At its heart was a concept of omnicompetent sovereignty, sovereignty unrestricted, unlimited, unbounded, from which there was no appeal and within which there was a radical simplicity, *an undiluted singleness of will.* ... All real government were really monarchies, and all are arbitrary, which meant the same thing as 'absolute'. It followed from all this that *law is the mere personal will of the law-giver*". Daly, 1979: 13.

[4] The most extreme arguments of Filmer, compared with other absolutists, are his equation of the sovereignty and the sovereign, and his theory of property. On Bodin, see Skinner, 1978: II, 294.

[5] Indeed, Filmer's position is so excessive that at the Exclusion Crisis Tories, who tried to defend Duke of York's right of succession on the ground of fundamental law, made little use of Filmer. Daly, 1979: 41-43.

before the degenerate age. Absolute monarchy now, however, is most vulnerable to the degeneration. Bossuet's proposition, "Royalty is subject to reason", depends on the supposition that the prince can and must be wise.[1] Locke, the true critic of human understanding, knows how difficult it is to support such supposition. We must not expect without warrant even the prince -- "Absolute Monarchs are but Men"[II: 13][2] -- to have divine wisdom. He is, worst of all, always under the great temptation [II: 226]. Power thus must be limited artificially. For Locke, two things are important in this respect, and they correspond to the two parts of politics: the separation of political power (prudential part) and the popular sovereignty (constitutional part). Although compared to Sidney,[3] Locke is not eloquent nor subtle about the former, he considers the separation of the legislative and executive powers to be indispensable. The virtue of Locke's argument, however, consists in his argument for the latter. He has two arguments: one is the supremacy of the legislative power (the representative of the people), and the other is the people's right of resistance, the latter being more shrewd, and central, than the former in Locke's political thought.

Locke's argument for the right of resistance is closely related to his account of absolute monarchy. Since absolute monarchy is not civil government in a proper sense, people under this government are still in the state of nature; and what is worse, they are almost always put into the state of war, because the power of the absolute monarch is a force without right, and whenever he exercises his power (as in taxation or punishment),[4] he creates a state of war between himself and them. Having, therefore, the right and duty of self-preservation, the people in a state of nature have the right to rebel against absolute monarchy -- this is also the right of punishment they hold in that state -- and to establish civil society

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[1] Bossuet, 1990: 112f.

[2] *Some Thoughts*, §176.

[3] Houston, 1991: ch.5.

[4] Locke insists that tax without the consent of the people is the prejudice of the fundamental law of property [II: 140]. Punishment is, he holds, an act of bringing evil upon someone, and it is not an injury only if it is executed by a person who has commission and power and simultaneously it is useful for the procuring some greater good. *A Second Letter concerning Toleration*, in *Works*, vol. VI, pp.112-3.

[II: 232]. However, if so, there arises a serious problem, that is, the problem of stability.

Stability of Civil Society Filmer criticises Grotius's idea of the natural freedom of mankind, maintaining that this idea is inevitably seditious. If, as Grotius means, civil power depends on the will of the people, and they have the right of rebellion, Filmer says, "then it is lawful for them to compel and punish kings as oft as they misuse their power".[1] This conclusion seems to make civil society enormously unstable, and therefore practically unnecessary. Filmer more fundamentally insists that, first of all, to regard the consent of members as the ground of society is in itself absurd and impious. For instance, conjugal society is not a voluntary association from which wife can depart if she likes, but "the necessity of the continuance of the wife's obedience depends upon the law of God, which hath the bond of matrimony indissolvable".[2]

In the *Second Treatise*, Locke answers these Filmerian problems. He certainly looks upon conjugal society as a voluntary society, but at the same time considers it a purposeful society, a society constructed for determinate natural-ethical ends.[3] That is to say, man and woman unite into a society for two purposes: the continuation of the species (education and procreation) on the one hand, and the mutual support and assistance between them on the other, both of which are the parts of the fundamental law of nature, namely, the preservation of mankind. Though Locke thinks this society *ought to* continue, even after procreation, until their children become to be autonomous and self-sufficient persons no longer in need of its support -- the male and the female in mankind are designed by God to make a longer conjunction than other creatures; yet Locke nevertheless insists that if necessary, as long as this duty is discharged, a wife as well as a husband may leave this society [II: 79-83]. Consent is not the sole nor the absolute ground of human society. The function of society is

[1] Filmer, 1991: 222.

[2] Ibid.: 225.

[3] It is Pufendorf who "tends to explain every form of human association, not only the political, as resulting from contract". Schneewind, 1987: 124f; Thompson, 1994: 83. On marriage, see, Pufendorf, 1729: VI:i:9, 11.

determined by the law of nature. However, the formation and dissolution of a particular society undoubtedly depends on the consent of each member. This is the fundamental logic of society that Locke conceives in the *Two Treatises*.[1]

Concerning the stability of civil society Locke adopts the same logic in explaining its character. He certainly regards consent as the ground of legitimacy in government, and this supposition is a natural consequence of his basic premise that in the state of nature, all men are free and equal, and every man his own master [II: 95]. Commonwealths are voluntary societies.[2] However, the mere fact of the contract does not make men unite into civil society; this can only be achieved by the social contract, whose purpose is the public good of the community. The people can therefore dissolve a government if it violates its entrusted end. This is likely to show that Filmer's anxiety about the instability of government is warranted. However Locke does not, as Filmer puts it, consider that the people can punish kings as often as they misuse their power. Locke understands that just as not a passionate and hasty offensive action, but rather a sober and settled intention of offence, exposes a beginning of a state of war [II: 16], so only when the apparent *tendency* to tyranny is found in the ruler, the people are apt to put up resistance [II: 230]. Moreover, as long as there is a standing law, if a government misuses its power, citizens can make an appeal to the law, i.e. a common judge. That is, if a constitution is constructed as Locke considers just, there must be some measure of stability in the commonwealth. He additionally maintains that the temper of the people in a civil society is generally inclined to be conservative [II: 223].

These are Locke's arguments for the stability of the just government. They are prudential in that the stability of the government depends on its execution. If the government manages itself justly -- in such a way that the interests of the governor and the governed are united -- there will be no worry about its discord. Locke supplements these prudential, *de*

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[1] We have already discerned this logic in Locke's argument for property ownership in a civil society.

[2] See, *A Third Letter for Toleration*, in *Works*, vol. VI, p.212.

facto, arguments with the jurisprudential, *de jure*, arguments, namely the arguments based upon the principles of right. He questions rebellion: Do we regard the force against a tyrannical government as rebellion? Locke insists that "Force is to be opposed to unjust and unlawful Force; whoever makes any opposition in any other Case, draws on himself a just Condemnation both from God and Man"[II: 204]. Those who oppose to a just government are rebels. But not all resistance is rebellion. Locke says:

> For Rebellion being an Opposition, not to Persons, but Authority, which is founded only in the Constitutions and Laws of the Government; those, whoever they be, who by force break through, and by force justifies their violation of them, are truly and properly Rebels [II: 226].

Therefore, whether it is the prince or the legislators or the subjects, whoever challenges or demolishes the authority of the commonwealth is truly guilty of the rebellion [II:227]. Locke admits that there is "a busie head, or turbulent spirit, to desire the alteration of the Government" among the people, and therefore a danger of "ruine and perdition"[II: 230]. However, this does not mean that the people cannot be unfettered from the unconditional duty of passive obedience; to put up with the violence and rapine from others is not to maintain peace, but "the benefit of Robbers and Oppressors"[II: 228]. (We may call this a free-rider problem.) Who is most likely to commit a rebellious crime is genuinely a historical question, which no theory of right can tell absolutely. What, on the other hand, is evident as a matter of principle, i.e. what "An Essay concerning the True Original, Extent, and End of Civil Government" can undoubtedly inform us, is:

> whoever, either Ruler or Subject, by force goes about to invade the Rights of either Prince or People, and lays the foundation for overturning the Constitution and Frame of any Just Government, is guilty of the greatest Crime, I think, a Man is capable of, being to answer for all those mischiefs of Blood, Rapine, and Desolation, which the breaking to pieces of Governments bring on a Countrey. And he who does it, is justly to be esteemed the common Enemy and Pest of Mankind; and is to be treated accordingly [II: 230].

It can be said that the characteristic of the problem of 17th century's politics is the

enormous velocity of the pendulum between anarchy and tyranny; Locke's contribution to the resolution of this problem is to slow down the pendulum by establishing a stable image of civil society which exists in the *middle* of the two extremes.

Who shall be Judge? Locke's account for the right of punishment of "the greatest Crime", however, presents a great puzzle for his political thought. This right is not a civil right, but a natural right, because it is a right of punishment against a crime over "any Just Government", the punishment of the common enemy of mankind. However, the people were supposed to alienate this natural right when they constituted a commonwealth. Can then the people punish this crime? To the question, "Who shall be Judge whether the Prince or Legislative act contrary to their Trust?", Locke answers, "The People shall be Judge"[II: 240].[1] But the reason why the people enter civil society is that there are inconveniences concerning the judgement about punishing a criminal, and they have transferred to the community their right of judgement [II: 87]. We find here a huge circle in Locke's argument. Why can the people be judge even after the institution of civil society? And this question raises another puzzle as well. If the people should be the judge when the ruler violates his trust, then does this mean that the people become the judge of their own case?[2] If the breach of the principle of natural justice (*nemo judex in re sua*) in the state of nature is the reason for the constitution of civil society, why can the people in the society break this principle? Is there any guarantee for the people's judgement being right in such a case?

In order to solve this puzzle, let us first of all analyse the formal structure of Locke's idea of political trust. The concept of trust presupposes two agents: the truster (or the

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[1] Filmer, 1991: 6.

[2] This is the argument that King James I raised against the opinion of people's resistance against a king based on the theory of governmental contract (which is the ancestor of Locke's theory of trust). James insists that it is only God who can be the judge on the cases between the people and the king. See, James VI and I, 1994: 81-82. Filmer actually quotes a passage from *The Trew Law* in Filmer, 1991: 32. Perhaps this is the reason why Locke called the people's resistance "an appeal to Heaven".

beneficiary) and the trustee. The relationship between them is purposeful, and both must have clear appreciation of the purpose of the trusteeship. The truster should have a general idea of the purpose, but does not need to have the knowledge, faculties and skills necessary to achieve it in a particular case, which the trustee on the other hand must have. What the truster gives to the trustee is the right of judgement concerning particular cases, and owing to this transferred right, the trustee has a duty to realise the entrusted end, while the truster ought to obey the decision of the trustee. However, even after this shift of the right, the truster still retains the right of judgement about the general idea, concerning the purpose by which the truster can make a judgement on whether the trustee succeeds in accomplishing his duty *as a consequence*. The basis of obligation for the truster to the trustee, therefore, consists in the rationality of the corporation. The former is obliged to follow the latter, as long as it is rational (i.e. advantageous) for the former to do so. If the trustee is incompetent or neglects his duty wantonly, the obligation will become null and the trusteeship will disintegrate, and in an extreme case, the trustee will be punished.

If we apply this structure to that of civil society, the truster corresponds to the people, the trustee to a government, the general purpose to the public good, and the particular judgement to a governmental policy. The concept of political trust thus explained holds pivotal importance for the understanding of Locke's basic notion of civil government.[1] It is particularly illustrative for Locke's understanding of the political. Locke divides politics into two components, the political theory of rights (the constitutional argument), and the art of governing (the prudential argument).[2] The *Two Treatises* is concerned mainly with the former part, but contains some arguments for the latter; the mutual relationship among the legislative, the executive, and the federative powers was such an argument, since I regarded it as a matter of statecraft.[3] The most characteristically political-prudential argument among

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[1] The best account of Locke's concept of trust is, Dunn, 1985b.

[2] See above, pp187-8.

[3] See above, pp.215-6.

Locke's is his treatment of the prerogative, which is the supreme executive power able if necessary to overwhelm the limits of the standing laws. The prerogative is, nevertheless, not an arbitrary and unconstrained power.[1] What Locke considers a limitation on the power of the prerogative is not the laws enacted by parliament, but the *trust* that the people place in the prince for the public good of the community [II: 163]. The laws cannot prescribe everything that will happen in the future. The discretionary power of the executive, therefore, is indispensable for any government,[2] which needs the art of attending to the unpredicted. This kind of art is not demonstrable from the principles of rights.

The concept of trust, however, bridges the constitutional and prudential parts of politics. The truster puts trust in the trustee on the ground that the latter has special skills and power to accomplish the good of the former; the people trusts the prince because he is "a good Prince" who has "Power to good". In other words, "a weak and ill Prince" does not deserve the trust [II: 164]. (Therefore, although the prerogative is a limited power, it should not be weak). Not only the power of the prince but also of the legislative, that is to say, the power of a government as a whole, is dependent on the trust, and when the government breaches the trust, it becomes a tyranny, and the people can and should make an appeal to heaven [II: 168, 222]. The government is responsible to do good for the people. In a sense, trust itself is a technique.[3] It is an act of judgement which is different from an art of government which the ruler is supposed to own; it is an act of judgement concerning the

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[1] The prerogative is what medieval jurists called *potestas absoluta*, a necessary factor in any practical scheme of government to realise natural equity. Equity is, according to Aristotle, "a rectification of legal justice": "all law is universal, and there are somethings about which it is not possible to pronounce rightly in general terms; therefore in cases where it is necessary to make a general pronouncement, but impossible to do so rightly, the law takes account of the majority of cases, though not unaware that in this way errors are made. And the law is none the less right; because the error lies not in the law nor in the legislator, but in the nature of the case; for the raw material of human behaviour is essentially of this kind. So when the law states a general rule, and a case arises under this that is exceptional, then it is right, where the legislator owing to the generality of his language has erred in not covering that case, to correct the omission by a ruling such as the legislator himself would have given if he had been present there, and as he would have enacted if he had been aware of the circumstances. ... [Equity] is a rectification of law in so far as law is defective on account of its generality". Aristotle, 1976: 199-200. This is an important component of the tradition of constitutionalism. Lloyd, 1991: 266; Sigmund, 1993: 226; Burns, 1986: 14. We can understand better the prerogative as the *potestas absolute*, if we remember the implications of the idea, *potentia Dei absoluta*. Oakley, 1961a: 76; Oakley, 1964: 164.

[2] Locke says, "in the Infancy of Government", namely when government took the simplest form, "the Government was almost all Prerogative" [II: 162].

[3] Dunn, 1985b: 36.

public good in general. The people, Locke assumes, can make right judgement about the nature of the public good, because they are supposed to be able to detect the breach of the trust.

The people can comprehend what is the public good. "Can" here signifies both the right and the ability. The public good is transparent for the people. To put it reversely, Locke regards as the public good such a good that is so apparent as not to make disagreement among the people. That is the preservation or security of the people's property. This accords with Locke's basic assumption that the law of nature is clearly intelligible to mankind [II: 12]. Then does the reason of the institution of civil society consist only in its merit in the effective execution of the public good? Namely, don't we need civil society to *know* what the public good is?

Locke makes a clear distinction between the dissolution of a government and that of a society [II: 211]. The government, Locke insists, is distinct from the society. Even after the overturning of the former, the latter can sustain itself. When therefore Locke says the "People shall be Judge", he means community by the people, not the mere aggregation of individuals; the judgement is collective. This however does not mean that the people in the state of nature can make a collective judgement. The "People" are no longer in the state of nature; they belong to a particular commonwealth. Once a commonwealth is established, the people cannot voluntarily return to the state of nature [II: 121]. "The Power", says Locke, "that every individual gave the Society, when he entered into it, can never revert to the Individuals again, as long as the Society lasts, but will always remain in the Community" [II: 243].[1] One or a few persecuted men's opinions would not become an appeal to revolution, unless the majority of the people could be *persuaded* that there is a breach of the trust in the government [II: 208-9]. Locke therefore presupposes a kind of public discourse among the

[1] The authority of civil society is justified by the *will* of the people in the state of nature, while that of a government is by its *utility* (rationality) for the people in the civil society. Thus, Locke's commonwealth is a mixture of what Oakeshott terms civil and enterprise associations. Oakeshott, 1975.

people. The people's judgement is not a collective impulse of their wills, but a collectively reasoned will.[1]

It is therefore not contradictory for Locke to insist that the people shall be judge even after the institution of the civil society, because the people in this context are different in kind from the people in the state of nature who have the inconveniences in their execution of natural rights. What is at issue is the dissolution of a government, i.e. the degeneration of the government into a tyranny. It is the tyrannical government that causes a state of war against the society, i.e. the people. As long as the civil society persists -- almost the only way to dissolve it is conquest by a foreign force [II: 211] -- the people can reestablish a new government by revolution. Locke's argument for revolution is, after all, not subversive, but conservative, regarding civil society. To demonstrate that the people ultimately have the right of revolution is the insurance that a government will not degenerate. It is, Locke insists, "the best fence against Rebellion, and the probablest means to hinder it", because rebellion is an opposition to authority, namely, is tyranny [II: 226]. This however does not mean that the people's will itself is *always* the will of the government. The doctrine that the people shall be judge is only a fence against tyranny.[2] The people entrust their public will to the government in normal circumstances, that is, in so far as it remains a good government.[3] This is an important point. My interpretation assumes a theory of procedural and collective judgement, implicit in Locke's argument of people's judgement for revolution. Such a theory compensates for the imperfectness of man's judgement of the consequences of the actions of the political

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[1] Locke's theory of resistance, thus, requires the theory of public discourse (which is in fact absent in the *Two Treatises*) which will be similar to Rousseau's theory of General Will. This seems to me quite natural, because an appeal to heaven means an appeal to God's will which integrates right and utility (see above, pp.178-9), and Rousseau in *The Social Contract* proclaims that General Will will bring together right and interests. Rousseau,1968: 49, 72.

