Locke the Thinker

TIMOTHY STANTON (UNIVERSITY OF YORK)

Recommended citation:

For more information about this article:

Locke Studies is published by The John Locke Society.
This is an open access article published under the terms of the Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International license, which permits use, distribution and reproduction in any medium, provided the original work is properly cited and shared under the original license.
What sort of thinker was Locke? The obvious answer is, an important one; and not simply for what he thought, but for how he affected the thinking of those who came after him. Yet if this answer is obviously right in its place, it is out of place here; for the question raised in this essay is not the question of Locke’s importance—of why and in what ways he was significant—but the rather different though not less engrossing or exacting question of how he thought about the things he thought about. How, that is to say, did Locke go about making sense of the matters which commanded his attention—and why those matters? Or, to put the question in terms that are more recognizably Lockian, how did he conduct his own understanding?

Locke’s late account of the conduct of the understanding suggested that right understanding depended upon making the appropriate distinctions and connections without either descending to distinguish every particular thing or lumping together particular things that did not belong together. It concluded that ‘the boundarys of the meane between the[se] two vitious excesses’, of too many distinctions on the one side and too many connections on the other side, were ‘hard to set down in words’. But if these boundaries are indeed hard to set down in words, perhaps they may be more easily seen in action if we contemplate the conduct of one particular man’s


2 J. Locke, ‘Of the Conduct of the Understanding’. MS. Locke e.1: 158.
understanding and examine in some detail the ways in which he variously split and lumped some of the things that came under his consideration. Accordingly, this essay considers Locke’s mind and its manner of operation.

This essay presents Locke as a thinker for whom distinctions are as important as connections and whose distinctions, properly understood, disclose the true character of those connections. It takes its cue from one among many striking claims in Jeremy Waldron’s *God, Locke, and Equality*. There Waldron claims that Locke assumes in *Two Treatises of Government* a view of man foundational to his account of natural law but incompatible with the scepticism about species evinced in *An Essay Concerning Human Understanding*, and so, that the account of natural law is compromised, perhaps fatally. This claim looks very specific—as indeed it is—but it is constituted according to a wider set of postulates about the connections that structure Locke’s thought and the character of his thinking.

The aim of this essay is to set question marks against those postulates by subjecting the content of Waldron’s claim to scrutiny. It argues, firstly, that Locke’s account of natural law is foundational to his view of man, not *vice versa*; and secondly, that *Two Treatises* is written in an idiom different from Locke’s philosophical writings, such that directly transposing the ideas discussed in one idiom to the other is as confused as it is confusing.

In so arguing, the essay gives extensive consideration to Locke’s thinking about politics and other, related matters. Fundamental to his thinking is the assumption that existence is patterned according to different laws. Locke distinguishes categories of agent and action on the basis of these laws, which determine the institutions and obligations characteristic of the practices they regulate. His dis-

---


tinctions rely upon assumptions about the human understanding that reflect his sense of man’s moral position and look forward to understandings of politics and religion which, though structurally similar, involve ideas and cognate terms that belong to each practice specifically. About each practice Locke deploys two different types of idea, particular and abstract. In distinguishing categorically politics and religion, he establishes a basis for toleration different from that commonly supposed. In distinguishing between particular and abstract ideas, he establishes the basis for discussing politics and religion alike in different idioms.

The essay begins with an account of the terms in which Locke makes distinctions and moves by several stages to an explanation of his understanding of politics, its relation to institutions and actions of another reference and its subsequent implications for toleration. It is in the nature of the argument it develops that the essay will cover a lot of ground, and in the nature of its limitations that it will do so sketchily, if not inadequately. It may, in the end, succeed only in building an unduly long and winding path to a very small house—after all, the news that Locke favoured toleration is unlikely to reduce readers of this journal to gaping astonishment. But the effort at construction is still worth making because without it we cannot grasp the make of Locke’s mind, the connections that structured his thought, or the extent to which his claims about toleration depended upon certain distinctions.

The first step on the path, then, takes us to the question of Locke’s understanding of ‘man’.