[2] This is the point which distances Locke from Rousseau. Locke would finally reject the doctrine of General Will, because it is an attempt to imitate God's will (Rousseau famously writes "the general will is always enlightened and the people protected from error"), which Locke cannot accept. Rousseau, 1968: 72-74. Locke is more sceptical about the people's ability to detect the public good. He considers that an *ordinary* task of actualising the public good should be entrusted to the experts. An appeal to heaven is an *extraordinary* task.

[3] Dunn, 1985b: 52. On Locke's idea of representation, see, II: 88.

agents (a government);[1] but this theory is still limited in scope, because it concerns only the trustworthiness of a government. Locke's theory is quite sceptical or cautious in political judgement.

5) FEATURES OF LOCKEAN POLITICS

We have thus far examined the basic argument of Locke's *Two Treatises* as a whole. I have tried to depict the fundamental structure and assumption of his argument for politics. Now the time has come to concentrate on more specific matters concerning my thesis.

In his intellectual and religious argument, Locke stresses the importance of the individuality of mankind; each individual is absolutely responsible for his own life. We are as individuals bound to exercise our own intellectual faculties, and to take care of our own soul. In other words, no one can be the delegate of *my* own perfection. The matter is slightly different in politics. It is true that each individual should undertake the fundamental duty of the preservation of mankind. However, there is no radical individuality in the accomplishment of this duty, because all persons surrender the power necessary for this duty to the community. Politics is a matter that the representative of the people is in a position to undertake. People do not have to be actively involved in the management of politics. In the *Two Tracts*, young Locke considered the role of government as the imposition of order on the realm of morally indifferent matters. Moral substantials he thought exist outside the political sphere. Similarly in the *Two Treatises*, politics is a morally secondary affair. The function of government is umpirage, under which individuality of each person, a sphere of moral substance, is secured. The domain of politics is not a territory where no one but professional statesmen -- for Locke gentlemen -- can experience one's own individuality.

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[1] See above, pp.166-7.

Politics is, in a sense, unimportant. However, Locke of the *Two Treatises* knows much of the seriousness of politics as well. Politics is in the utmost sense an activity of survival, and in a more ordinary sense that of negotiation between rights holders. God made men as social beings who can collectively constitute civilization (and this is a perfection of man's nature). Politics is an inevitable business for the security of the civilization. It is important.

This juxtaposition of the importance and the unimportance of politics represents the ambiguity of Lockean politics, and I suggest, the ambiguity of liberal politics. In a simple society like America in Locke's century, there is no serious ambiguity; the importance of politics is apparent and moderate there. In a complex society, however, the ambiguity enormously increases. Complexity means the increase of differentiation, that is, the expansion and multiplication of the spheres of the individual; this simultaneously signifies the increase of conflicts within society, and therefore that of politics' importance. The increase of the importance of politics inevitably increases political power, which as Locke shows is the great seed of corruption. Politics, which is by nature a secondary affair, becomes a most serious matter, a threat to the most important sphere of morality (Grotius calls it the *suum*, and Locke man's property). The fundamental puzzle for a modern politics is the necessity for strong but limited government. What is necessary for this predicament is balance, and we can attain it through a belief, namely, trust.

The accountability of government is based on the trust of the people. It is the trust that at once empowers and limits civil government. The rulers are entrusted with the task of securing the public good of the community. Politics for them is an art of interpreting the public good in a concrete case, and of putting the interpretation into execution. Laws are the declarations of their interpretation and make the interpretation official. Politics is, in a strict sense, not the rule of law, but the rule of men,[1] and therefore, it is inevitably fallible, because men are imperfect creatures. Trust, then, is a safeguard against degeneration. The people can

[1] Dunn, 1984: 51.

judge whether their trust is broken or not. What they make judgement on is not whether the policies or conducts of the government are good or bad (which only the experts of government can detect), but whether the government itself deserves trust. This judgement is less likely to be wrong, because it must be based on collective reasoning -- according to Aristotle, collective judgements are less fallible.[1] However, it is *ultimately* an appeal to heaven, our trust (rational belief) in the good will of God.

The *Two Treatises* is a normative work, but it is far from utopian. Many, and especially historians, can read it as a book for promotion of the revolution. It is, however, possible to read it as a guidebook for rulers like Machiavelli's *The Prince*.[2] The *Two Treatises* shows us the minima of good government, and if the governors are properly attentive, they will have a large amount of discretion in government. In other words, the *Two Treatises* treats of minimally rational politics; the role of government is not the promotion of rational conduct, but the prohibition of unreasonable conduct. The primary concern of Lockean politics is not to make a polity *ab initio*, but to find the acumen to restore and preserve the rationality inherent in a society. Politics is fundamentally a conservative activity. I described in the last chapter Locke as a moralist. He is a realistic moralist who is interested in practical matters; it is not the speculative argument which demonstratively shows what is right, but the practical technique in the accomplishment of what is right, that truly contributes to the good of mankind: he writes, "it was to the unscholastick Statesman, that the Governments of the World owed their Peace, Defence, and Liberties; and from the illiterate and contemned Mechanick, ... that they received the improvements of useful Arts".[3] Of course, philosophy is not unnecessary; Locke regards his *Essay* as a practical book which lends intellectual support to the useful arts.

Man's individuality is secured by the umpirage of government; it is already there,

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[1] Aristotle, 1981: 201-206.

[2] On Locke's Machiavellianism, see above, p.215 n.2.

[3] *Essay*, III:x:9.

before government. God gives each man his individuality as a calling, and this individuality appears to him as a matter of contingency. Nationality of man is an example. Man happens to be born a subject of a particular country, and a child of a particular family, to be a particular man who has various duties accompanying this contingency, such as political obligation to the country.[1] It is in a sense arbitrary, but not necessarily unreasonable. Irrationality is the creation of men; it is men's deviation from the design of God. Absolute monarchy is such an anomaly. Justice consists in the avoidance of such anomalies; moderation is the virtue. The wisdom of Locke's thoughts we can find in his sound sensitivity for moderation. Seriousness to keep on being moderate is, I think, the core of Lockean spirit.

My interpretation of Locke's political thought thus reveals that in spite of Locke's recognition that the *Two Treatises* is concerned with the constitutional part of politics (theory of rights and the basic structure of society), its argument is fundamentally dependent on the prudence of men, both of the people as a whole and of those who engage themselves in government. We can see here the parallel with our account of Locke's moral argument: in spite of his assertion of the demonstrability of moral science, we find the centrality of moral judgement in his moral vision. The ethic of rational belief is the moral vision which consolidates the constitutional and prudential part of politics; trust, the reasoned and examined belief in men, is the axis of liberal politics.

Finally, I'd like to consider Locke's political individualism. My interpretation rejects the opinion that Locke's political theory is based on the abstract idea of individual right. It is true that when discussing politics Locke understands men as right (or property) holders, but Locke's self is at the same time a hermeneutical self who is embedded in a particular community. The language of rights explains the most basic and thin relationship among men, under which more particular and historical individual selves pursue their own callings. Of course, this view of politics as the relationship between rights-holders cannot elicit the theory

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[1] On political obligation, I follow the argument of Hampsher-Monk, 1979. About the consent and obligation, see, Dunn, 1980b; Pitkin, 1972.

of perfection, because it concerns only the static structure of society, in which each man is conceived as an utterly distinct individual. But this thin theory of politics is incorporated in a more comprehensive moral vision -- the ethic of rational belief -- which is an argument for the perfection of human nature which presupposes the sociability of men. The separation of morality and politics is thus not so radical in the *Two Treatises* as in the *Two Tracts*, but there is still tension between them. This tension is represented in the fact that the argument for the development of a person is discussed by Locke in the context of education within the household, rather than within public spheres. I will discuss this issue in the next chapter.

The most individualistic and radical political opinion Locke presents in the *Two Treatises* is his strange doctrine that in the state of nature everyone has the right of execution of the law of nature, which includes the punishment of the lawbreaker. This is *the* basis of his theory of resistance. But does this doctrine contradict his most fundamental idea of morality? That is, if men can rightly punish the offender of natural law, does it mean that the punishment by God becomes redundant?[1] If the punishment by men or the institution of men can motivate them to follow moral rules, is the punishment by God unnecessary? If so, Lockean politics becomes a disguised Hobbism.

This question reaffirms that Locke (as well as Hobbes) belongs to what is called Grotian tradition, because it is Grotius who put forward this strange doctrine.[2] But this Grotian argument is for Locke ancillary to moral philosophy; the first law of nature commands us to preserve all mankind, which includes not only negative virtues (harm principles) but positive virtues, such as charity, generosity and friendship. True, the latter are secondary or conditional duties from which, if impossible, we can be discharged, while the former are primary duties under which we are without exception; but they, Locke holds, nevertheless comprise the substantial part of morality -- the Golden Rule, the most unshaken rule of morality. God's punishment is, as we examined in the last chapter, indispensable and

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[1] Haakonssen, 1996: 55-56.

[2] Grotius, 1738: II:xx:3, 7; II:xxi:3; von Leyden, 1981: 110, 223n.96.

unavoidable for the positive social virtues. Moreover, the very supposition of man's natural equality -- the basis of Lockean political argument -- is dependent on the Workmanship model. The idea of the design of God is so fundamental for Locke's political thought that it is improper to insist that the *Two Treatises* contradicts or departs from his moral theory. But, given his failure to demonstrate moral science (especially God's moral goodness), we are inclined to consider that the contents of the *Two Treatises* are after all Hobbesian, or that this is a better reading of it. I will not espouse this view, because I consider that the fundamental of Locke's moral and political argument is not his project of demonstration of moral science, but his moralist's vision -- the ethic of rational belief. This vision is certainly so obscure as to embrace at once an individualist and communitarian view of morality and politics. This ambiguity is the product of the "Common Sense" of Locke, which makes his argument inconsistent but credible, and is, I think, a treasure in the liberal tradition.

Chapter 8

Perfection of the Lockean Self

The man in a state of nature has a sufficient sense of natural equity. Everyone in the state of nature, Locke assumes, can and should make judgement on any case involving their prejudice to natural rights, and make a due execution in punishing the criminal. People have a sense of justice; consequently, they have an understanding of the notion of property, a concept that implies the moral relationship among the people, especially the principle of equal treatment. Locke's characterisation of natural men assumes that they are already morally adequate, i.e. cultivated personalities, the acquisition of which is impossible without the experience of living as, and being treated as, a moral being in a community. Communitarians who consider Locke's idea of natural men to be atomistic insist that to assume a certain moral personality or faculty in the notion of man, before the constitution of a society, is logically and sociologically incomprehensible, and false. It seems that this criticism is warranted considering the structure of Locke's argument, since the *Second Treatise* starts its argument describing the state of nature without supposing any particular society, and assumes that though the state of nature is a social state, its characteristics are derived from the universal moral nature of mankind.

It is not clear how Locke considered man in the original state of nature. The question, "Is he a noble savage or not?", is not Locke's concern, although he undoubtedly is interested in the life of the savages.[1] The man at issue when he talks about civil government is, however, a man who born in a certain commonwealth, more particularly, a man born to be a gentleman in England.[2] Men who actually constitute a commonwealth, i.e. who put their trust on a civil

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[1] Batz, 1974.

[2] *Educational Writings*, pp.112-113, 398.

government, are gentlemen who through education have already acquired the sense of justice and equity. The description of the state of nature Locke certainly believes to be historical; but its theoretical function in his political theory is hypothetical or epistemic, in that it illustrates natural rights that theoretically (not positively) determine the function and extent of political power. Man in the state of nature, therefore, is an abstraction, and an archetype, of man who is capable of moral conduct. It is a description of moral character that Locke assumes every adult citizen must partake in.

In this chapter, I shall make my explanation of Locke's moral and political thought more coherent and sufficient by describing three issues: first, how Locke conceives the notion of person; second, his thoughts on education, especially regarding the formation of man's moral quality; and finally, how these two are mutually compensative to complete his moral vision.

1) PERSONAL IDENTITY

The interpretation that we have so far made on Locke's moral and political argument shows that the individuality of each man consists in his direct relationship with God, an immediate moral relationship between a creature and the Maker that renders the former a dependent but autonomous being. Moral relations Locke understands as a matter of "Moral Rectitude".[1] Justice at issue is retributive justice; rewards and punishments should be distributed to the individual who really deserves them. Just retribution requires the accurate determination of the individual who is to be rewarded. Justice therefore demands the identification of a person. Personal identity is thus a central question for Locke's moral theory.

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[1] *Essay*, II:xxviii:14.

The Principle of Identity When the second edition of the *Essay* was published, Locke inserted a chapter entitled "Of Identity and Diversity" in his argument concerning the notions of "relation", just before the chapter where he discusses moral relations. Although Locke seems to treat this theme as a question of ontology -- a question which has been traditionally coined as "the *principium Individuationis*"[3][1] -- the chief argument in this chapter is personal identity. Certainly the range of his argument is quite comprehensive. His argument starts with the examination of the identity of "a Mass of Matter" or a lump of inanimate things, then proceeds to the identity of "a living Body", and finally arrives at personal identity. This structure however represents the three aspects that we have in mind when we consider what is man: first, man consists of certain substance; second, man is a kind of animal; third, man is a being accountable to certain moral rules. The first and second are necessary for Locke to properly elucidate the meaning of the third. Locke's method is conceptual analysis, which requires us to distinguish the difference between ideas; it is "one thing to be the same Substances, another the same Man, and a third the same Person, if Person, Man, and Substance, are three Names standing for three different Ideas"[7]. The chapter as a whole Locke constructed so as to make a clear illustration of personal identity, which remains distinctive from the identity of substance and man.

Logically speaking, the problem of identity concerns the proposition that "one thing cannot have two beginnings of Existence, nor two things one beginning, it being impossible for two things of the same kind, to be or exist in the same instant, in the very same place; or one and the same thing in different places"[1]. This proposition is formally unquestionable, but when we take this as a matter of ontology, paradoxes will arise because the problem of *time* makes it a complicated question; for, every being cannot avoid suffering from change in one way or another through the succession of time, while keeping its own identity. Locke finds almost no difficulty in considering the identity of "a Mass of Matter", maintaining, in

[1] The Number(s) in the bracket in this section refers to the section number(s) of the *Essay*, Book II, chapter xxvii.

a manner that reminds us of his support for the hypothesis of the corpuscular theory,[1] that "If two or more Atoms be joined together into the same Mass, every one of those Atoms will be the same, ... And while they exist united together, the Mass, consisting of the same Atoms, must be the same Mass, or the same Body, let the parts never so differently jumbled: But if one of these Atoms be taken away, or one new one added, it is no longer the same Mass, or the same Body"[3], although the simplicity Locke betrays for this question is philosophically doubtful.[2] However, this solution is not true of the identity of living creatures, for though they are certainly a mass of particles, they grow, i.e. change their own bodies, in their own life history: "An Oak, growing from a Plant to a great Tree, and then lopp'd, is still the same Oak: And a Colt grown up to a Horse, sometimes fat, sometimes lean, is all the while the same Horse"[3]. According to Locke, the identity of a living thing resides in the principle which actually unites the changes present in its life history as an individual organization; such a principle we call "life", an internal force which every living creature shares, that is teleological, and has a beginning and an end [4, 5].

It follows that the identity of man, a living creature, consists in "nothing but a participation of the same continued Life, by constantly fleeting Particles of Matter, in succession vitally united to the same organized Body". This does not mean, Locke insists, that it is a certain substance standing behind the shape of man, such as a soul, that unites the organised and continuous life of man, that constitutes his identity [6]. There must be such a thing, but the idea of man's substance must be distinct from that of man. Substance is, in Locke's philosophy, imperceptible being, while the idea of man we ordinarily use contains the positive ideas of body and shape. Substance is something actual and vital that sustains an individual thing. Therefore, if we could perceive the idea of substance positively, the problem of the individuality would become uncontroversial. The problem we apparently have is that

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[1] *Essay*, II:viii:9-26; IV:iii:16. See Mandelbaum, 1964: ch.1.

[2] Ayers, 1991: vol. II, 207-215.

we can only perceive the appearance of a thing which a substance is supposed to sustain. Our knowledge is limited to the world of appearance so that our notion of man inevitably consists of its external image: "the Idea in our Minds, of which the Sound Man in our Mouths is the Sign, is nothing else but of an Animal of such a certain Form".

> whoever should see a Creature of his own Shape and Make, though it had no more reason all its Life, than a Cat or a Parrot, would call him still a Man; or whoever should hear a Cat or a Parrot discourse, reason, and philosophize, would call or think it nothing but a Cat or a Parrot; and say, the one was a dull irrational Man, and the other a very intelligent rational Parrot. [8][1]

Personal Identity However, when we consider our own identity, it is not only the external continuity but also the internal continuity of ourselves that accounts. The idea of person, Locke holds, stands for the internal continuity of man. Person, says Locke, "is a thinking intelligent Being, that has reason and reflection, and can consider it self as it self, the same thinking thing in different times and places; which it does only by that *consciousness,* which is inseparable from thinking, and as it seems to me essential to it: It being impossible for any one to perceive, without perceiving, that he does perceive". Consciousness is what we always have in mind, which constitutes the integrity of our personality. It is a principle that unites the changes that a person suffers in the current of time: "it is by the consciousness [a self] has of its present Thoughts and Actions, that it is self to it self now, and so will be the same self as far as the same consciousness can extend to Actions past or to come"[10]. Consciousness is also a principle which unites mind and body, because through consciousness "we feel when [our bodies] are touch'd, and are affected by, and conscious of good or harm that happens to them, are a part of our selves: i.e. of our thinking conscious self"[11]. Therefore, even if my body changes, by growth or an external cause like cutting off a part, in so far as the same consciousness is accompanying it, it is

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[1] *Essay*, III:vi:29; Behan, 1979: 566.

integrated in my personality. That is to say, according to Locke, just as as much as man puts his labour on things so far they become his own property, so as much as his consciousness extends so far he owns his actions and body as his own property [17].[1] Property signifies for Locke a moral sphere[2] which a person possesses through the active extension of his personality. Labour is, as it were, externalised consciousness.

Consciousness is therefore that which internally unites moral integrity of person. This however creates serious philosophical paradoxes,[3] because our consciousness is not always continuous; there are many disjunctions of consciousness, such as sleeping, oblivion,[4] false memory and insanity. There are many cases of amnesia and paramnesia. This makes it possible that a *man* has multiple personal identities, and a *person* multiple man's identities. Is this problematic for Locke? Did he perceive this puzzle? Locke does behold it. He says,

> it will ... be objected, suppose I wholly lose the memory of some parts of my Life, beyond a possibility of retrieving them, so that perhaps I shall never be conscious of them again; yet am I not the same Person, that did those Actions, had those Thoughts, that I was once conscious of, though I have now forgot them? To which I answer, that we must here take notice what the Word *I* is applies to, which in this case is the Man only. And the same Man being presumed to be the same Person, *I* is easily here supposed to stand also for the same Person. But if it be possible for the same Man to have distinct incommunicable consciousness at different times, it is past doubt the same Man would at different times make different Persons [20].

And although Locke does "know that in the ordinary way of speaking, the same Person, and the same Man, stand for one and the same thing"[15], he does not regard the multiplication of persons in one man as perplexing, because he considers it in accordance with a universally accepted practice of "Human Laws not punishing the Mad Man for the Sober Man's Actions, nor the Sober Man for what the Mad Man did, thereby making them two Persons"[20].

The philosophical puzzles indeed result from the three assumptions: 1) there is a

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[1] Behan, 1979: 573.

[2] By "a moral sphere" I imply *dominium*. See above, p.197.

[3] Historical examples are critiques by, e.g. John Sergeant, George Berkeley, Joseph Butler and Thomas Reid. On contemporary debates, see, Flew, n.d.; Williams, 1973; Hughes, 1975; Behan, 1979; Helm, 1979.

[4] *Essay*, II:x:5.

certain substance which causes consciousness, and it is this substance that actually constitutes personal identity;[1] 2) what constitutes personal identity is the memory that a person actually or potentially has;[2] 3) the problem of personal identity is a first-person problem, i.e. how one might secure one's own personal identity.[3] These assumptions Locke does not hold in the context in which he discusses personal identity. First, it is a central contention of his philosophy that we cannot have precise knowledge of substance [27]. There must be a certain substance behind a person, but we do not know how they are related each other. Second, what constitutes my personal identity is, according to Locke, my *present* consciousness. My memory is a *criterion* for the identification of personal identity, which my mind appropriates through consciousness.[4] Third, the problem of personal identity is for Locke a third-person problem, which is closely connected with that of retributive justice. "In this personal Identity", says Locke, "is founded all the Right and Justice of Reward and Punishment; Happiness and Misery, being that, for which every one is concerned for himself, not mattering what becomes of any Substance, not joined to, or affected with that consciousness"[18].[5]

Locke thus holds that person is "a Forensick Term appropriating Actions and their Merit; and so belongs only to intelligent Agents capable of a Law, and Happiness and Misery"[26]. The central problem of personal identity is that of moral accountability: "This personality extends it self beyond present Existence to what is past, only by consciousness,

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[1] This is Sergeant - Butler's critique. Behan, 1979: 565.

[2] This is Berkeley - Reid critique. Berkeley's instance is this: "suppose that a person hath ideas and is conscious during a certain space of time, which we will divide into three equal parts, whereof the later terms are marked by the letters A, B, C. In the first part of time, the person gets a certain number of ideas, which are retained in A: during the second part of time, he retains one-half of his old ideas, and loseth the other half, in place of which he acquires as many new ones: so that in B his ideas are half old and half new. And in the third part, we suppose him to lose the remainder of the ideas acquired in the first, and to get new ones in their stead, which are retained in C, together with those acquired in the second part of time". In this case, the persons in A and B are same, and also in B and C are same. It follows that the persons in A and C are identical, despite they have no common ideas in their consciousness. Therefore personal identity does not consist in consciousness. Berkeley, 1993: 132. See also Flew and Williams.

[3] Although on almost all points I agree with Behan, I disagree in this point. Our difference consists in the different understanding concerning the importance of man's capacity to remember for eschatological accountability. In spite of Behan's rejection of memory theory of personal identity, his position that regards Locke's problem as a first-person one seems to be synonymous with memory theory. In my interpretation Behan's paradox "how could [Locke's] pre- and post-resurrection consciousness be the same?"(Behan, 1979: 582-3) will be extraneous.

[4] Helm, 1979: 588.

[5] *Essay*, I:vi:5.

whereby it becomes concerned and accountable, owns and imputes to it self that Actions, just upon the same ground, and for the same reason, that it does the present"[26]. But given the fact of segmentation of our memory, is there any guarantee of fair judgement? As regards the ultimate moral case,[1] Locke simply relies on "the Goodness of God, who as far as the Happiness or Misery of any of his sensible Creatures is concerned in it, will not by a fatal Error of theirs transfer from one to another, that consciousness, which draws Reward or Punishment with it"[13]. God will and must accomplish the perfect justice: "at the Great Day, when every one shall *receive according to his doings, the secrets of all Hearts shall be laid open*"[2][26, Italics are original].[3] That is to say, God in the Last Judgement will harken to the voice of our conscience to profess all our acts without disguise, and pronounce the sentences fit to whatever punishment we deserve [22]. Memories that we have are for this judgement utterly irrelevant, because God knows even the actions we cannot remember.[4] What gives moral bearing to eschatological accountability is whether our actions were conscious or not at the time we did them. God will make a judgement only according to each individual's conscious act -- what he did as a person -- because it is he as a person alone who is responsible for his happiness [25].[5] Eschatological justice is pure retributive justice, because each individual will be judged only on account of his own past acts;[6] a person on the trial is an abstracted individual, for he is a dying man stripped of all social attributes.[7] There will be no account for consequentialist argument for the punishment, because this is the *last* judgment. The Last Judgement is, consequently, a genuine paradigm for individualist and

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[1] IV:iii:18.

[2] Cor. 14: 25 and 2 Cor. 5: 10.

[3] Helm, 1979: 590-1.

[4] *Essay*, II:x:9.

[5] Therefore the consideration on the soul (a ontological entity) is excludes from the eschatological judgement. Only the consciousness (a phenomenological entity) is relevant. Journal for 20th Feb. 1682, in *Early Draft*, pp.121-123; *Essay*, II:i:9-20.

[6] See, for instance, *Reasonableness*, p.9. An objective of the *Reasonableness* is to refute the doctrine of original sin to defend God's retributive justice.

[7] MacIntyre, 1967: 125-126.

retributive justice.[1]

The Ideal of Moral Man

Our ordinary judgements in this world, however, cannot operate in this manner. Retributivism is certainly for Locke still a paradigm of judgment of deserts in such cases, but we must now rely on uncertain evidence, or the memory of an agent under adjudication. It is most problematic that we cannot know accurately others' consciousness; we cannot help judging from the confessions of the prosecuted and the behavioural evidence concerning him, but we cannot be sure whether or not there is continuity of consciousness between him and he who did a certain action. This is, according to Locke, the reason why we may punish a sober man due to what he committed in drink or sleep: "Humane Laws punish both with a Justice suitable to their way of Knowledge: Because in these cases, they cannot distinguish certainly what is real, what counterfeit; and so the ignorance in Drunkenness or Sleep is not admitted as a plea"[22].[2] Is there any injustice? Locke's reply is that "in the great Day" injustice, if any, will be rectified. Locke could raise here consequentialist arguments that he shows in his *Two Treatises*[3] to support this convention, but he did not, possibly because he instead concentrates on the argument for retributive justice. What he tries to establish here is the proper focus that we must take in our moral deliberation. A methodological objective of the *Essay* is to rectify the confusion that we ordinarily fall prey to in our understanding, especially the confusion attendant on moral judgement. which divides into two sorts of ideas, mixed modes and moral relations. Moral judgment, Locke insists, of whether a certain action is good, bad or indifferent we should make by carefully examining the conformity or non-

[1] Another paradigm is Kantian retributivism. Kant, 1991: 140-145.

[2] This is true of the case of a mad man. The defence of a prosecuted mad man must *prove* using scientific and rhetorical methods that he was "besides himself" when he committed a crime in order to excuse him from the accountability for it.

[3] See above, 208-9.

conformity of such an action to a certain rule.[1] The distinction Locke makes between man and person is indispensable to identify what sort of a mixed mode, or what idea of action is relevant for moral judgement.

This relevancy has twofold importance. First, it presents what I should focus on in my moral judgement of others. Second, it gives me a focus for my own pursuit of happiness; that is to say, what is important for my happiness is my own conscious work. The products of such work might be relevant, but the primary significance for my moral life consists in my conscious activity alone. In the *Two Treatises*, Locke's labour theory justifies the property ownership because of its contribution to mankind in general, i.e. consequentially. This is because Locke there concentrates his argument on the social problem, i.e. how people can acknowledge each other's property; he considers it from a second-person perspective.[2] However, the principle which advances his theory of labour is a duty that we as an individual always have of improving the world, i.e. to put our labour on the earth. From a first-person perspective, we are obliged to gain happiness by making continuous and conscious activities in this world which are beneficial. What will be counted for our desert is, as it were, not the quantity of our manual labour, but the intensity of self-conscious work, because our intellectual-technological improvement will increase much more productivity than the mere accumulation of manual labours.[3]

Locke's argument for personal identity reveals the essence of *moral* man.[4] He, however, denies that we can know the real essence of man.[5] Neither can we, he asserts, know the real essence of any sort of substances; there are no unmovable boundaries among species;

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[1] *Essay*, II:xxviii:14-16.

[2] Locke's justification of this second-person problem is, however, mediated by the justification through a third person perspective. Each individual's property is justified because of its contribution to the general purpose of mankind given by God. It is God, therefore, who acknowledges property ownership. However, it is individual' s duty to follow God's intention, and thus each man acknowledges others' property.

[3] *Two Treatises*, II: 43, 34; *Essay*, IV:xii:11, 12. See above, pp.177-8, 198-9.

[4] On the relationship between person and moral man, I learn from Behan, 1979: 570-2.

[5] That is, to employ Behan' s terminology, the idea of man in *physike*, compared to that of man in *praktike*(moral man). Behan, 1979: 565.

no definition of the word "man" is satisfactory enough to define natural demarcation between man and other species -- if there were any such demarcation at all.[1] All we have are the nominal essences of man, which we make with liberty, and therefore should be different in several men.[2] Our notion of man is extremely confusing; an example that Locke handles is the difficulty we encounter when treating changelings. Are they men or beasts? Locke's answer is simple: they are something between men and beasts, and all we can do is to call them "Changelings", which he holds "is as good a Word to signify something different from the signification of MAN or BEAST, as the Names Man and Beast are to have significations different one from the other". Possible objections to this answer, Locke considers, will depend on the false supposition that there are natural demarcations between species, and therefore if we cannot regard changelings as beasts, then they must be men. If, Locke contends, changelings have no reason, and distinct outward body shape from that of our conventional idea of man -- if there is no natural demarcation even in the external shape, then what we are to do is enumerate carefully the ideas we have of them and give them some determined name: changelings.[3]

The definition (nominal essence) of man is so puzzling, because it is a positive idea, a definition denoting a substance. The knowledge of a man who "knows all the Springs and Wheels, and other contrivances within, of the famous Clock at Strasburg" is quite different from that of "a gazing Country-man has of it, who barely sees the motion of the Hand, and hears the Clock strike, and observes only some of the outward appearances".[4] The knowledge we can gain of man is a kind of the latter (appearance alone); only does God have the former kind of knowledge of man.[5] The definition of *moral* man is, on the other hand, certain,

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[1] Journal for 19th Sept. 1676, and 19th, Nov. 1677, in *Early Draft*, pp.83, 98-99; *Essay*, III:x:21; IV:vi:5. This is one of Locke's central criticisms against Aristotelian philosophy. Ayers, 1991: vol. II, 78-90.

[2] *Essay*, III:vi:22, 26-27.

[3] *Essay*, IV:iv:13-16.

[4] *Essay*, III:vi: 3.

[5] Yolton, 1970: 79-81.

because it is a relative idea, or a definition that signifies certain moral relations. It is true that it still contains an obscure idea, man, in itself, but it is a mixed mode (which is an archetype men make when they discuss moral relation).[1] When we use the idea of moral man, we don't have to mention any sort of substance:"when we say that Man is subject to Law: We mean nothing by Man, but a corporeal rational Creature: What the real Essence or other Qualities of that Creature are in this Case, is no way considered".[2]

> whether a Child or Changeling be a Man in a physical Sense, may amongst the Naturalists be as disputable as it will, it concerns not at all the moral Man, as I may call him, which is this immoveable unchangeable Idea, a corporeal rational Being. For were there a Monkey, or any other Creature to be found, that had the use of Reason, to such a degree, as to be able to understand general Signs and to deduce Consequences about general Ideas, he would no doubt be subject to Law, and, in that Sense, be a Man, how much soever he differ'd in Shape from others of that Name.[3]

Locke's idea of person thus far examined is an ideal of moral man. It is an abstraction, an archetype that denotes moral character *qua* man. A person is a conscious, and among other things, rational being. Rationality here signifies the ability to understand and follow laws. "A capacity of knowing [civil] Law" is, Locke holds in the *Two Treatises*, the test of the free citizens. It is this concept of rationality that unites morality and freedom: "For God having given Man an Understanding to direct his Actions, has allowed him a freedom of Will, and liberty of Acting, as properly belonging thereunto, within the bounds of that Law he is under". Man's liberty, therefore, consists in "not [being] subject to the arbitrary Will of another, but freely [following] his own". Lockean concepts of liberty, understanding, happiness, and law are closely associated as follows:

> Law, in its true Notion, is not so much the Limitation as the direction of a free and intelligent Agent to his proper Interest, and prescribes no farther than is for the general Good of those under that Law. Could they be happier without it, the law, as an useless thing would of it self vanish; and that ill deserves the Name of Confinement which hedges us in only from Bogs and Precipices. So that, however it may be

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[1] *Essay*, IV:ii:15.

[2] Therefore Flew is wrong in insisting that Locke assumes a real essence of the rational souls. Flew, n.d.: 174.

[3] *Essay*, III:xi:16.

> mistaken, the end of Law is not to abolish or restrain, but to preserve and enlarge Freedom: For in all the states of created beings capable of Laws, where there is no Law, there is no Freedom.[1]

Locke's notion of Person is thus individualistic and abstract. Liberty at issue is a typical case of negative concept of liberty; the function of law is not to orient a person to moral perfection, but to foster each individual's voluntary activity by belittling the conflicts among them, and the liberty of a person consists in following such a law. To be moral is to abide by a rule. Person thus conceived is devoid of moral character, what actually constitutes a particular life history. It is what is called the "unencumbered self".

I shall suggest that the abstractness is a partial aspect of Locke's notion of morality. It is a product of a certain approach to the problem of morality, that is, an approach from retributive justice. Retribution is the backward-looking judgement concerning Person; it is primarily a third-person problem of how someone -- ultimately God -- judges a particular person. In this perspective, each person must be distinctively individualized, otherwise the judgement would be unfair. If we change the perspective to a forward-looking and first-person problem, then the considerations of Person will be transformed. This is the issue I address in the next section.

2) BUILDING OF MORAL CHARACTER

The *Some Thoughts* and the *Essay* are the most consistent two books among his works.[2] This is because both are the products of his reflection on the same issue, i.e. man's perfection in this world. The improvement, according to Locke, of man's faculties, and intellectual ones among others, is man's primary duty. Education is, therefore, a substantial topic for Locke. The aim of this section is to reveal a more comprehensive vision of Locke's understanding

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[1] *Two Treatises*, II: 57-9; *Leviathan*, p.229.

[2] Tarcov, 1984: 77, 83, 108, 117.

of person, and of what constitutes person, by scrutinising his educational arguments; that is, to explain his notion of a citizen in relation to the citizen's development in the community.

The Aim of Education In an essay which Locke prepared as an additional chapter for the *Essay*, *Conduct*, he insists that the business of education "is not, ... to make [the young] perfect in any one of the sciences, but so to open and dispose their minds as may best make them capable of any, when they shall apply themselves to it". The aim of education is, therefore, not "a variety and stock of knowledge, but a variety and freedom of thinking", that is, "an increase of the powers and activity of the mind, not ... an enlargement of its possessions".[1] To improve and strengthen the power of the mind is the primary end of education. This is not only the matter of an intellectual faculty; as we examined before,[2] Locke considers the power of the mind in suspending its own judgement to be our best resource in order to avoid making mistake in our ordinary business, including moral conduct. Human liberty consists in man's faculty of self-regulation. Each man is his own master; he is thus responsible for his conduct. This idea is squarely consistent with the idea of Person we have examined thus far. The task of education is to give man freedom: to make him a person.