I

What piece of work is a man? Before this question—not in the sense of preceding it in temporal sequence but as something that is fundamental to answering it—there is another, namely, what do we mean by the word ‘man’, or, put slightly differently, what idea or ideas is that word intended to convey? Locke, who took words to be
‘articulate Sounds’ that ‘stand as marks for … Ideas’, would have preferred the second way of putting it and at first glance he gives us not one but at least four answers.\(^5\)

The idea of a man ‘in most Peoples Sense’, he writes, includes that of ‘a thinking or rational Being’ and that of ‘a Body so and so shaped joined to it’. Later, he adds that in ‘the ordinary way of speaking, the same Person, and the same Man, stand for one and the same thing’, that is, the same idea, having suggested that ‘person’ itself stands for ‘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, … it being the same consciousness that makes a Man be himself to him self’.\(^6\) The glancing eye is confronted with a picture of confusion: when we use the word ‘man’, it seems that we may have in mind the idea of an intelligent being, a body of some description, a person, a spatio-temporally continuous self-conscious thing, or, as Locke’s account implies, a more general idea still that combines some of these, perhaps all, in no very precisely-fixed compilation. This suggests that ‘man’ must be a rather slippery term for Locke.

In one sense, the suggestion is true; but in another, it is misleading. Locke recognizes that we use words in different ways and with differing degrees of exactness, where exactness is understood as a relation of fit between a word and a specific idea. His account describes one of these ways, the ordinary or ‘civil Use’ of words. By civil use he means ‘such a communication of Thoughts and Ideas by Words, as may serve for the upholding common Conversation and Commerce, about the ordinary Affairs and Conveniences of civil Life, in the Societies of Men, one amongst another’.\(^7\) According to


\(^6\) Locke, *An Essay*, II. xxvii. 8, 335, II. xxvii. 15, 340, II. xxvii. 9–10, 335–6.

\(^7\) Locke, *An Essay*, III. ix. 3, 476.
Locke, common conversation does not suppose a high degree of exactness.

This is just as well, for ‘no body having an Authority to establish the precise signification of Words, nor determine to what *ideas* any one shall annex them’ in civil use, it would be difficult to find there. If, as Locke thinks, ‘Common use *regulates the meaning of Words* pretty well for common Conversation’, it is true nonetheless both that its regulation has an authority that is, after a point, merely conventional, and that that regulation conditions but does not determine the signification of words or the ideas for which they stand. This is as true for words that conceptualize ideas of kinds of action as for ideas of kinds of thing, what Locke terms respectively ideas of mixed modes and of substances. Common conversation therefore emerges out of mental fog—the words in which it is conducted are ‘of doubtful and uncertain signification; and even in Men, that have a mind to understand one another, do not always stand for the same *idea* in Speaker and Hearer’.  

In everyday life we speak of this or that man without any assurance that the idea we seek to convey is present in others’ minds, and yet without obvious disruption to our civil affairs.

On other occasions, uncertainty will not do. Though ‘a loose use of their words’ suffices for people ‘in their ordinary Discourses and Affairs … this is not sufficient for philosophical Enquiries. Knowledge and Reasoning require precise determinate *ideas*’.  

This requirement distinguishes a more rigorous use of words, what Locke calls ‘*Philosophical Use*’, by which he means ‘such an use of them, as may serve to convey the precise Notions of Things, and to express, in general Propositions, certain and undoubted Truths, which the Mind may rest upon, and be satisfied with, in its search after true Knowledge’.  

In a philosophical enquiry, uncertainty *is

---

8 Locke, *An Essay*, III. ix. 8, 479.


disruptive, exactness critical. To the picture of confusion that accompanies common conversation, Locke counterposes a picture in which ideas of different contents are specified, the boundaries between them firmly drawn, and these ideas conveyed by words that signify them exactly.