In *Some Thoughts*, Locke insists that the most important but difficult quality that a gentleman should have is virtue [§70][3], which results from the strength of the mind: "As the Strength of the Body", he writes, "lies in being able to endure Hardships, so also does that of the Mind. And the great Principle and Foundation of all Vertue and Worth, is placed in this, That a Man is able to deny himself his own Desires, cross his own Inclinations, and purely follow what Reason directs as best, tho' the Appetite lean the other way"[§33]. In the *Essay*, Locke regards the reputation of the fellows (the philosophical law) as virtue which is

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[1] *Conduct*, §19: p.73.

[2] See above, pp.140-1.

[3] The number(s) in the bracket in this section refers to the section number(s) of the *Some Thoughts*.

not the law of nature itself, but which contents are mainly congruous with those of that law (I named them the overlapping conception of virtue); while in the *Some Thoughts*, by virtue he intends the substantial principle of moral law, but he repeats the similar argument, insisting that reputation is not "the true Principle and Measure of Vertue", but "comes nearest to it". For the ethic of rational belief, the overlapping conception of virtue is the starting point of the moral enquiry; it is a probable conjecture which a hermeneutical self will perpetually examine through his life as a pilgrim. This is true of the *Some Thoughts*; the overlapping conception of virtue is "the proper Guide and Encouragement of Children, till they grow able to judge for themselves, and to find what is right by their own Reason" [§61].

The difference between the *Essay* and the *Some Thoughts* is that in the former, Locke emphasises the speculative aspect of ethics, i.e. the demonstrability of moral science, but in the latter concentrates on the practical aspect of ethics, i.e. the formation of moral character. Of course, Locke still holds that the true foundation of morality consists in "a true Notion of God" [§136], but his main concern is not the elucidation of the moral rule or knowledge, but the formation of a moral propensity in man. It is not the possession of the moral knowledge, but the internalization of the principle of virtue that is requisite for a moral man. This does not mean that we can neglect the contents of the moral law; but Locke's point is the *first* thing that we must care in education is to reinforce the proper power of the mind, that is, "to set the Mind right, 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" [§31]. If we educate the mind in this way, then it would point to the true laws of morality. This is what I earlier described as the ethic of rational belief.

Locke's focus on man's faculty rather than knowledge is in fact congruous with his basic philosophical supposition that the mind is a *tabula rasa*. When he maintains that we have no innate ideas, he means we are born without any knowledge, but not without innate faculties. It does not however follow that we are equipped with sufficient intellectual faculties

from birth; children are not yet persons because they are not rational creatures. Rationality is the potential quality of mankind; "we are born to be", Locke insists,"rational creatures, 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".[1] Locke indeed assumes the rational faculty is what everyone potentially has *qua* man, but this potentiality we must cultivate in order to put it into full practice. What must be cultivated is not only the faculty of reasoning, but also the total faculty of human understanding, for man sometimes disobeys the precepts of his reason even if he can clearly understand what reason instructs us. We must strengthen the power of the mind enough to regulate our own judgements (willing).

We are born with certain innate faculties. The way to develop them to perfection is not to teach children the principles by words, but force them into exercise; in this sense, there is no substantial difference between intellectual and physical faculties. If you want to make your child a good dancer, you should force him to repeat the exercise and start it as early as possible. This is true of virtue; Locke writes,

> It seems plain to me, that the Principle of all Vertue and Excellency lies in a Power of denying our selves the Satisfaction of our own Desires, where Reason does not authorize them. This Power is to be got and improved by Custom, made easy and familiar by an early Practice. If therefore I might be heard, I would advise, that, contrary to the ordinary way, Children should be used to submit their Desires, and go without their Longings, even from their very Cradles. [§38]

Education thus should commence not from the appeal to reason, but from the control of passion. It is only discipline that can cultivate our innate potential faculties into actuality.[2] Human nature, that is to say, does not develop itself by nature; only through artificial regulation from without (i.e. by other men) can it complete itself. This fact of human nature implies a dilemma in education, whose aim is give man freedom.

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[1] *Conduct*, §6: p.49.

[2] This thought blurs the dualism between mind and body which Locke is usually considered to espouse because his concept of self is similar to Descartes's.

Dilemmas of Education The fundamental antinomy in education is the tension between autonomy and heteronomy. The end of education is the construction of an autonomous person, while its means are heteronomous, i.e. concerned with the governing of a potential person by authority. Paternalism is indispensable to make an autonomous man; independence is the product of dependence. "He that is not used to submit his Will to the Reason of others, when he is Young, will scarce hearken or submit to his own Reason, when he is of an Age to make use of it"[§36]. The difficulty of education consists in the question of how discipline enables man to do his own business *without* discipline.

A second dilemma is also concerned with discipline. If education is a kind of discipline or government, its primary artifice is to give children reward and punishment. This is consistent with Locke's psychological theory that it is pleasure and pain that naturally motivate man's activity. However, if man's liberty resides in his power to suspend and regulate his own passions (pleasure and pain), how can we cultivate such a power through discipline? A child who has been educated through pleasure and pain "in this only preferrs the greater Corporal Pleasure, or avoids the greater Corporal Pain"[§48]. Such a way after all encourages man's dependence upon passions. The question is how we, using passions, can make man independent of them.

A third dilemma is Locke's lifelong question. We have seen that from his earliest writings Locke has been concerned with the corruption that was the manner of his day. However, insisting that the mind is a *tabula rasa*, Locke has to admit that environment constitutes the faculty and the possessions of the mind. This problem we have already found when Locke admits in the *Essay* that the laws of opinion are almost the same as the laws of nature. The question is how we, through habituation, can make man critical of the habits that surround him.

Two ideas are important for us to resolve the dilemmas of education; the ideas of

development and individuality. Indeed, the dilemmas appear to be dilemmas when we do not adequately take these ideas into account. As we have examined in the argument for personal identity, the problem of identity itself is relatively easy to dissolve if it is only a matter of logic, i.e. a timeless problem: it is a kind of logical exercise concerning a principle of non-contradiction, **A=A**. However, when we consider the identity of animate beings, the problem is not so simple: **A** changes into **A'** during time, but we still recognise **A=A'**, although **A'** is not exactly **A**. Education is concerned with this juxtaposition of sameness and difference, and what unites the two is the idea of development or growth. The sensitivity to the sameness and difference is far more necessary for education since it is, especially for Locke, relational to the differences of each individual. What is requisite is not a theory of the universal character of man, but of the techniques of dealing with a concrete individual. Locke presents such a theory.

Government of a Child

We can distinguish two sorts of education: one is the education of children to make them rational creatures, and the other is that of the adults, i.e. those who are already equipped with reason, to improve further their intellectual faculties. Roughly speaking, the *Some Thoughts* is about the former, and the *Essay* and the *Conduct* about the latter. In this section, I shall concentrate on the former, and therefore when I talk of education hereafter, I will mean the former, especially the education for gentlemen's children (which is the main topic of the *Some Thoughts*). Education in this sense is surely important matter for a commonwealth since to be rational is a sufficient condition to be a citizen. Locke however does not treat this issue in his political arguments. In the *Two Treatises*, Locke only insists that all parents are "under an obligation to preserve, nourish, and educate the Children" by the law of nature, and that from this duty parents have the power to govern the actions of the children until their reason

is fully cultivated.[1] Rationality in this context primarily means self-regulation. It is a father who regulates a pre-person's actions for him, and who is responsible to make him free,[2] although if the father might be disqualified some fittest person should act for him. This means education belongs to the matter of household government whose governor is a father. If we use a demarcation of public and private to distinguish between civil government and household government, education is a categorically private matter.

Locke is a proponent of private education. He prefers educating children in the household to sending them to school. He admits that school would teach a child useful knowledge; but it is not so precious as virtue. Locke asks if "you think it worth while, to hazard your Son's Innocence and Vertue, for a little Greek and Latin". "Vertue is", he goes on, "harder to be got, than a Knowledge of the World; and if lost in a Young Man is seldom recovered". To send a child to school is to expose him to "that malapertness, tricking, or violence learnt amongst School-boys". Locke's diagnosis on the manners of his time is severe, or pessimistic; his generation is a degenerated age[3] when virtue is threaten to evaporate:

> Vice, if we may believe the general Complaint, ripens so fast now adays, and runs up to Seed so early in young People, that it is impossible to keep a Lad from the spreading Contagion; if you will venture him abroad in the Herd, and trust to chance or his own Inclination for the choice of his Company at School. ... I wish, that those, who complain of the great Decay of Christian Piety and Vertue every where, and of Learning and acquired Improvements in the Gentry of this Generation, would consider how to retrieve them in the next. [§70]

Locke warns that "it is not possible now (as perhaps formerly it was) to keep a young Gentleman from Vice, by a total Ignorance of it" [§94, Cf.§37]. The shield against the corruption of the age is the virtue implanted in the heart of a child. "A young Man", he insists, "before he leaves the shelter of his Father's House and the Guard of a Tutor, should be fortified with Resolution, and made acquainted with Men, to secure his Vertue; lest he

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[1] *Two Treatises*, II: 56-58.

[2] *Educational Writings*, p.112, *Some Thoughts*, §34.

[3] See above, pp.212-3.

should be led into some ruinous course, or fatal precipice, before he is sufficiently acquainted with the Dangers of Conversation, and has Steadiness enough not to yield to every Temptation"[§70].

Locke's reason for private education is not only protective; he positively wants an artificial and tractable environment in which a governor of a child can perform rational and efficient government. Locke's theory of education is in fact a theory of government in the household. What he requires are three; authority, the effective arts of discipline and able prosecutors of such arts, all of which are necessary for the *economy* of government. To minimise the discipline is the serious problem for education. The overabundance of rewards and punishment would produce a slave of passion; slavish character is what an educator wants least. It is true that discipline is indispensable, but it must be sparingly employed, and the final target for a tutor is to dispense with it to make his pupil an independent person, treated as an equal to other persons. The "Discipline and Government of Pupilage", Locke holds, "should be relaxed, as fast as their Age, Discretion, and Good-Behaviour could allow it; even to that degree, that a Father will do well, as his Son grows up, and is capable of it, to talk familiarly with him; nay, ask his advice, and Consult with him, about those things wherein he has any knowledge, or understanding" [§95].

The authority of parents (particularly of a father) is the first thing that must be established in education. They should not treat their children as equal: "Liberty and Indulgence do no Good to Children: Their Want of Judgement makes them stand in need of Restraint and Discipline"[§40]. Parents should be "their Lords, their Absolute Governors"[§41]. What should be done therefore is to set the awe and fear for parents in the mind of children in the beginning, before they have memories [44]. To settle the authority of parents is so important that Locke allows the use of a rod -- he generally criticises its use [§47] -- if in children's mind the most hazardous passions which will undermine the authority, obstinacy or rebellion, are harboured [§78]. Once such authority is established, it would

enable parents to control their children not by chastisement, but by showing wonder and amazement which would produce in their mind shame or uneasiness, which would prevent them from doing what parents wish them to refrain from [§77, 85]. A child's passions of awe and fear, however, must be accompanied by the love of his parents, which they implant by making him conscious of their ultimate regard and concern. Parents must form in their child's mind "that true Reverence, which is always afterwards carefully to be continued, and maintained in both Parts of it, Love and Fear, as the great Principle, whereby [they] will always have hold upon him, to turn his Mind to the Ways of Vertue, and Honour" [§99]. True and effective authority is based on respect. (Therefore, parents must treat a tutor with great respect to establish his authority.) [§88] Because children's want of judgement requires the authority, as they become more and more rational, the authority should be gradually eased, and will be finally replaced by friendship. Parents must treat their children, when grown up, as equal persons; this equal treatment will increase and mature their passions of love and friendship, that is, the principle of morality appropriate for rational and autonomous creatures [§40, 41, 42].

Education, therefore, is the art of controlling children's passion. This art requires a great amount of skill and discretion, because it must be founded on the subtle *balance* of pleasure and pain which a governor imposes on them [§115]. There is always the danger of extreme imposition; if discipline and punishment (pain) are insufficient, children would want the principle of virtue, while if they are excessive, children's mind will be curbed and humbled, and lose vigour and industry [§45, 46]. It must be observed that reward and punishment should be the *indirect*, not direct, motivation of children.[1] The governor must take into account timing and circumstance. He must carefully observe not only the development of children's rationality (a macro perspective), but also the condition of their humour which affects his choice of educational tactic at the moment (a micro

[1] Tarcov, 1984: 98-103, 169.

perspective)[§75]. Punishment, especially chastisement, of children also demands great skill, because it must be a fair retribution. "This requires", writes Locke, "Care, Attention, Observation, and a nice study of Children's Tempers, and weighing their Faults well"[§78]. "Faults of frailty", he continues, "as they should never be neglected, or let pass without minding, so, unless the Will mix with them, they should never be exaggerated, or very sharply reproved; but with a gentle Hand set right, as Time and Age permit"[§80].

The great difficulty of education, however, Locke finds among other things in the individuality of man's nature. It is true that all children's minds are, when born, *tabula rasa*, and they are equally potentially-rational beings, but they have from the beginning their own innate or given character and disposition. "God", Locke holds,"has stampt certain Characters upon Men's Minds, which, like their Shapes, may perhaps be a little mended; but can hardly be totally alter'd, and transform'd into the contrary". It follows that education must be performed within this given limit, because it is God's design. Locke thus insists as follows:

> in many Cases, all that we can do, or should aim at, is to make the best of what Nature has given; to prevent the Vices and Faults to which such a Constitution is most inclined, and give it all the Advantages it is capable of. Every one's Natural Genius should be carried as far as it could, but to attempt the putting another upon him, will be but Labour in vain: And what is so Plaister'd on, will at best sit but untowardly, and have always hanging to it the Ungracefulness of Constraint and Affectation. [§66]

Of course, Locke is not unaware that man's individuality is partly the outcome of education [§1]. However, this means that children who are not yet educated will more clearly display their *natural* temper than adults who are already civilized in one way or another. A governor of children should take this advantage to make use of their natural inclinations, in order to implant in their mind the proper habits of virtue [§101, 102].[1]

The necessity of skill and discretion is the great burden on a governor. A father (a natural governor of children) therefore can entrust his government to a tutor who is able to

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[1] Tarcov, 1984: 175.

discharge the task of education. To find a competent tutor is indeed a most important part of the Lockean program of education.

> In all the whole Business of Education, there is nothing like to be less hearken'd, or harder to be well observed, than what I am now going to say; and that is, that Children should from their first beginning to talk, have some Discreet, Sober, nay, Wise Person about, whose Care it should be Fashion them aright, and keep them from all ill, especially the infection of bad Company. I think this Province requires Sobriety, Temperance, Tenderness, Diligence, and Discretion; Qualities hardly to be united in Persons, that are to be had for ordinary Salaries; nor easily to be found any where. [§90]

Parents *must* do their best to find and keep a man of such qualities in order to make an ideal circumstance for the education of children.

This is due to the very nature of men; we are all, Locke writes, "a sort of Camelions, that still take a Tincture from things near us". Parents must take extreme care of "the Company [children] converse with, and the fashion of those about them", because "Children (nay, and Men too) do most by Example"[§67]. One of Locke's tips for a father is "You must do nothing before [your son], which you would not have him imitate [§71]. "Ill Patterns", Locke insists, "are sure to be follow'd more than good Rules"[§89]. Indeed, to give children good examples and have them imitate them is "the plainest, easiest, and most efficacious" means of education, which is far better that to give them rules by words. This method is, moreover, true of the cultivation of children's virtue.

> Vertue and Vices can by no Words be so plainly be set before their Understandings, as the Actions of other Men will shew them, when you direct their Observation, and bid them view this or that good or bad Quality in their Practice. [§82]

This method is also far better than the instruction through discipline or punishment, because to imitate is an autonomous action. Once a governor succeeds in constituting in children's mind the desire or love of imitating a person of good qualities, it will immensely contribute to the economy of government.

A tutor is thus a person whom parents want their children to imitate; he must have

the qualities suitable for a gentleman. The most important quality is, Locke holds, not learning (though it is an important attribute), but good breeding, because it is virtue that a son of a gentleman must acquire first of all, and a child internalises virtue not through knowledge or injunctions (understanding or will), but through imitation (practice or habituation).

> To form a young Gentleman as he should be, 'tis fit his Governor should himself be well bred, understand the Ways of Carriage, and Measures of Civility in all the Variety of Persons, Times and Places; and keep his Pupil, as much as his Age requires, constantly to the Observation of them. This is an Art not to be learnt, nor taught by Books. Nothing can give it but good Company, and Observation joyn'd together.

Breeding is capitally important, since it, Locke insists, "sets a Gloss upon all [gentleman's] other good qualities, and renders them useful to him, in procuring him the Esteem and Good Will of all that he comes near". Without breeding, courage would appear to be brutality, learning pedantry, wit buffoonery, plainness rusticity, and good nature fawning. Breeding gives beauty to actions; what should be cared is, after all, *appearance*, that is, "a due and free composure of Language, Looks, Motion, Posture, Place, etc. suited to Persons and Occasions, and can be learn'd only by Habit and Use". To make children well bred is, Locke upholds, "the Governor's principal Care", because this is the most fragile quality that would be easily corrupted by bad habits once they are thrown into the world. [§93] Of course, the core of Lockean ethics does not consist in appearance; it is the conscience of a person that most counts for his moral responsibility. But Locke does not neglect the significance of appearance, which, if duly attended to, would bring him great advantage.

The next thing Locke requires for a tutor is that he be a man of affluent experience -- a man of practical wisdom. He must be well informed of the world, especially of men's behaviours and thoughts. Such knowledge is indispensable to discern what lies behind the appearances of people's talk and actions; the virtue of man consists ultimately not in appearance but in his real personality. To trust other men is an inevitable but difficult business

for us to live in a society; it needs "a true Judgement of Men". "A Governour should teach his Scholar to guess at, and beware of the Designs of Men he hath to do with, neither with too much Suspicion, nor too much Confidence; but as the young Man is by Nature most inclin'd to either side, rectifie him and bend him the other way". Children must be prepared for the future temptation of those who will try to corrupt and exploit them; the cunning people will teach them that liberty is in fact licence, and this is a fascinating idea, because the virtue as a rule is to deny their own desire, but the people, as free-riders, advance their own interest by exploiting other's self-denial. A tutor, therefore, should teach his pupil the examples of the consequences of licentious life which will finally ruins his life, and inform him the arts and traps which wait for him in the world.

Children should thus acquire practical wisdom before they embark in the world; such wisdom is, Locke confesses, "not the product of some Superficial Thoughts, or much Reading; but the effect of Experience and Observation in a Man, who has lived in the World with his Eyes open, and conversed with Men of all sorts".Practical wisdom is, Locke insists, much more valuable than languages (Latin and Greek) and learned sciences, because it is indispensable for a gentleman's calling, "which is to have the Knowledge of a Man of Business, a Carriage suitable to his Rank, and to be Eminent and Useful in his Country according to his Station". Virtue, knowledge of the world, and civility are the primary materials for education; all the rest are no more than secondary. Of course, learning is important for gentlemen, but all a tutor has to do is cultivate in his pupil's mind the motivation for studying by himself, and provide him with some general views and short systems of sciences. Locke thus concludes as follows:

> The great Work of a Governor is to fashion the Carriage, and form the Mind; to settle in his Pupil good Habits, and the Principles of Vertue and Wisdom; to give him by little and little a view of Mankind; and work him into a love and imitation of what is Excellent and Praise-worthy; and in the Prosecution of it to give him Vigour, Activity, and Industry. [§94]

An Ideal of a Gentleman It can be detected that the techniques of Lockean education already presuppose an ideal character of gentleman, for which they are oriented. Indeed, we can read the *Some Thoughts* as Locke's description of the ideal qualities of gentlemen. The argument we have thus far examined indicates what they are; virtue, wisdom, civility, friendship, breeding, curiosity, vigour, and learning; and we may well add courage [§115], liberality [§110], truthfulness (not to tell a lie [§37, 131, 132]), and humanity (to avoid and abhor cruelty [§116]) etc.. Of particular importance is that most of them Locke considers to be good because they are necessary for Gentlemen's calling, which is the service to their community, i.e. England. "Vertue, Ability, and Learning", he proclaims, "[have] hitherto made England considerable in the World" [§70]. The good qualities of a gentleman enable him to discharge his duties in the community and contribute to its prosperity; they enhance the friendship among the people (not only among gentlemen but also among different classes [§116]) and the vitality of the community.

The most important point in Lockean education is, therefore, to constitute the proper disposition of a young gentleman which consists of these premier qualities. The principal passion that buttresses such dispositions is love, that is, the love of authority, neighbours and truth. The objective for the government of children's passion is thus to form such a kind of love in their mind, which is possible only through children's actual participation in the good community. Civility, for instance, will be acquired through conversation with men of good qualities, not through studying rules [§143-146]. Good qualities are not to be taught; they should be experienced. It is true that the Golden Rule -- which is for Locke the foundation of all social virtue[1] -- can be taught by reading the Scripture (and this is, Locke insists, the primary reason for reading it) [§159]; but this rule can be internalised in children's hearts only if they are actually treated in the way which this rule instructs us to do. Children's experience

[1] "Our Saviour's great rule", Locke writes, "that we should love our neighbour as ourselves, is such a fundamental truth for the regulating human society, that, I think, by that alone one might without difficulty determine all the cases and doubts in social morality". *Conduct*, §43, p.122-123.

of friendship, civility, and liberality in a household will be their foundation of social virtue in the world.

Of course, to teach children the knowledge of morality and politics is a substantial part of education, for the gentlemen's calling is, Locke insists, "the service of his country, and so is most properly concerned in moral and political knowledge".[1] Locke's curriculum of education thus includes the reading of books concerning the two branches of politics -- the constitutional and prudential parts -- which give the pupils the knowledge of "the natural Rights of Men, and the Original and Foundation of Society, and the Duties resulting from thence" and of history, particularly the history of "our English Constitution and Government" [§182-187]. However, in education there is the priority of making a good disposition over giving learning [§177]; moral and political knowledge is ineffective if it is not supported by the principle of virtue implanted in man's disposition. Therefore, the rule of justice (which instructs the preservation of men's property) should be first taught through the habituation of liberality; children should get used to parting with their possessions to their friends, and should learn by practice the advantage of liberality and the disadvantage of covetousness. If such qualities as kindness, liberality and civility are settled in children's habits, a governor can lay the foundation of justice without the knowledge of what it is; what is next necessary is to teach them gradually the recognition of what is their own and what is not (the distinction of *meum* and *tuum*), and to "make them sensible, what little Advantage they are like to make, by possessing themselves unjustly of what is another's". [§110][2]

It is clear that an ideal gentleman is, Locke considers, a man who loves, and is loved by, his fellows. This is the reason Locke regards the Golden Rule as the unshakable foundation of social virtue. The *Some Thoughts* thus practically (not theoretically) compensate a serious lacuna in the *Essay* -- its failure to demonstrate the Golden Rule from

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[1] *Educational Writings*, p.398.

[2] The labour theory of property can also be taught to children through practice of making by themselves playthings. [§130] See, for a more subtle treatment of this issue, Tarcov, 1984: 179-180.

its philosophical presuppositions -- by depicting a scene in which it occupies a substantial place. Such a task is indispensable for Locke as a moralist, though it exposes the bankruptcy of his philosophical system.

The core of Locke's concept of person is the faculty of abiding by law; Person is for Locke a forensic term. The moral relation that the idea of person implies is thus a legal relation by which the right of persons is secured; it is a *universal* relation which man as a rational creature must maintain, and under which each man pursues his own *particular* happiness and perfection. To be a person is thus the human condition; it is a minimal requirement for everyone to achieve in order to perfect his own nature. Locke's educational thought provides substantial qualities complementary to this concept of person. In order to become a person, a child must acquire several moral qualities through habituation, which in total constitute the principle of virtue. A virtuous man may regulate his own desire to follow the command of reason, and this is the faculty indispensable for actually observing laws. The moral qualities Locke recommends, however, include more than this; they enhance not only negative social virtue or justice (which instruct the security of people's property), but also positive social virtue, such as friendship, contribution to the community, and the advancement of learning. A particularly important quality among them is practical wisdom, for it comprises a crucial part of our act of trusting others, which is the core of the social bond. Practical wisdom is furthermore indispensable for gentlemen who actively involve themselves in political affairs as their own calling.

Locke's theories of personal identity and education are mutually compensatory in the depiction of his whole vision of morality. His argument for personal identity deals with human nature as pertains to an individual at a certain moment. At issue is retributive justice, the concern of the individual; the centre of consideration is his consciousness and its consequences (his actions and property). This reveals a fundamental aspect of morality; the

primary duty of man is to obey law, especially the natural law on which God's retribution will depend. The social justice (which this concept of Person implies) is that which we examined in the *Two Treatises*, the security of each man's property. Locke's educational thought reveals other aspects of morality which are also -- though not explicitly -- contained in the *Two Treatises*; good community demands -- other than the security of its members' property (negative social justice) -- positive social virtues, such as friendship, liberality, civility, practical wisdom. What is issue here is not an individual abstracted from a social context, but a man as part of a community and history.

Indeed, such positive social virtues are secondary, compared with the negative one which, as the *Second Treatises* demonstrates, is indispensable for the basic structure of civil society.[1] However, Locke's moral philosophy contains as its integral part perfectionism (the perfection of each individual's calling), for which civil society is no more than the necessary condition. Each man tries to perfect himself under this condition, according to his own rank and innate faculties (which are as his fortune given by God), and through actual participation in his own community. A great dilemma for Locke is that his age is so corrupt that the mere participation in the community will not result in the acquisition of social virtues. His solution is the advice for gentlemen, who are by their calling responsible for the prosperity of the country, to conserve an artificial community within themselves in which they can secure the habits of social virtue. An ideal gentleman is a man who positively participates in communal affairs, especially politics; Locke's educational method is private, but it must be, paradoxically, private in order to preserve public virtue. Locke seems to consider that if social virtues are preserved at least among such gentlemen, it will then sustain civil society by preventing it from deterioration.

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[1] See *Correspondence* vol. I, no.374, where Locke writes, "As to our actions in generall this in short I think 1° That all negative precepts are always to be obeyd 2° That positive commands only sometimes upon occasions. But we ought to be always furnished with the habits and dispositions to those positive dutys in a readyness against those occasions 3° That between these two i e Between *Unlawfull* which are always and *necessary* quad hic et nunc which are but sometimes there is a great latitude, and therein we have our liberty which we may use without scrupulously thinkeing ourselves obliged to that which in it self may be Best"[Italics are original].

Locke's élitism is not my concern here (it is, anyway, quite understandable in the context of 17th century England). The theoretical question for me is that his theory of education (which is apparently the theory of habituation of virtue) betrays again his ethnocentrism. Indeed, his theory appears to undermine seriously his own theory of natural law; Locke's arguments that we can perfect our rationality and acquire virtue only through habituation and that our mind is *tabula rasa*, seem to advocate the moral *historicism* that our morality is merely the product of men's artifice, and preserved only through tradition.

If we, however, take into account Locke's hermeneutic method of morality,[1] this historicism is not problematic for his moral argument. To be embedded in a tradition is a fundamental condition for a hermeneutic self, which after its maturity as a rational self will critically reflect on the tradition. (Remember that the objective of education is not the indoctrination of authorised rules, but the formation of a powerful and autonomous mind.) Locke's educational thought explains the complexity of the development of such a self, which requires the community in which selves take effect on each other. I suggested that we find a hermeneutical circle between God's will and our experience in Locke's moral vision; if we apply this view to our present argument, personal identity is conceived from God's eye (a perspective from above), while the development of moral character is considered primarily as a matter of experience (a perspective from below), and both perspectives are mutually influential in that they constitute a vertical to and fro movement. Communal and historical aspects of a hermeneutical self add to this vision a horizontal movement which is already implied in Locke's argument for civilization. The corruption of his age and the necessity of virtuous élites are, for instance, a result of historical development of civilization which is in turn a result of the collective development of men's rational nature. History, if rationally understood, appears as God's ordained will, according to which men must endeavour to live. In order to complete this moral vision which synthesises history and nature, we need a

[1] See above, pp.181-2.

philosophy of history (which Locke does not offer); such a philosophy must be similar in theory to Hegel's.

Conclusion

Starting from the interpretation of Locke's early writings on morality and politics, I have depicted his thought as a whole as a pursuit and intimation of moral vision. Living as a pilgrim who is perpetually engaged in such a pursuit is not only Locke's primary image of man, but his own self-image. His uncompleted or unsuccessful project to demonstrate moral science is a remarkable monument of an extraordinary intellectual pursuit in the history of ideas. We discovered in his thwarted intellectual attempt a moral vision which prompts us to consider his failure as an achievement.

Locke's pursuit of moral vision originated from his reaction to two kinds of dogmatism; religious enthusiasm and moral scepticism. His response to them was predominantly political; his main concern was to secure the order against the turmoil which he held was occasioned by those who were misled and stimulated by them. In this endeavour, Locke appealed not to reason, but to God's will, because he was so realistic as not to rely on the power of reason. He skilfully discerned the power of passion, and one of the primary aims in his moral theory was to demonstrate the way to tame men's passion. The appeal to God's providence appeared to Locke the right and efficient solution, being powerful enough to regulate the minds of less rational as well as adequately rational people. As a gifted intellectual, Locke tried to develop this appeal into a moral science dealing with the law of nature, which he regarded as God's dictate. This naturally made him conceive a voluntaristic concept of law which founded the validity of law solely upon the will of the legislator, God; but, in the *Law of Nature*, Locke's voluntarism was not so radical that he held a Thomistic view of natural law as well. His attack on religious enthusiasm and moral scepticism was refined into the critique of moral egoism, which prompted him to pursue the objective and rational ground of the moral rule.

Locke's voluntarism, however, made a crucial impact on the development of his thought. To look upon the world as the wilful product of the Creator is to embrace the ultimate contingency in the foundation of the world; this view does not necessarily, as intellectualists often insist, render the ontological basis of the world unstable, but it did transfer, in the case of Locke, the way of understanding the meaning of action and law. An action, Locke held, has its moral meaning *only* in reference to moral rules; meaning or value is not inherent in the world, but must be imposed on the world through rules. If there is mystery in the world, it is we who miss its meaning; everything is transparent for its Maker, God. Therefore, in order to know the meaning of the world, especially its moral meaning, we must inquire into the sign given to us by God as His declared will, which Locke considered comes to be intelligible through our experience. When Locke said all knowledge comes from experience, he meant, in his deepest moral conviction, that the knowledge examined by one's own experience alone is worth embracing. Experienced knowledge is, thus, *individuated* knowledge; the true activity of understanding is fundamentally an individual activity. However, if this individualistic intellectualism is pushed to the extreme, it will become another form of dogmatism, intellectual enthusiasm solipsistically asserting itself by its own conviction alone. Locke evaded this possibility by his idea or presupposition of God's goodness, because to inquire into one's own experience is to observe the will of God, whose goodness guarantees that to follow His will is to comply with truth.

The goodness of God is, indeed, the most fundamental idea for Locke's moral argument. It gives his individualistic intellectualism an ethical character. God's goodness obliges Him to intend something good when creating and governing the world; there is the design of the world that represents the purpose that God gives to His creatures. This is a teleological world-view called the "Workmanship model". Man's design as a rational creature, therefore, represents God's will that man should exercise his own intellectual faculties and discover and observe God's design hidden in nature. Under the condition of fundamental

contingency caused by voluntarism, each individual's effort of inquiry into God's design through his own examined experience becomes a serious intellectual duty; teleology thus turns into deontology in Locke's ethical vision.

Locke's concept of the self emerged out of this vision of morality. The primary task or function of the self, Locke held, consists in the fulfilment of its duty by discerning and obeying God's design. The identity of the Lockean self is, accordingly, constituted by its intellectual and practical functions under the predicament of the fundamental contingency. The philosophical arguments in the *Essay* were essentially designed to contribute to this duty of the Lockean self; his theories of ideas, good, liberty, language, etc. were derived from, and based upon, his moral vision. The *Essay* is a guide book for the Lockean self, which contains advice and caveats concerning how to fulfill its intellectual and practical tasks without falling into absurdity.

However, there was a great difficulty in the argument of the *Essay*, that is, its failure to demonstrate a moral science, although Locke believed the *Essay* established the demonstrability of morality. This is a really crucial difficulty for the *Essay*, considering that it stems from the impossibility to demonstrate God's goodness (namely, *the* fundamental concept for Locke's moral argument) within its own philosophical system. This impossibility itself was an outcome, first, of the radicalisation of Locke's individualistic intellectualism embodied in his critique of innatism, second, of the introduction of hedonism into his theory of good, and third, of his emphasis of a voluntaristic concept of moral law, whose validity stems ultimately from God's punishment. It is true that this impossibility was a devastating result for Locke, because the demonstration of moral science was his lifelong effort. However, the *Essay* is not a mere record of philosophical failure; my interpretation revealed that behind the arguments in the *Essay* exists a moral vision which is, in my judgement, more valuable for liberal tradition than a demonstrative science of morality.

"The Candle, that is set up on us, shines bright enough for all our Purposes". This

parable of Locke is the guiding image of the moral vision that this thesis tried to describe. I named it *the ethic of rational belief*, since it is based on man's reasoned belief in God and man's earnest regulation of his own belief -- by believing were meant, assenting, deciding, admitting, and judging in this context. This is the ethical doctrine concerning how man is to live under the conditions that Locke's philosophy described. That is, in spite of the ignorance of the fully demonstrated rule of morality (natural law), the critical description of man's intellectual faculties reveals that man is designed to know and observe the moral principles intelligible and appropriate for him as a rational being, *given the teleological view of the world* based on the concept of omnipotent, omniscient, and benevolent God. The *Essay* is indeed a book precisely describing man's intellectual faculties; but that description is, as this thesis proved, always buttressed by Locke's normative conception of man's function as God's handiwork; the Workmanship model. If we are to understand the *Essay*, we should not radically separate the descriptive proposition from the normative proposition.

The ethic of rational belief tells that man is always under the duty to employ fully his intellectual faculties; the most important point in this ethical vision is Locke's doctrine of human liberty. Man's liberty, Locke insisted, consists in his capacity to suspend his own judgement and examine his own desire to make a more rational decision. Of course, this doctrine itself cannot manifest the contents of moral law; but in his moral vision, the results of the proper exercise of man's liberty are supposed to point to a truth, since such an exercise is the fulfilment of the design of a benevolent God. This supposition is supplemented with Locke's theory of pleasure and pain. The ideas of pleasure and pain are God's signs through which He tells us what is good and evil. Indeed, they do not *directly* teach us moral good and evil, since we have to *interpret* them as moral precepts. They, however, constitute a most integral part of our moral judgement as its materials; when we judge whether a chosen action was good or bad, we rely on the calculation on the amounts of pleasure and pain *consequently* accompanying the action. This sort of consequentialism is certainly not *the*

ground of Locke's moral argument, but has a most important role in his theory of moral judgement supplying a standard of testing deliberate actions. What produces a lasting pleasure is, accordingly, to be preferred to what does a short one.