We may wonder, given Locke’s previous strictures, by what authority the philosophical enquirer presumes to establish the signification of words in this way? Whatever the content of the ideas for which they stand, his words enjoy authority only within the framework of an explanatory construct that makes sense of one aspect of the world. That is to say, they are authoritative in relation to the explanation that proceeds from them precisely because the latter derives from them: their authority is acknowledged when the mind is satisfied by the explanation they provide. Now, Locke thinks that not everything is susceptible of explanation, not least because the precise determinate ideas necessary to it are in some cases unavailable. But these ideas are never unavailable where necessary to people’s making sense of their greatest concerns.

Perhaps before going on to examine the character of the relevant ideas we should pause to underline the broader views that converge upon this position. These include claims about the nature of the human understanding, its proper exercise and, more especially, the way the understanding discloses the purposes God has set to people and indicates thereby the peculiar matters about which they should be concerned. A common teleology supplies a unity of assumption to these claims.

Locke assumes that God has created people for a purpose—He ‘wishes that we do this but leave off that, and demands of us that the conduct of our life should be in accordance with his will’.  

This implies a particular relation to God: that we are capable of performing what He demands of us and that the responsibility for doing so we cannot cede to another. It implies, further, that He will provide the means to the ends He has set, but also, that He is

unlikely to provide what is surplus or superfluous to those ends. Thus Locke writes that God ‘hath furnishd man with such facultys that will serve him to all the ends requisite to such a being’. To conceive people as bearing certain attributes that enable them to compass particular ends is, of course, to think of them in teleological terms. But the terms need to be spelt out if we are to gather their full implications.

II

There are two general elements within Locke’s terms, divine propulsion and cognitive guidance. The first understands God as the author of certain appetites and inclinations that operate as causes of action in human beings. This has an importance that extends beyond the matter in hand, as we shall see. The second understands Him as the author of human faculties and norms that can be grasped by the right use of those faculties. These norms are the standard and measure of right action. This second element therefore turns on a notion of divine design that sets ends to people’s actions, which they learn cognitively. The human understanding, Locke suggests, has been designed by God to be sufficient to some ends rather than others. Its character is adapted to these ends: it is marked, principally, by the capacity to obtain the precise determinate ideas necessary to knowing how we ought to conduct ourselves. The mind can rest upon, and be satisfied with, general truths about right conduct because their constituent components and the connections between them can be demonstrated.

Demonstration, for Locke, connotes success in understanding. It is a matter of knowing the precise ideas involved in a general


13 Locke, Drafts, 121.
proposition and being able to trace the connections between these ideas, to see how they relate to one another. Once made, those connections can be made clear to others.\footnote{14} When Locke writes that ‘\textit{Morality is capable of Demonstration}’,\footnote{15} he means, \textit{inter alia}, that moral ideas are precise, not confused, that the words signifying them do so exactly, and that they and their relations can be known and explained perfectly.

If moral ideas and their relations can be known perfectly it is because, by ‘the right use’ of the faculties God has provided, people can obtain the relevant ideas and make connections between them. Here Locke’s argument has a prohibitive aspect because, on his understanding, it is unnecessary to suppose that these ideas, or the general propositions of which they are constituents, are natively present to the mind: the mind can ‘atteine’ all that it needs by other means.\footnote{16} In short, there is no reason to postulate innate ideas.

This possibility is precluded once it is assumed that the means God provides are bent to His ends. Innatism, if valid, would imply superfluous activity on God’s part, because the human understanding has ‘noe need of any such impressions of knowledge much less such parts of it’ to achieve those ends. Locke cannot therefore satisfy himself ‘why [God] should print upon the mindes of men some universall principles … that are innate’.\footnote{17} At one level this simply reflects his assumption that an infinitely wise God would not exert Himself in providing the extraneous or the redundant.\footnote{18}

\begin{itemize}
\item \footnote{14}{For fuller discussion, see J. Yolton, \textit{Locke: An Introduction} (Oxford, 1985), 40–5.}
\item \footnote{15}{Locke, \textit{An Essay}, III. xi. 16, 516. See also ‘Two sorts of knowledge’ (1681), Bodleian MS. Locke f. 5: 77–83, 79.}
\item \footnote{16}{Locke, \textit{Drafts}, 119.}
\item \footnote{17}{Ibid.}
\item \footnote{18}{The Lockian God always acts to a purpose, and where His purposes are relevant to us He provides to us the means of fulfilling them. Innate ideas are useless in our pursuit of these purposes; indeed, ‘seeking for or depending upon innate principles’ only distracts us from the pursuit. As Locke assumes that God neither provides, nor sanctions the use of,}
\end{itemize}
At another level, it reflects Locke’s preoccupation with human responsibility.