Locke insisted, however, that the fundamental standard of moral judgement is the moral rule enacted by God, which accompanies the punishment of a lawbreaker. Given the ignorance of the exact content of the moral law (natural law), this supposition constitutes a theory of procedural justice; *a rule is to be regarded as just, only in so far as it can be regarded as a will of the rational, benevolent legislator, God.* The interpretation of what is God's intention or design, thus, becomes the crucial element of Lockean moral argument. Two points are essentially important in this interpretation. First, the facts of human nature must be considered. The fact that man has the capacity of liberty is, among others, the most significant in this consideration. Rules which contradict this fact of human liberty thus must be rejected; that is, they must be such rules as are appropriate to free, autonomous beings. Second, Locke's consequentialism is relevant in this interpretation. The utility is, Locke held, the consequence of obedience to moral rules. Moral rules hence must be justifiable (though indirectly) consequentially. Man's liberty (or right) and interest (or good) are thus integrated in this moral judgement. Of course, the perfect harmony between the two is possible only in the will of God, which man cannot entirely grasp because of his imperfect nature; all we can and should do is to make every effort to understand God's rational will and accomplish our rationally examined decision as if it were God's directive. That is, we must regulate our belief as rationally as possible, and conduct only with the guarantee and hope that God would account for our effort; this is the ethic of rational belief.

Locke's concept of the self conceived in this moral vision I termed the hermeneutical self, because the primary task of the self is the interpretation of God's will. Locke's critique of innatism and his theory of moral notions explained the activity of the hermeneutical self. The self is born with no moral notions in the world; it is rather thrown into a linguistic

convention which has its vocabulary and grammar of morality. The first thing the self has to do is thus to acquire the linguistic convention which, Locke insisted, contains such a fundamental idea of virtue as the preservation of the community. (I termed such a concept the overlapping concept of virtue, since Locke held that all society must *share* it, no matter how other concepts of virtue differ among different societies.) Starting from adapting itself to its conventions, the self, if properly cultivated, gradually develops its rational and critical faculties of its intellect, and will put the conventions under its rational scrutinies using the procedural consideration of moral rules above described. The concept of the hermeneutical self thus integrates the dimensions of immanency and transcendence; it is embedded in a linguistic convention which constitutes its concrete, historical, and particular identity on the one hand, but it transcends its historicity or particularity by participating into the interpretation of God's will, which constitutes its universal character on the other hand. What integrates the two dimensions is, I suggest, a happening which makes a hermeneutical circle between man's experience and God's will; the activity of the hermeneutical self is fundamentally open, in that the interpretation of God's will through its experience is ceaseless. Living as a pilgrim is thus a proper image to picture the predicament of the Lockean self.

This thesis interpreted Locke's political arguments in the *Two Treatises* as an application of this moral vision to politics. How his arguments for property, forms of government, and political obligation were related to the ethic of rational belief was shown. My interpretation revealed that the historical perspective is indispensable for Locke's political argument, although it has its own basis the theory of natural rights. Politics holds, in Locke's vision, in its integral part an element of judgement. Therefore, Locke's consequentialism in moral judgement is relevant again in this context; just as the calculation of pleasure and pain is a test for an individual action, so the collective calculation of conveniences is a test for political decisions -- the political ruler who continually disturbs the people's property by his

misjudgment should be judged to be rejected. Of course, such judgement should be quite complicated, especially under the condition of *modern* society whose structure is very complex. (And its complexity was a result of the development of men's welfare, which the ethic of the rational belief requires.) Locke's idea of the political trust was an attempt to reconcile the fundamental dilemma of modern politics that stemmed from the complexity of modern society; that is, government should be both limited and strong.

The two dimensions of immanency and transcendency represented the two aspects of Locke's understanding of the self. The transcendental dimension was embodied in Locke's discussion of personal identity, dealing ultimately with *moral* man waiting for God's arbitration in the Last Judgement. This vision explained Locke's conception of retributive justice, and sharply uncovered the characteristic of man as the individual, free, and responsible self. The immanent dimension on the other hand was embodied in Locke's discussion of education, explaining how *natural* man can become *moral* man by perfecting his inborn faculties. This vision revealed the importance of the community, especially the family, for the perfection of the self. Locke' theory of education occupied an indispensable role in his moral vision; it compensates the defect of Locke's philosophy by explaining how to implant in man's mind the principle of the Golden Rule, which his philosophy failed to derive from its own premises.

How, then, can Locke's moral vision depicted above contribute to the liberal tradition? As far as the problem of the self is concerned, Locke's moral vision reveals that the communitarians' characterisation of the liberal self is a caricature, at least inapplicable to Lockean liberalism. It is true that the concept of the self as an individual right-holder is part of the moral vision of Lockean liberalism, but it is dialectically connected with the concept of the embedded self whose identity is constituted by a historical condition. Neither community nor individual is the sole foundation of morality; to construct moral argument

solely from either aspect appears to a Lockean liberal to be a hopelessly abstract philosophical enterprise, which will deprive the moral vision of its vitality. This does not mean that philosophical articulation of moral discourse is useless; it will enhance our understanding of morality, and help to examine and reconstruct our own conceived system of moral notions. However, it is not the only way of understanding. Our considered notion of morality can embrace at once the philosophical doctrines which will in abstraction conflict each other. Locke's ethic of rational belief is an example; my interpretation showed that it contains the elements of deontology, utilitarianism and perfectionism.[1]

However, does this boil down to the claim that Locke's moral argument is philosophically muddled? If we can derive three principles of morality from his argument, does it mean that Locke's moral theory has the fatal defect of indeterminacy among the principles when they make conflicts? I would like to suggest we can neglect these questions if we are true to the spirit of Lockean liberalism, because, according to the ethic of rational belief, our primary task is not to articulate the strict secondary rules of morality which decide and arbitrate the priority among the primary rules of morality, but to make perpetual *judgements* on our own moral predicament, which should be sensitive to historical conditions, and rational in relation to our nature as a rational being. The three principles of morality comprise a family of ideas in Lockean liberalism, which are the substantial materials for moral judgement; and a hermeneutical self is always under the duty of testing and reexamining its own judgement using the procedural consideration of the moral rule. This view still may appear to us obscure and arbitrary, and insufficient in a case in which making a decision bears extremely serious consequences as political decision upon hard cases. What is necessary to perfect the Lockean project may be the construction of a more refined and

[1] Other notably conflicting doctrines which Locke eclectically held were voluntarism and intellectualism. My interpretation revealed the fundamentally voluntaristic traits of Locke's moral thought, but his thought also contained the fierce criticism of voluntarism, especially when discussing political issues. This kind of eclecticism is however not unique to Locke; it is a characteristic of modern natural law theories. Other examples are Suárez and Hooker. Haakonssen, 1996: 16-24; Schneewind, 1990: 67-87; Munz, 1952.

articulated theory of procedural judgement or public reasoning, which would rival modern contractarianism *and* is true to Locke's moral vision.

Other than such a procedural theory, two kinds of theory seem to be necessary, if we are to develop Lockean liberalism. One is a Lockean theory of education which is appropriate for our democratic culture. Locke's theory of education is based on the élitism of his age, isolating the sons of gentlemen from the ordinary children. This represented Locke's ambiguity and difficulty concerning the meaning of the public sphere, which is the origin of virtue and vice at the same time. This difficulty is now farther escalated, and the private education Locke preferred seems unfitting for our modern democratic culture. We need to construct an educational theory which accomplishes what Locke attempted in his educational writings, and among other things, solves the problem of the proper cultivation of the principle of mutual love -- the Golden Rule -- in the minds of children. The other is a theory of history, which is necessary to set a proper context for a hermeneutical self to pursue its interpretation of our predicament. Locke's theory of morality and politics was based on his understanding of his age and civilization. The activity of the hermeneutical self must start from the understanding of its own conditions which bears a sense of direction that history appears to take. A Lockean theory of history should contain a value-judgement on our civilization and culture, and the prospect for its potentiality and possible future. Constructing such a theory must be a really complicated and difficult task, but without it Lockean liberalism cannot sustain its holistic vision of morality and politics.

The advantage of reading a classical text is that its immensely rich and resourceful content gives us an experience to grasp various kinds of insights. This is what I found when I read Locke's texts. To obtain many insights is in itself a valuable experience, and to construct another theory from the insights is another matter. Therefore, we don't have to worry if we find in a text a terrible element which could devastate its argument. However, there seems to be in Locke's theory a stumbling block which is difficult to neglect for a

Lockean liberal; that is, the concept of God. It seems hardly possible to dispense with this concept, because it was the very idea which gave unity to Locke's moral vision. Can we still uphold such a concept seriously? (Obviously, for many devout people, Yes.) I would like to suggest that the belief in God in Locke's moral vision is actually the belief in the reasonableness of the world and history, whose author is God. Now, such a belief in the world and history was broadly shared by many liberals, such as Kant or J. S. Mill, who did not found their theory on religious assumptions. To conceive the world and history *as if* they were given rational purposes is possible without holding a religious belief in God. To act according to such a supposition needs a hope; in the case of Locke, it was a hope that a merciful and benevolent God will account for his effort. We may not be able to hold such a hope; but, it is impossible to live without holding any hope, and to uphold a hope for a liberal cause seems to me not a bad wager.

Bibliography

(The articles quoted from Ashcraft ed, *John Locke: Critical Assessments* are indicated by the volume number of *CA* at their tail end.)

Locke, John. *The Works of John Locke,* 10vols. 1823.

———. *An Early Draft of Locke's Essay together with Experts from His Journals*, ed. R. I. Aaron and Jocelyn Gibb. Oxford: Clarendon Press, 1936.

--------. *An Essay Concerning Human Understanding*, ed. Alexander C. Fraser, 2 vols. New York: Dover Publications, 1959.

--------. *An Essay Concerning Human Understanding*, ed. Maurice Cranston. New York: Macmillan, 1965.

———. *Of the Conduct of the Understanding*, ed. Francis W. Garforth. New York: Teachers College Press, 1966.

--------. *Two Tracts on Government*, ed. Philip Abrams. Cambridge: Cambridge University Press, 1967.

--------. *The Educational Writings of John Locke*, ed. James Axtell. Cambridge: Cambridge University Press, 1968.

--------. *Epistola de Tolerantia: A Letter on Toleration*, ed. Raymond Klibansky, trans. J. W. Gough. Oxford: Clarendon Press, 1968.

--------. *An Essay concerning Human Understanding*, ed. Peter H. Nidditch. Oxford: Clarendon Press, 1975.

--------.*The Correspondence of John Locke*, ed. E. S. De Beer, 8vols. Oxford: Clarendon Press, 1976-89.

--------. *Two treatises of Government*, ed. Peter Laslett, Student ed. Cambridge: Cambridge University Press, 1988.

--------. *Essays on the Law of Nature*, ed. W. von Leyden. Oxford: Clarendon Press, 1988.

--------. *Questions concerning the Law of Nature*, eds. R. Horwitz, J. S. Clay, and D. Clay. Ithaca: Cornell University Press. 1990.

--------. *Two Treatises of Government*, ed. Mark Goldie. London: Everyman, 1993.

--------. *Political Writings*, ed. David Wootton. Harmondsworth: Penguin Books, 1993.

--------. "Morality" (Ms. Locke, c28, fols. 139-40), in T. Sargentich, "Locke and Ethical Theory", *Locke Newsletter*, 5 (1974), 26-28.

Aaron, Richard I. 1973. *John Locke*, 3rd ed. Oxford: Clarendon Press, (1st. 1937).

Abrams, Philip. 1967. Introduction to John Locke, *Two Tracts*.

Acheson, R. J. 1990. *Radical Puritans in England 1550-1660.* New York: Longman.

Aquinas, Thomas. 1970. *Selected Political Writings*, ed. A. P. d'Entrèves, trans. J. G. Dawson. Oxford: Basil Blackwell.

Aristotle. 1976. *Ethics*, trans. J. A. K. Thomson. Harmondsworth: Penguin Books.

--------. 1981. *The Politics*, trans. T. A. Sinclair, revised T. J. Saunders. Harmondsworth: Penguin Books.

Ashcraft, Richard. 1986. *Revolutionary Politics and Locke's 'Two Treatises of Government'.* Princeton, NJ.: Princeton University Press.

--------. 1987. *Locke's Two Treatises of Government.* London: Unwin Hyman.

--------. 1969. "Faith and knowledge in Locke's philosophy", in Yolton, ed. *John Locke: Problems and Perspectives*.

--------. 1980. "Revolutionary Politics and Locke's *Two Treatises of Government*: Radicalism and Lockean Political Theory", *Political Theory* 8; 429-86: in *CA,* vol.I.

--------. 1994. "Locke's political philosophy", in Chappell, ed. *The Cambridge Companion to Locke.*

--------. ed. 1991. *John Locke: Critical Assessments*, 4vols. London: Routledge.

Augustine, St. 1956. "On Two Souls, Against the Manichaeans", in Philip Shaff, ed. *A Selected Library of the Nicene and Post-Nicene Fathers of the Christian Church.* Michigan: Eerdmens Publishing Company.

Austin, J. L. 1962. *How to Do Things with Words.* Oxford: Oxford University Press.

Axtell, James. 1968. Introduction to John Locke, *The Educational Writings of John Locke.*

Ayers Michael. 1991. *Locke: Epistemology & Ontology*, 2vols. London: Routledge.

Barbeyrac, Jean. 1729. "An Historical and Critical Account of the Science of Morality", trans. Carew. in Pufendorf. *Of the Law of Nature and Nations*.

Batz, W. G. 1974. "The Historical Anthropology of John Locke", *Journal of the History of Ideas* 35; 663-70.

Behan, David. 1979. "Locke on Persons and Personal Identity", *Canadian Journal of Philosophy* 9; 53-75: in *CA* vol.IV.

Beiner, Ronald. 1992. *What's the Matter with Liberalism?* Berkeley and Los Angels, California: University of California Press.

Bentham, Jeremy. 1982. *An Introduction to the Principles of Moral and Legislation*, ed. J. H. Burns and H. L. A. Hart. London: Methuen.

Berkeley, George. 1993. *Alciphron in focus*, ed. D. Berman. London: Routledge.

Berlin, Isaiah. 1969. *Four Essays on Liberty*. Oxford: Oxford University Press.

Bernstein, Richard J. 1983. *Beyond Objectivism and Relativism: Science, Hermeneutics, and Praxis*. Oxford: Basil Blackwell.

Bodin, Jean. 1962. *The Six Bookes of a Commonweale*, trans. Richard Knolles, ed. Kenneth D. McRae. Cambridge, Mass.:Harvard University Press.

———. 1992. *On Sovereignty: Four chapters from 'The Six Books of the Commonwealth'*, trans. and ed. Jurian H. Franklin. Cambridge: Cambridge University Press

Boucher, David and Kelly, Paul. ed. 1994. *The Social Contract From Hobbes to Rawls*. London: Routledge.

Boussuet, Jacques-Benigne. 1990. *Politics drawn from the Very Words of Holy Scripture*, trans. and ed. Patrick Riley. Cambridge: Cambridge University Press.

Brandt, Reinhard. ed. 1981 *John Locke: Symposium Wolfenbüttel 1979*. Berlin: Walter de Gruyter.

Buckle, Stephen. 1991. *Natural Law and the Theory of Property: Grotius to Hume*. Oxford: Clarendon Press.

Bultmann, Rudolf. 1957. *History and Eschatology*. Edinburgh: The Edinburgh University Press.

Burnet, Thomas. 1989. *Remarks on John Locke with Lock's Replies*, ed. George Watson. Doncaster: The Brynmill Press.

Burns, J. H. 1986. *Absolutism: The History of an Idea*. London: The Creighton Trust Lecture.

———. 1990. "The Idea of Absolutism", in *Absolutism in Seventeenth Century Europe*, ed. John Miller. London: Macmillan.

———. ed. 1991. *The Cambridge History of Political Thought: 1450-1700*. Cambridge: Cambridge University Press.

Calvin, John. n.d. *Institutes of the Christian Religion*, ed. J. T. McNeill, trans. F. L. Battles, 2vols. Philadelphia:

The Westminster Press.

Carey, John J. 1984. Introduction to idem. ed. *Theonomy and Autonomy: Studies in Paul Tillich's Engagement with Modern Culture*. Macon: Mercer University Press.

Chappell, Vere. ed. 1994. *The Cambridge Companion to Locke*. Cambridge: Cambridge University Press.

Cohn, Norman. 1962. *The Pursuit of the Millennium*. London: Mercury Books, (1st. 1957).

Coleman, Janet. 1992. *Ancient and Medieval Memories: Studies in the reconstruction of the past*. Cambridge: Cambridge University Press.

Collingwood, R. G. 1978. *An Autobiography*. Oxford: Clarendon Press, (1st. 1939).

--------. 1961. *The Idea of History*. Oxford: Oxford University Press, (1st. 1946).

--------. 1966. *Essays in the Philosophy of History*, ed. William Debbins. New York: McGraw-Hill Company.

Colman, John. 1983. *John Locke's Moral Philosophy*. Edinburgh: Edinburgh University Press.

Connolly, William E. 1974. *The Terms of Political Discourse*. Massachusett: D. C. Health and Company.

Cox, Richard H. 1960. *Locke on War and Peace*. Oxford: Clarendon Press.

Cragg, G. R. 1950. *From Puritanism to the Age of Reason*. Cambridge: Cambridge University Press.

Cranston, Maurice. 1953. *Freedom*. London: Longmans.

--------.1985. *John Locke: A Biography*. Oxford: Oxford University Press, (1st. 1957).

--------. 1965. Introduction to John Locke, *An Essay Concerning Human Understanding*.