The view of responsibility Locke’s teleology implies does not harmonize with the attribution of true knowledge *ab initio* to all minds, including those of infants. For one thing, it is hard to imagine how such minds could be said to know truths, and so be responsible for what they do, or what they fail to do, on the basis of them, as this entails knowing precise ideas and understanding the connections between them.\(^{19}\) It should not surprise us, upon turning to another of Locke’s works, to discover that God wishes parents to be responsible for their children while they raise them to the use of reason and therewith to a condition of responsibility.\(^{20}\) Meanwhile, the task remains of explaining by an alternative route how people come by the knowledge they need to fulfil God’s purposes.

As Locke is endeavouring an explanation, he starts at the beginning. ‘I imagin’, he writes in *Draft A*, ‘that all knowledge is founded on and ultimately derives itself from sense, or something analogous to it & may be cald sensation which is done by our senses conversant about particular objects which give us … simple Ideas or Images of things’.\(^{21}\) This suggests an immediate difficulty. Locke insists that only simple ideas of fully determinate features are available in sense-experience.\(^{22}\) How, then, can we arrive at general propositions, first mental then verbal, on the basis of ideas about


\(^{21}\) Locke, *Drafts*, 1.

\(^{22}\) Locke, *An Essay*, III. iii. 6, 411.
particulars? If we only have access to these ideas, we will be limited to thinking about, and in terms of, particulars.

There is another difficulty. Each simple idea includes a determination to the particular time and place that it was introverted by the senses along with the other ideas that together determine it to a particular experiential content. This makes the use of words, especially their philosophical use, extremely problematical because, as Walter Ott notes, ‘it would be impossible for different persons, each having different experiential histories, to use a word to signify the same idea’.  

To assuage these difficulties, Locke invokes abstract ideas. Abstraction is a process through which we arrive at an idea whose content, while present in the original idea or ideas from which we begin, is separated from the other ideas it comes with in experience. The resultant idea, like each simple idea, has a particular causal history, but unlike each simple idea, a history that can be retraced and replicated by every individual. This idea is arrived at through the process of abstraction by its possessor, in order to represent what it does in fact represent.

Abstract ideas facilitate the move from thinking about and in terms of particulars to thinking in general terms, because they represent not one particular thing but sorts of thing. Locke is not suggesting that general sorts of thing exist qua general sorts of thing: only particulars exist; and each abstract idea, along with the word used to signify it, is intrinsically particular. The generality


24 Innate ideas, by contrast, would have no discernible causal history.

25 Ayers has described the process of abstraction as one of selective attention to some elements of a given complex idea. Walmsley suggests that it is one of mental separation in which irrelevant elements are winnowed from the relevant. Either way, Locke’s point is that we can form general ideas on the basis of experience. Compare M. R. Ayers, Locke: Epistemology and Ontology (2 vols., London, 1991), i. 242–63; J. Walmsley, ‘Locke on Abstraction: A Response to M. R. Ayers’, British Journal for the History of Philosophy, 7 (1999), 123–34.
of abstract ideas lies less in any property they possess than in comparison to what they represent. Abstract ideas are general because they agree in some relevant respect with our ideas of numerous particulars. Thus, for instance, an abstract idea of ‘man’ will conform in some way to our ideas of different particular men when we compare the two.\footnote{Locke, \textit{An Essay}, III. iii. 12, 414–15. See Ott, \textit{Locke’s Philosophy of Language}, 56–8.} In other words, generality is an idea of relation, where relation connotes ‘compareing and considering’ some thing ‘with reference to some other’. Ideas of relation depend upon comparisons made by us. This means, on the one hand, that the names we use to signify them are ‘of a more certain signification’\footnote{Locke, \textit{Drafts}, 11.} than the names we use for things that we have not made and, on the other hand, that we are responsible for obtaining these ideas ourselves.

Here Locke’s argument has a positive aspect because, on his understanding, God wants us to act to certain ends. The class of relevant acts embraces not only the physical, as is suggested by Locke’s conceptual treatment of property and his practical proposals for poor law reform,\footnote{See Locke, \textit{Two Treatises}, II. v. 25–51, 285–302, ‘A Report of the Board of Trade to the Lords Justices, Respecting the Relief and Employment of the Poor’ (1697), in R. Bouyer (ed.), \textit{An account of the origins, proceedings and intentions of the Society for the Promotion of Industry} (Louth, 1789), 100–26. The proposal consists in finding work for them (111). Its end is the abridgement of disorder (112). Promised improvements in political economy and the morals and religion of the poor are presented as incidental advantages (113–16). The proposal also recommends harsh penalties to a parish should any poor person die for want of due relief within its boundaries (125–6).} but the mental. As he has it, we have been created with the capacity to form abstract ideas because by doing so we are able to make sense of the conduct God requires.\footnote{It is not coincidental that abstraction is a capacity that distinguishes human and non-human animals. See Locke, \textit{An Essay}, II. xi. 11, 160; compare Ott, \textit{Locke’s Philosophy of Language}, 53.} If we are to be responsible for what we have done, or what we have
failed to do, it must be because we are capable of knowing what we ought to do, provided we exercise our faculties in the right way. With Locke, responsibility goes all the way down. All of us are unavoidably responsible for our own thoughts, utterances, and actions.

This brings us back to the question of the precise ideas we need to form in order to make sense of our highest concerns. As these concerns centre on the conduct God requires of us, we can expect Locke to focus on the ideas of agents and actions needed to elucidate this conduct. These ideas, while general, will not be arbitrary: they will correspond in important respects to other ideas. To be precise, they will answer to ideas of those laws by which the conduct He requires is made known to us. Though Locke formulates these slightly differently at different times, their implications do not differ. Each makes demands that are explicable in relation to a particular abstract idea of an actor, or agent, and generates specific ideas of actions, together with words of precise signification to stand for these ideas. In this light, the positioning of some central chapters of *An Essay Concerning Human Understanding* becomes properly intelligible, for we can easily understand why Locke should have placed a chapter on identity between a chapter on relation and another on moral relations.\(^\text{30}\) But we should turn from structural arrangements to specifics, to the character of the relevant ideas of agency and law.

### III

Locke’s ideas of agency are best understood by turning first to his ideas of law and working backwards. The idea of law, he argues, involves two components: a lawgiver, that is, one authorized to

give laws, and a command, that is, a directive declaration of will. A lawgiver enjoys authority in relation to those he commands in virtue of surpassing them in power and, ideally, wisdom; this superiority grounds his legislative capacity.

Laws regulate practice by providing authoritative direction to those engaged in it and, Locke assumes, by including in their terms rewards and punishments correlated to compliance with or deviation from the law’s requirements. This implies at least two considerations. The first is that the lawgiver must possess the power to reward or punish the compliant or deviant for the law to have normative force. The second is that those engaged in a given practice can be identified by their possession of the powers or qualities needed to recognize and abide by the laws that govern it and those qualities needed to make them capable of receiving the correlated rewards and punishments. Put generally, this means that ideas of law lay certain requirements upon ideas of agency. More exactly, it suggests that different categories of agent will be distinguished by the possession of the particular powers or qualities necessary to being responsible for acting in relation to a given law.