Daly, James. 1979. *Sir Robert Filmer and English Political Thought*. Toronto: University of Toronto Press.

-------. 1978. "The Idea of Absolute Monarchy in Seventeenth-Century England", *The Historical Journal*, 21; 227-250.

Damico, Alfonso J. ed. 1986. *Liberals on Liberalism*. Totowa, New Jersey: Rowman & Littlefield.

Davidson, Donald. 1985. *Inquiries into Truth and Interpretation*. Oxford: Clarendon Press.

Diggins, John. 1984. *The Lost Soul of American Politics: Virtue, Self-Interest, and the Foundation of Liberalism*. Chicago: The University of Chicago Press.

Duns Scotus, 1987. John. *Philosophical Writings*, trans. Allen Wolter. Indianapolis: Hackett Publishing Company.

d'Entrèves, A. P. 1970. *Natural Law*, 2nd edn. London: Hutchinson, (1st. 1951).

Denzer, Horst. ed. 1973. *Jean Bodin: Verhandlungen der internationalen Bodin Tagung in München*. München:

Oscar Beck.

Descartes, René. 1985. *Principles of Philosophy*, in *The Philosophical Writings of Descartes*, vol.I, eds. and trans. J. Cottingham, R. Stoothoff, and D. Murdoch. Cambridge: Cambridge University Press.

Driver, C. H. 1967. "John Locke", in F. J. C. Hearnshaw ed. *The Social & Political Ideas of Some English Thinkers of the Augustan Age*. London: Dawsons of Pall Mall rep., (1st. 1928).

Dunn, John. 1969a. *The Political Thought of John Locke*. Cambridge: Cambridge University Press.

--------. 1984. *Locke*. Oxford: Oxford University Press.

--------. 1968. "Justice and the Interpretation of Locke's Political Theory", *Political Studies*, 16; 68-87: in *CA*, vol.III

--------. 1969b. "The Politics of Locke in England and America in the eighteenth century", in Yolton ed. *John Locke: Problem and Perspectives*.

--------. 1980a. "The identity of the history of ideas", in idem, *Political Obligation in its Historical Context*. Cambridge: Cambridge University Press.

--------. 1980b. "Consent in the political theory of John Locke", in idem, *Political Obligation in Historical Context*.

--------. 1983. "From applied theology to social analysis: the break between John Locke and the Scottish Enlightenment", in Hont and Ignatieff, *Wealth and Virtue*.

-------. 1985a. "Individuality and clientage in the formation of Locke's social imagination", in idem, *Rethinking Modern Political Theory*. Cambridge: Cambridge University Press,

--------. 1985. "'Trust' in the politics of John Locke", in idem, *Rethinking Modern Political Theory*.

--------. 1990. "What is Living and What is Dead in the Political Philosophy of John Locke?", in idem, *Interpreting Political Responsibility*. Cambridge: Cambridge University Press.

Dworkin, Ronald.1978. "Liberalism", in Hampshire ed. *Public & Private Morality*.

Dworetz, Steven M. 1990. *The Unvarnished Doctrine: Locke, Liberalism, and American Revolution*. Durham: Duke University Press.

Feyerabend, P. K. 1988. *Against Method*. Revised edn. London: Verso, (1st. 1975).

--------. 1981. "Classical Empiricism", in idem, *Problems of Empiricism: Philosophical Papers*, vol. 2. Cambridge: Cambridge University Press.

Filmer, Sir Robert. 1991. *Patriarcha and Other Writings*, ed. Johann P. Sommerville. Cambridge: Cambridge University Press.

Flew, Antony. n.d. "Locke and the Problem of Personal Identity", in Martin and Armstrong ed., *Locke and Berkeley*.

Franklin, Julian H. 1978. *John Locke and the Theory of Sovereignty*. Cambridge: Cambridge University Press.

Gadamer, Hans-Georg. 1985. *Truth and Method*, trans. Garrett Barden and John Cumming. New York: Crossroad.

Gallie, W. B. 1964. *Philosophy and the Historical Understanding*. London: Chatto & Windus.

Gauthier, David. 1977. "Why Ought One Obey God? Reflection on Hobbes and Locke", in *Canadian Journal of Philosophy* 7; 425-46.

Gibson, James. 1960. *Locke's Theory of Knowledge and its Historical Relations*. Cambridge: Cambridge University Press, (1st. 1917).

Gierke, Otto. 1900. *Political Theories of the Middle Age*, trans. Frederic W. Maitland. Cambridge: Cambridge University Press.

Gilson, Etienne. 1938. *The Unity of Philosophical Experience*. London: Sheed & Ward.

———. 1940. *The Spirit of Mediæval Philosophy*, trans. A. H. C. Downes. New York: Charles Scribner's Sons.

Goldie, Mark. 1992. "John Locke's Circle and James II", *Historical Journal* 35; 557-86.

Gough, J. W. 1973. *John Locke's Political Philosophy*, 2nd edn. Oxford: Clarendon Press, (1st. 1950).

Gooch, G. P. 1914. *Political Thought from Bacon to Halifax*. London: William and Norgate.

Goodin, Robert E. and Pettit, Philip. eds. 1993. *A Companion to Contemporary Political Philosophy*. Cambridge, Mass.: Basil Blackwell.

Grant, Ruth W. 1987. *John Locke's Liberalism*. Chicago: The University of Chicago Press.

Gray, John. 1989. *Liberalisms: Essays in Political Philosophy*. London: Routledge.

--------. 1993. *Post-liberalism: Studies in political thought*. London: Routledge.

Greenleaf, W. H. 1964. *Order, Empiricism and Politics: Two Traditions of English Political Thought 1500-1700*. Oxford: Oxford University Press.

--------. 1973. "Bodin and the Idea of Order", in Denzer, ed. *Jean Bodin*.

Greenlee, Douglas. 1977. "Locke's Idea of 'Idea'", in Tipton ed. *Locke on Human Understanding*.

Grotius, Hugo. 1738. *The Rights of War and Peace*, trans. Basil Kennett, with the notes of Jean Barbeyrac. London.

Gutmann, Amy. 1985. "Communitarian Critics of Liberalism", *Philosophy & Public Affairs* 14; 308-321.

Haakonssen, Knud. 1981. *The Science of A Legislator: The Natural Jurisprudence of David Hume and Adam Smith.* Cambridge: Cambridge University Press.

--------. 1996. *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment.* Cambridge: Cambridge University Press.

--------. 1985. "Hugo Grotius and the History of Political Thought", *Political Theory* 13; 239-265.

———. 1988a. "Introduction: Liberal Traditions and the History of Ideas", in idem, ed. *Traditions of Liberalism.*

--------. 1988b. "Jurisprudence and Politics in Adam Smith", in idem, ed. *Traditions of Liberalism.*

--------. ed. 1988. *Traditions of Liberalism: Essays on John Locke, Adam Smith and John Stuart Mill.* St. Leonards: The Centre for Independent Studies.

Haller, William. 1957. *The Rise of Puritanism.* New York: Harper Torchbooks, (1st. 1938).

--------. 1955. *Liberty and Reformation in the Puritan Revolution.* New York: Colombia University Press.

Hallowell, John H. 1946. *The Decline of Liberalism as an Ideology.* London: Kegan Paul.

Hamabayashi, Masao. 1966. *Igirisu Kakumei No Shisou Kouzou (Intellectual Structure of the English Revolution).* Tokyo: Mirai Sha.

Hampsher-Monk, Ian W. 1979. "Tacit Concept of Consent in Locke's *Two Treatises of Government*: A Note on Citizen, Traveller, and Patriarchalism", *Journal of the History of Ideas*, XL;135-9.

Hampshire, Stuart. 1978. "Public and Private Morality", in idem, ed. *Public & Private Morality.*

--------. ed. 1978a. *Public & Private Morality.* Cambridge: Cambridge University Press.

Hanson, Noewood Russell. 1958. *Patterns of Discovery: An Inquiry into the Conceptual Foundations of Science.* Cambridge: Cambridge University Press.

Harphan, Edward J. 1992. "Locke's *Two Treatises* in Perspective", in idem ed. *John Locke's 'Two Treatises of Government'.*

———. ed. 1992a. *John Locke's* Two Treatises of Government*: New Interpretations.* Lawrence: University Press of Kansas.

Harris, Ian. 1994. *The Mind of John Locke.* Cambridge: Cambridge University Press.

--------. 1994a. "The Politics of Christianity", in G. A. J. Rogers ed. *Locke's Philosophy: Content and Context.* Oxford: Clarendon Press.

Hart, H. L. A. 1961. *The Concept of Law.* Oxford: Clarendon Press.

Hazeltine, Harold Dexter. 1969. "The Legal and Political Ideas of the Post-Glossators", as Introduction to Walter Ullmann, *The Medieval Idea of Law as Presented by Lucas de Penna.* London: Methuen, (1st. 1946).

Helm, Paul. 1979. "Locke's Theory of Personal Identity", *Philosophy* 54; 173-85: in *CA*, vol. IV.

Herzog, Don. 1985. *Without Foundations: Justification in Political Theory.* Ithaca: Cornell University Press.

Hill, Christopher. 1975. *The World Turned Upside Down.* Harmondsworth: Penguin Books, (1st. 1972).

Hobbes, Thomas. 1969. *The Elements of Law*, ed. Ferdinand Tönnies, 2nd ed. London: Frank Cass & Co..

--------. 1978. *Man and Citizen*, ed. Bernard Gert. Gloucester, Mass.: Peter Smith.

--------. 1990. *Behemoth*, ed. Ferdinand Tönnies. Chicago: The University of Chicago Press.

--------. 1994. *Leviathan*, ed. Edwin Curley. Indianapolis: Hackett Publishing Company.

Hodgson, D. H. 1967. *Consequences of Utilitarianism: A Study in Normative Ethics and Legal Theory.* Oxford: Clarendon Press.

Honderich, Ted. 1985. "Punishment, the New Retributivism, and Political Philosophy", in A. P. Griffiths, ed. *Philosophy and Practice.* Cambridge: Cambridge University Press.

Hont, Istvan and Ignatieff, Michael. eds. 1983. *Wealth and Virtue.* Cambridge: Cambridge University Press.

———. 1983a. "Needs and justice in the Wealth of Nations: an introductory essay", in idem, *Wealth and Virtue.*

Hooker, Richard. 1975. *Of the Laws of Ecclesiastical Polity*, an abridged edn. ed. A. S. McGrade and Brian Vickers. London: Sidgwick & Jackson.

Horne, Thomas 1990. A. *Property Rights & Poverty.* Chapel Hill: The University of North Carolina Press.

Houston, Alan Craig. 1991. *Algernon Sidney and the Republican Heritage in England and America.* Princeton, NJ.: Princeton University Press.

Hughes, M. H. 1975. "Personal Identity: A Defence of Locke", *Philosophy* 50; 169-87: in *CA*, vol. IV.

Jacob, Margaret C. 1990. *The Newtonians and the English Revolution 1689-1720.* New York: Gordon and Breach.

James VI and I. 1994. *Political Writings*, ed. Johann P. Sommerville. Cambridge: Cambridge University Press.

Johnston, David. 1994. *The Idea of a Liberal Theory.* Princeton, NJ.: Princeton University Press.

Jordan, W. K. 1965. *Development of Religious Toleration in England*, vol.3. Gloucester, Mass.: Peter Smith, (1st. 1938).

Kant, Immanuel. 1929. *Critique of Pure Reason*, trans. Norman Kemp Smith. London: Macmillan.

--------. 1991. *The Metaphysics of Morals*, trans. M. Gregor. Cambridge: Cambridge University Press.

Kato, Takashi. 1988. *Jon Rokku No Shiso Sekai: Kami To Ningen No Aida (The Thought of John Locke: Between God and Man)*. Tokyo: The University of Tokyo Press.

--------. 1981. "*The Reasonableness* in the historical light of the *Essay*", *Locke Newsletter*, 12; 45-59.

Kendall, Willmore. 1965. *John Locke and the Doctrine of Majority-rule*. Urbana: University of Illinois Press, (1st. 1941).

King, Peter. 1830. *The Life of John Locke,* 2vols. London: Henry Colburn and Richard Bentley.

Kramnick, Issac. 1990. *Republicanism & Bourgeois Radicalism: Political Ideology in Late Eighteenth-Century England and America*. Ithaca: Cornell University Press.

Krieger, Leonard. 1965. *The Politics of Discretion: Pufendorf and the Acceptance of Natural Law*. Chicago: The University of Chicago Press.

Kuhn, Thomas S. 1970. *The Structure of Scientific Revolutions*, 2nd ed. Chicago: The University of Chicago Press, (1st. 1962).

Kuklick, Bruce. 1984. "Seven thinkers and how they grew: Descartes, Spinoza, Leibniz; Locke, Berkeley, Hume; Kant", in Rorty, Schneewind, and Skinner, eds. *Philosophy in History*.

Lamprecht, Sterling Power. 1962. *The Moral and Political Philosophy of John Locke*. New York: Russell & Russell Inc., (1st. 1918).

--------. 1927. "Locke's Attack upon Innate Ideas", *Philosophical Review*, 36; 145-65: in *CA*, vol.IV.

Laski, Harold J. 1920. *Political Thought in England: From Locke to Bentham*. New York: Henry Holt and Company.

Laslett, Peter. 1949. Introduction to idem. ed. *Patriarcha and Other Political Works of Sir Robert Filmer*. Oxford: Basil Blackwell.

--------. 1988. Introductoin to Locke, *Two Treatises of Government*.

Leibniz, Gottfried Wilhelm. 1988. *Political Writings*, 2nd edn. trans. and ed. Patrick Riley. Cambridge: Cambridge University Press.

Lentz, John W. 1956. "Locke's Essay's on the Law of Nature", *Philosophy & Phenomenological Research* 17; 105-113.

Lerner, Ralph and Mahdi, Muhsin. eds. 1963. *Medieval Political Philosophy: A Sourcebook.* Toronto: Collier-Macmillam Canada ltd..

Lloyd, Howell A. 1991. "Constitutionalism", in Burns ed. *The Cambridge History of Political Thought.*

Loemker, Leroy E. 1972. *Struggle for Synthesis: The Seventeenth Century Background of Leibniz's Synthesis of Order and Freedom.* Cambridge, Mass.: Harvard University Press.

Lovejoy, Arther O. 1936. *The Great Chain of Being.* Cambridge, Mass.: Harvard University Press.

Mabbott, J. D. 1973. *John Locke.* London: Macmillan.

MacCallum, Jr., Gerald C. 1991. "Negative and Positive Freedom", in Miller ed. *Liberty.*

McGrade, Arthur, Stephen. 1974. *The Political Thought of William Ockham.* Cambridge: Cambridge University Press.

MacIlwain, Charels H. 1958. *Constitutionalism: Ancient and Modern,* revised edn. Ithaca, New York: Great Seal Books, (1st.1940).

MacIntyre, Alasdair. 1967. *A Short History of Ethics: A History of Moral Philosophy from the Homeric Age to the Twentieth Century.* London Routledge.

--------. 1985. *After Virtue: a study in moral theory.* 2nd. edn. London: Duckworth, (1st. 1981).

Mackie, J. L. 1955. "Evil and Omnipotence", *Mind* LXIV; 200-212.

MacLean, Douglas. and Mills, Claudia. eds. 1983. *Liberalism Reconsidered.* Totowa, New Jersey: Rowman & Allanheld.

Macpherson, C. B. 1962. *The Political Theory of Possessive Individualism.* Oxford: Clarendon Press.

--------. 1973. *Democratic Theory.* Oxford: Clarendon Press.

Malcolm, Noel. 1988. "Hobbes and the Royal Society", in Rogers and Ryan ed. *Perspectives on Thomas Hobbes.*

Mandelbaum, Maurice. 1964. *Philosophy, Science, and Sense Perception.* Baltimore: The Johns Hopkins Press.

Manning, D. J. 1976. *Liberalism.* London: J. M. Dent & Sons.

Mansfield Jr., Harvey C. 1989. *Taming the Prince: The Ambivalence of Modern Executive Power.* New York: The Free Press.

Marenbon, John. 1987. *Later Medieval Philosophy (1150-1350): An Introduction.* London: Routledge & Kegan

Paul.

Marshall, John.1994. *John Locke: Resistance, Religion and Responsibility.* Cambridge: Cambridge University Press.

Martin, C. B. and Armstrong, D. M. eds. n.d. *Locke and Berkeley.* London: Macmillan.

Mill, John Stuart. 1993. *Utilitarianism.* in idem, *Utilitarianism, On Liberty, Considerations on Representative Government, Remarks on Bentham's Philosophy*, ed. G. Williams. London: Everyman.

Miller, David. ed. 1991. *Liberty.* Oxford: Oxford University Press.

Milton, John. 1981. "John Locke and the Nominalist Tradition", in R. Brandt, ed. *John Locke.*

Minogue, Kenneth. 1983. "The Conditions of Freedom and the Condition of Freedom", in Timothy Fuller ed. *The Prospects of Liberalism.* The Colorado College Studies. Colorado Springs: The Colorado College.

-------. 1988a. "Theorising Liberalism and Liberalising Theory", in Haakonssen, ed. *Traditions of Liberalism.*

-------. 1988b. "Method in intellectual history: Quentin Skinner's *Foundations*", in Skinner, *Meaning & Context.*

Montaigne, Michael de. 1893. *The Essayes*, trans. John Florio, ed. Henry Morley. London: George Routledge and Sons.

Mulhall, Stephen and Swift, Adam. 1992. *Liberals & Communitarians.* Oxford: Blackwell.