In 1660 Locke had stated that the given laws were four. By 1678 these had been reduced to three. Each law governs a different kind of practice, and bounds the shapes of thought within, and

31 Locke, Essays, 150.
32 Locke, An Essay, II. xxviii. 6, 351.
33 See J. Locke, Two Tracts on Government, ed. P. Abrams (Cambridge, 1967), 193–6, where Locke identifies four hierarchically ordered laws, beginning with monastic and rising through fraternal and political to divine. The term ‘government’ in the given title is un-happy in so far as the tracts deal less with government than with law and authority in general, and with the civil magistrate’s authority to legislate in religious affairs in particular.
34 The reduction is explained by the fact that the monastic law was originally adduced to explain the subordination of conscience to fraternal and civil law. As Locke no longer understood the relations of conscience and order in a way that required this, it made sense to quietly suffocate monastic law. The law of faith promulgated by Jesus Christ, which completes the law of nature, is a special case. See section V, below.
the institutions characteristic of, that practice. Each is promulgated by a different lawgiver, is authoritative within the limits of its practice, and carries with it rewards and punishments that answer to the powers of the promulgator of the law and those subject to it.

The practice of morality is governed by what Locke terms variously *lex privatorum*, or the law of opinion or reputation. The practice of politics is governed by what he terms *lex magistratus*, or civil law. The practice of religion is governed by *lex dei*, or divine law: when *lex dei naturalis*, or natural law, the practice is natural religion, when *lex dei positiva*, or divine positive law, the practice is revealed religion.\(^{35}\)

The law of opinion is promulgated in different forms by different societies, but the same typology is used by Locke to explain its terms in every case. The reward for obedience to this law is a good reputation, or credit, in society, the punishment for its breach a bad reputation, or disgrace.\(^{36}\) Breaches are determined by society’s observing the behaviour, including the linguistic behaviour, of particular individuals and finding fault with it in comparison to the demands of the law. This idea, of fault in relation to the law of opinion, is signified by the word ‘vice’, with the opposite, that of soundness, signified by the word ‘virtue’.

Civil law is ‘nothing but the agreement of a society of men, either by themselves or one or more authorized by them, deter-mining the rights, and appointing rewards and punishments, to certain actions of all within that society’.\(^{37}\) The reward for obedience to this law is protection against the intrusions of other citizens, the punishment for its breach, civil sanctions. Breaches are deter-mined by the magistrate’s observing the behaviour, including the linguistic behaviour, of particular individuals and finding fault with it in

\(^{35}\) ‘Lex triplex’ (1678), Bodleian MS. Locke f. 3, 201–2. See also Locke, *An Essay*, II. xxviii. 7, 352.

\(^{36}\) ‘Credit, Disgrace’ (1678), Bodleian MS. Locke f. 3: 381–2.

\(^{37}\) ‘Law’ (1678), Bodleian MS. Locke f. 3: 111–2.
comparison to the demands of the law. This idea, of fault in relation to civil law, is signified by the word ‘crime’. Actions that do not breach civil law are ‘innocent’.

Divine law is promulgated by God as the positive law of revelation and as the rationally apprehensible authoritative commands that comprise the law of nature. The reward for obedience to this law is life everlasting, the punishment for its breach, damnation. Breaches are determined by God’s observing the behaviour, including the cognitive and linguistic behaviour, of particular individuals and finding fault with it in comparison to the demands of the law. This idea, of fault in relation to divine law, is signified by the word ‘sin’, with its opposite, of soundness in the same relation, signified by the word ‘duty’.  

Each law, in its own way, directs people towards their highest concerns. Each discloses and subsequently generates purposes that are consonant, because each reflects God’s intentions. With both the law of opinion and civil law the reflection appears in adumbrated form, because His role in their promulgation is mediate rather than direct. Here we find the first element of Locke’s teleology at work—God features as the author of human appetites, inclinations, and interests that are satisfied by the institution of civil society and circumscribed by its laws. These laws, whether moral or political, are accompanied by rewards and punishments that embody the power of the makers of these laws to inflict pain or occasion pleasure in those subject to their direction.

If Locke understands ‘good’ and ‘evil’ in terms of sensations of pleasure and pain, sensations involved in human experience generally, ‘moral good’ and ‘moral evil’ he understands to lie specifically in the conformity and disagreement of particular actions to a law. We are prone, he thinks, to refer our actions habitually to

38 Locke, An Essay, II. xxviii. 8, 352.

39 This is the ground for Locke’s claim that God has ‘by an inseparable connexion, joined Virtue and publick Happiness together; and made the Practice thereof, necessary to the preservation of Society’, An Essay, I. iii. 6, 69.
the law of opinion when determining their moral worth. He is clear, however, that divine law is the ‘only true touchstone of moral Rectitude’ and that only by comparing our actions to this standard can we ‘judge of the most considerable Moral Good or Evil of [our] Actions’ and whether they are likely to procure happiness or misery from God.40 This must be so because, though divine law directs us to our highest ends, we cannot follow it thither simply by going where our appetites, inclinations, or immediate interests lead: we can only fulfil the duties it imposes upon us by performing these out of love for God and our neighbours. Another way of putting this is to say that a given action may be virtuous and innocent when done from selfish motives or habit, but not dutiful. Yet another is to observe that duties may be part of God’s purposes for us, but not necessarily of ours—that is why they are duties.41

The standard provided by divine law therefore differs from those of the law of opinion and the civil law in attaching dispositional stipulations to every relevant action. It requires not only that we perform these actions but also that they are performed out of a loving disposition.42 God, as Locke reminds us, ‘abhors the sacrifice of the hypocritical compliant’.43 This difference bespeaks the disparity in power between terrestrial lawgivers, whether moral or

40 Locke, An Essay, II. xxviii. 5–10, 351–4. Locke’s position was misunderstood by James Lowde, who suggested that he had made the law of opinion the true touchstone of moral rectitude. Compare J. Lowde, A Discourse Concerning the Nature of Man (London, 1694), sig. a3–4 and Locke’s attempts at clarification, An Essay, II. xxviii. 11, 354–5n.

41 Hence Locke’s acknowledgement that Hobbists, Heathen Philosophers, and Christians can all give reasons for engaging in the virtuous and law-abiding practice of promise-keeping without each acknowledging the wider duties of morality, An Essay, I. iii. 5, 68. The purpose of education, as Locke conceives it, is to make individuals capable of acknowledging and doing these duties. This is why he deprecates the use of methods intended to raise desires or aversions, such as beating, and emphasizes instead the need to train desires to submit to reason. See J. Locke, The Educational Writings of John Locke, ed. J. Axtell (Cambridge, 1968), 150–1.

42 Locke, Essays, 194.

43 Locke, Two Tracts, 145.
political, and an omnipotent God who ‘sees Men in the dark’ and ‘has in his Hand Rewards and Punishments, and Power enough to call to account the Proudest Offender’.  

That is not to say that terrestrial lawgivers lack power in relation to the practices they superintend, only that such power as they do possess is comparatively meagre sub specie aeternitatis. Certainly, they cannot directly observe mental states and so cannot detect breaches of divine law, nor punish them adequately if they could, which suggests that any claim they might lay to superintending the practice of religion would exceed their power quite as much as their authority.

The ideas we have been discussing contribute to a connected picture of the world, or at least a central aspect of it. Locke develops precise and determinate ideas of law and its scope, and with these, others, of obedience and disobedience to different laws, along with a vocabulary of terms designed to connote these ideas exactly (vice, virtue, crime, innocence, sin, and duty) which together promise to organize and thereby render intelligible the moral, political, and religious practice of particular beings. As yet, however, the way in which these beings themselves are to be organized is unexplained, so the picture is incomplete. The next step is to discuss Locke’s ideas of agency.

IV

44 Locke, An Essay, I. iii. 6, 69.

45 Locke refers elsewhere to the ‘Princes of the World who all together, with all their People joined to them, are in comparison of the great God, but as a Drop of the Bucket, or Dust on the Balance, inconsiderable nothing!’ Two Treatises, II. xvi. 195, 396.