Munz, Peter. 1952. *The Place of Hooker in the History of Thought.* London: Routledge & Kegan Paul.

Newsman, Stephen L. 1992. "Locke's *Two Treatises* and Contemporary Thought: Freedom, Community, and the Liberal Tradition", in Harpham ed. *John Locke's* Two Treatises of Government.

Oakley, Francis. 1964. *The Political Thought of Pierre d'Ailly: The Voluntarist Tradition.* New Haven and London: Yale University Press.

-------. 1984. *Omnipotence, Covenant, & Order: An Excursion in the History of Ideas From Abelard to Leibniz.* Ithaca: Cornell University Press.

--------. 1961a. "Medieval Theories of Natural Law: William Ockham and the Significance of the Voluntarist Tradition", *Natural Law Forum* VI; 65-83.

-------. 1961b. "Christian Theology and the Newtonian Science: The Rise of the Concept of the Laws of Nature", *Church History*, 30; 433-457.

Oakley, Francis and Urdang, Elliot W. 1966. "Locke, Natural Law, and God", *Natural Law Forum* XI; 92-109: in *CA*, vol.II.

Oakeshott, Michael. 1991. *Rationalism in Politics and Other Essays*, new edn. ed. T. Fuller. Indianapolis: Liberty Press, (1st. 1962).

--------. 1975. *On Human Conduct.* Oxford: Clarendon Press.

--------. 1975a. *Hobbes on Civil Association.* Oxford: Basil Blackwell.

--------. 1993. *Morality and Politics in Modern Europe: The Harvard Lectures*, ed. S. R. Letwin. New Haven and London: Yale University Press.

Oberman, Heiko A. 1987. "*Via Antiqua* and *Via Moderna*: Late Medieval Prolegomena to Early Reformation Thought", in Hudson, A. and Wilks, M. eds. *From Ockham to Wyclif.* Oxford: Basil Blackwell.

O'cconor, D. J. 1967. *John Locke.* New York: Dover Publications (1st. 1952).

Olivecrona, Karl. 1971. *Law as Fact*, 2nd edn. London: Stevens & Sons, (1st. 1939).

--------. 1989."Appropriation in the State of Nature: Locke on the Origin of Property", in *Modern Political Theory from Hobbes to Marx*, eds. J. Lively and A. Reeve. London: Routledge.

Orr, Robert R. 1967. *Reason and Authority: The Thought of William Chillingworth.* Oxford: Clarendon Press.

Osler, Margaret L. 1970. "John Locke and the Changing Ideal of Scientific Knowledge", *Journal of the History of Ideas* 31; 3-16.

Pangle, Thomas L. 1988. *The Spirit of Modern Republicanism: The Moral Vision of the American Founders and the Philosophy of Locke.* Chicago: The University of Chicago Press.

Parry Geraint. 1978. *John Locke.* London: George Allen & Unwin.

Passmore, John. 1970. *The Perfectibility of Man.* London: Duckworth.

———. 1986. "Locke and the Ethics of Belief", in Anthony Kenny, ed. *Rationalism, Empiricism, and Idealism.* Oxford: Clarendon Press.

Perry, David L. 1967. "Locke on Mixed Modes, Relations, and Knowledge", *Journal of the History of Philosophy* V; 219-235.

Pitkin, Hanna. 1972. "Obligation and Consent", in *Philosophy, Politics and Society*, Fourth Series, eds. P. Laslett, W. G. Runciman and Q. Skinner, Oxford: Basil Blackwell.

Plato. 1986. *Statesman*, trans. Seth Benardete. Chicago: The University of Chicago Press.

Pocock, J. G. A. 1987. *The Ancient Constitution and the Feudal Law.* Cambridge: Cambridge University Press, (1st. 1957).

--------. 1989. *Politics, Language, and Time.* Chicago: The University of Chicago Press, (1st.1960).

-------. 1975. *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition.* Princeton, New Jersey: Princeton University Press.

--------. 1983. "Cambridge paradigms and Scotch philosophers: a study of the relations between the civic humanist and the civic jurisprudential interpretation of eighteenth-century social thought", in Hont and Ignatieff, *Wealth and Virtue.*

Popkin, Richard H. 1979. *The History of Scepticism from Erasmus to Spinoza.* Berkeley: University of California Press.

Pufendorf, Samuel. 1729. *Of the Law of Nature and Nations*, ed. Jean Barbeyrac, trans. Basil Kennet. London.

-------. *The Elements of Universal Jurisprudence*, trans. William A. Oldfather. Oxford: Clarendon Press, 1931.

Quine, W. V. O. 1980. *From a Logical Point of View*, 2nd edn. Cambridge, Mass.: Harvard University Press, (1st. 1953).

Rawls, John. 1971. *A Theory of Justice.* Cambridge, Mass.: Harvard University Press.

Rees, John. 1972. *Equality.* London: Macmillan.

Reiley, Patrick. 1986. *The General Will Before Rousseau: The Transformation of the Divine into the Civic.* Princeton, NJ.: Princeton University Press.

Roberts, James D. 1968. *From Puritanism to Platonism in Seventeenth Century England.* The Hague: Martius Nijhoff.

Rogers G. A. J. and Ryan, Alan. eds. 1988. *Perspectives on Thomas Hobbes.* Oxford: Clarendon Press.

Rommen, Heinrich A. 1947. *The Natural Law*, trans. Thomas R. Hanley. St. Loius: B. Herder Book.

Rorty, Richard. 1980. *Philosophy and the Mirror of Nature.* Oxford: Basil Blackwell.

--------. 1989. *Contingency, irony, and solidarity.* Cambridge: Cambridge University Press.

Rorty, R. Schneewind, J. B. and Skinner, Q. eds. 1984. *Philosophy in History.* Cambridge: Cambridge University Press.

Rosenblum, Nancy L. ed. 1989. *Liberalism and the Moral Life.* Cambridge, Mass.: Harvard University Press.

Rousseau, Jean-Jaques. 1968. *The Social Contract*, trans. Maurice Cranston. Harmondsworth: Penguin Books.

Ruggiero, Guido de. 1981. *The History of European Liberalism*, trans. R. G. Collingwood. Gloucester, Mass.:

Peter Smith, (1st. 1927).

Russell, Bertrand. 1946. *History of Western Philosophy.* London: George Allen and Unwin.

Ryan, Alan. 1993. "Liberalism", in Goodin and Pettit, eds. *A Companion to Contemporary Political Philosophy.*

Ryle, Gilbert. 1971. "John Locke", in idem, *Collected Papers*, vol. I. London: Hutchinson & Co..

Sabine, George H. 1951. *A History of Political Theory*, 3rd. edn. London: George G. Harrap & Co..

Salmon, J. H. M. 1959. *The French Religious Wars in English Political Thought.* Oxford: Clarendon Press.

--------. 1973. "Bodin and Monarchomachs", in Denzer, ed. *Jean Bodin.*

Sandel, Michael J. 1982. *Liberalism and the Limits of Justice.* Cambridge: Cambridge University Press.

--------. 1984. Introduction to idem. ed. *Liberalism and its Critics.* New York: Yew York University Press.

--------. 1992. "The Procedural Republic and the Unencumbered Self", in S. Avineri and A. de-Shalt, eds. *Communitarianism and Individualism.* New York: Oxford University Press.

Schier, Flint. 1993. "The Kantian Gulag: Autonomy and the Liberal Conception of Freedom", in D. Knowles and J. Skorupski eds., *Virtue and Taste: Essays on Politics, Ethics and Aesthetics in Memory of Flint Schier.* Oxford: Blackwell.

Schneewind, J. B. 1987. "Pufendorf's Place in the History of Ethics", *Synthesis* 72 ; 123-155.

--------. 1994. "Locke's moral philosophy", in Chappell, ed. *The Cambridge Companion to Locke.*

--------, ed. 1990. *Moral Philosophy from Montaigne to Kant: An Anthology,* 2vols. Cambridge: Cambridge University Press.

Searle, J. R. 1969. *Speech Acts: An Essay in the Philosophy of Language.* Cambridge: Cambridge University Press.

Shapin, Steven and Schaffer, Simon. 1985. *Leviathan and the Air-Pump.* Princeton. NJ.: Princeton University Press.

Shapiro, Barbara J. 1983. *Probability and Certainty in Seventeenth-Century England.* Princeton, NJ.: Princeton University Press.

Shapiro, Ian. 1986. *The Evolution of Rights in Liberal Theory.* Cambridge: Cambridge University Press.

--------. 1990. *Political Criticism.* Berkeley and Los Angeles: University of California Press.

Shirley, F. J. 1949. *Richard Hooker and Contemporary Political Ideas.* London: S.P.C.K.

Shochet, Gordon J. 1988. *The Authoritarian Family and Political Attitudes in 17th Century England:*

Patriarchalism in Political Thought. New Brunswick: Transaction Books, (1st. 1975).

Shklar, 1989. "The Liberalism of Fear", in Rosenblum, ed. *Liberalism and the Moral Life.*

Sigmund, Paul E. 1971. *Natural Law in Political Thought.* Cambridge, Mass.: Winthrop Publishers,

———. 1993. "Law and politics", in N. Kretzmann and E. Stump eds. *The Cambridge Companion to Aquinas.* Cambridge: Cambridge University Press.

Simmons, A. John. 1992. *The Lockean Theory of Rights.* Princeton, NJ.: Princeton University Press.

Singh, Raghuveer. 1961. "John Locke and the Theory of Natural Law", *Political Studies* XI; 105-118.

Skinner, Quentin. 1978. *The Foundations of Modern Political Thought*, 2vols. Cambridge: Cambridge University Press.

--------. 1988. *Meaning & Context: Quentin Skinner and his Critics*, ed. J. Tully. Oxford: Polity Press.

--------. 1969. "Thomas Hobbes and the Nature of the Early Royal Society", *Historical Journal* XII; 217-239.

--------. 1991. "The Paradoxes of Political Liberty", in Miller ed. *Liberty.*

Smart, J. J. C. and Williams Bernard. 1973. *Utilitarianism For and Against.* Cambridge: Cambridge University Press.

Sommerville, Johann P. 1992. *Thomas Hobbes: Political Ideas in Historical Context.* Hong Kong: Macmillan.

---------. 1991. Introduction to Filmer, *Patriarcha and Other Writings.*

Spellman, W. M. 1988. *John Locke and the Problem of Depravity.* Oxford: Clarendon Press.

Sprat, Thomas. 1959. *History of the Royal Society*, ed. Jackson I. Cope and Harold Whitmore Jones. London: Routledge & Kegan Paul.

Staniland, Hilary. 1972. *Universals.* New York: Anchor Book.

Stanlis, Peter J. 1958. *Edmund Burke and the Natural Law.* Ann Arbor: The University of Michigan Press.

Strauss, Leo. 1952. *The Political Philosophy of Hobbes.* Chicago: The University of Chicago Press.

--------. 1988a. *Persecution and the Art of Writing.* Chicago: The University of Chicago Press, (1st. 1952).

--------. 1953. *Natural Right and History.* Chicago: The University of Chicago Press.

--------. 1984. *Thoughts on Machiavelli.* Chicago: The University of Chicago Press, (1st. 1958).

--------.1988b. *What is Political Philosophy?* Chicago: The University of Chicago Press, (1st. 1959).

Tarcov, Nathan, 1984. *Locke's Education for Liberty.* Chicago: The University of Chicago Press.

———. 1983. "A 'Non-Lockean' Locke and the Character of Liberalism", in MacLean and Mills, eds. *Liberalism*

Reconsidered.

Tarlton, Charles D. 1978. "A Rope of Sand: Interpreting Locke's First Treatise of Government", *Historical Journal* 21; 43-73: in *CA*, vol.III.

———. 1981. "The Exclusion Controversy, Pamphlettering, and Locke's *Two Treatises*", *Historical Journal* 24; 48-68: in *CA*, vol. III.

Taylor, Charles. 1979. *Hegel and Modern Society.* Cambridge: Cambridge University Press.

———. 1989. *Sources of the Self: The Making of the Modern Identity.* Cambridge: Cambridge University Press.

———. 1985. "Atomism", in idem. *Philosophy and The Human Sciences: Philosophical Papers 2.* Cambridge: Cambridge University Press.

Terchek, Ronald J. 1986. "The Fruits of Success and the Crisis of Liberalism", in Damico, ed. *Liberals on Liberalism.*

Thompson, Martyn P. 1994. "Locke's contract in context", in Boucher and Kelly, *Social Contract From Hobbes to Rawls.*

Tipton, I. C. ed. 1977. *Locke on Human Understanding.* Oxford: Oxford University Press.

Tönnies, Ferdinand. 1955. *Community and Association (Gemeinshaft und Gesellshaft)*, trans. Charkes P. Loomis. London: Routledge & Kegan Paul.

Tomooka, Toshiaki. 1986. *Jon Rokku No Seiji Shiso (The Political Thought of John Locke).* Nagoya: Nagoya University Press.

Toon, Peter. 1971. *God's Statesman: The Life and Work of John Owen.* Exeter: The Paternoster Press.

Tuck, Richard.1979. *Natural Rights Theories.* Cambridge: Cambridge University Press.

--------. 1989. *Hobbes.* Oxford: Oxford University Press.

--------. 1983. "Grotius, Carneades and Hobbes", *Grotiana* 4; 43-62.

———. 1987. "The 'modern' theory of natural law", in Anthony Pagden ed. *The Languages of Political Theory in Early-Modern Europe.* Cambridge: Cambridge University Press.

--------. 1988. "Optics and sceptics: the philosophical foundations of Hobbes's political thought", in Edmund Leites ed. *Conscience and Casuistry in Early Modern Europe.* Cambridge: Cambridge University Press.

———. 1993. "The contribution of history", in Goodin and Pettit, eds. *A Companion to Contemporary Political Philosophy.*

-------. 1994. "Rights and pluralism", in J. Tully ed. *Philosophy in An Age of Pluralism*. Cambridge: Cambridge University Press.

Tully, James. 1980. *A Discourse on Property: John Locke and His Adversaries*. Cambridge: Cambridge University Press.

--------. 1993a. *An Approach to Political Philosophy: Locke in Contexts*. Cambridge: Cambridge University Press.

-------. 1993b. "Placing the *Two Treatises*", in N. Phillipson and Q. Skinner eds., *Political Discourse in Early Modern Britain*. Cambridge: Cambridge University Press.

Van Steenberghen, Fernand.1955. *The Philosophical Movement in the Thirteenth Century*. New York: Thomas Nelson and Sons.

Van Leeuwen, Henry G. 1970. *The Problem of Certainty in English Thought 1630-1690*, 2nd edn. The Hague: Martinus Nijhoff.

Vaughan, C. E. 1925. *Studies in the History of Political Philosophy Before and After Rousseau*, 2 vols. Manchester: University Press.

Vindiciae, Contra Trrannos: or, concerning the legitimate power of a prince over the people, and of the people over a prince, 1994. ed. and trans. George Garnett. Cambridge: Cambridge University Press.

Von Leyden Wolfgang. 1981. *Hobbes and Locke*. London: Macmillan Press.

--------. 1956. "John Locke and Natural Law", *Philosophy*, 31; 23-35: in *CA*, vol.II.

--------. 1988. Introduction to Locke, *Essays on the Law of Nature*.

Waldron, Jeremy. 1994. "John Locke: social contract versus political anthropology", in Boucher and Kelly, eds., *Social Contract From Hobbes to Rawls*.

Wallach, John R. 1987. "Liberals, Communitarians, and the Tasks of Political Theory", *Political Theory* 15; 581-611.

Walzer, Michael. 1966. *The Revolution of the Saints*. London: Weidenfeld and Nicolson.

Watkins, John. 1989. *Hobbes's System of Ideas*, 2nd ed. Newcastle: Gower.

Weber, Max. 1991. *The Protestant Ethic and The Spirit of Capitalism*, trans. Tarcott Persons. London: HarperCollinsAcadmeic.

Williams, Bernard. 1973. "Personal Identity and Individuation", in idem, *Problems of the Self*. Cambridge:

Cambridge University Press.

Williams, Howard. 1983. *Kant's Political Philosophy.* Oxford: Basil Blackwell.

Willey, Basil. 1986. *The Seventeenth-Century Background.* London: ARK Paperbacks (1st. 1934).

Wittgenstein, Ludwig. 1968. *Philosophical Investigations*, trans. G. E. M. Anscombe. Oxford: Basil Blackwell.

Wolin, Sheldon S. 1960. *Politics and Vision.* Boston: Little, Brown and Company.

--------. 1989. *The Presence of the Past.* Baltimore: The Johns Hopkins University Press.

Wood, Neal. 1983. *The Politics of Locke's Philosophy.* Berkeley: University of California Press.

Woolhouse, R. S. 1983. *Locke.* Brighton: The Harvester Press.

Wootton, David. 1989. "John Locke: Socinian or natural law theorist?", in James E. Crimmins ed. *Religion, Secularization, and Political Thought: Thomas Hobbes to J. S. Mill.* London: Routledge.

--------. 1993. Introduction to Locke, *Political Writings.*

Yolton, John W. 1956. *Locke and the Way of Ideas.* Oxford: Clarendon Press.

--------. 1970. *Locke and the Compass of Human Understanding.* Cambridge: Cambridge University Press.

--------. 1985. *Locke: An Introduction.* Oxford: Basil Blackwell.

--------. 1993. *A Locke Dictionary.* Oxford: Blackwell.

-------. 1975. "Ideas and Knowledge in Seventeenth-Century Philosophy", *Journal of the History of Philosophy* 13;145-165.

--------. ed. 1969. *John Locke: Problems and Perspectives.* Cambridge: Cambridge University Press.