46 As if to underline his points, Locke writes in 1676 that civil laws ‘have only to do with civil actions’ and ‘have noe other obligation but to make ye transgressors liable to punishm’ in this life’: ‘Obligation of Penal Laws’ (1676), Bodleian MS. Locke f. 1: 123–6, 126, 123.
Agency is something we ascribe to objects with the power to do things. An idea of agency will identify the powers necessary to do specific things. Comparing this abstract idea with the ideas that we receive by sense and reflection upon observing a particular thing doing something will tell us whether it is to be identified as an agent of this or that sort.

Locke’s attention focuses especially on those agents capable of obeying laws. Obedience is not the unintelligent submission to appetite or the will of another. It is a matter of understanding a given purpose or rule and making it one’s own purpose or the rule by which one lives. Only a free agent can obey or be held responsible for failing to obey a law—that is why Locke writes of ‘Law, in its true Notion’ as ‘the direction of a free and intelligent Agent to his proper Interest’. Now plainly, not every agent is free. Many objects have the power to do things where considerations of freedom and intelligence seem not to apply: the objects we call rocks don’t decide to produce ideas of greyness and hardness in us. Accordingly, Locke distinguishes the conditions of agency and those of free agency, and then distinguishes again more specific conditions of free agency in relation to the law of opinion, civil law, and divine law. The vocabulary of agency in turn identifies these conditions in the terms ‘substance’, ‘man’, and ‘person’.

Each of these terms denotes a different idea. ‘Substance’ stands for any thing to which powers may be attributed, ‘man’ for any thing possessing those powers and qualities necessary to freely grasp and follow law, ‘person’ for any thing possessing those powers necessary and sufficient to satisfy the dispositional stipulations that law may include; that is to say, any thing capable of the operation of self-consciousness upon its natural appetites and inclinations. Sometimes, perhaps often, these particular powers and

47 Locke, Two Treatises, II. vi. 57, 305.
qualities coincide in the same thing, but they need not—they are distinct and distinguishable because they involve different relations.

In conceptualizing agency in this fashion, Locke implies at least two connected propositions. One is that relations need not centre on the same substance. Another is that relations can be considered independently of the substances upon which they do happen to centre.⁴⁹ The first opens up the conceptual space within which different kinds of free agent can be distinguished. The second proposition provides the philosophical justification for treating agency and free agency as categorically different. The second is therefore fundamental to understanding Locke’s attitude towards essentialism.

Of the intrinsic properties of a substance, what he calls its ‘primary qualities’ or ‘real essence’, Locke argues we are ignorant. When we experience any thing, we find that ideas of certain qualities and powers ‘go constantly together’ in our apprehension. Their constant conjunction encourages us to ‘suppose them existing in, and supported by some common subject; which Support we denote by the name Substance’. But in fact, ‘we have no clear, or

⁴⁹ The philosophical basis of this proposition can only be stated here, not defended. Locke denies that relations are reducible to the intrinsic properties of substances. Our ideas of the powers that underlie relations, which are themselves ideas of relation, cannot be deduced from those properties because they do not supervene upon them, but owe their connection with them to ‘the arbitrary Determination of that All-wise Agent, who has made them to be, and to operate as they do’. This is true of the powers Locke calls secondary qualities, such as the greyness of rocks, and those he calls tertiary qualities, such as gravitation. It is true, too, of the power of thought, which assures the possibility, upon which Locke notoriously insists, that a material substance might think: that power might be given to any created being, to any sort of substance with any set of intrinsic qualities, ‘by the good pleasure and Bounty of the Creator’. For arbitrary determination, see Locke, An Essay, IV. iii. 28, 559; for secondary qualities, IV. iii. 11–13, 544–5; for tertiary qualities, see J. Locke, Mr. Locke’s Reply to the Right Reverend the Bishop of Worcester’s Answer to his Second Letter, in The Works of John Locke (10 vols, London, 1823), iv. 467–8; for God’s good pleasure, An Essay, III. iii. 6, 541. For a defence, see R. Langton, Kantian Humility (Oxford, 1998), 154–8. For an alternative construction, very powerfully argued, see Ayers, Locke, ii. 66–77.
distinct *Idea* of that *thing* we suppose a Support’, merely an inferential idea of what it does.\(^{50}\)

Locke deplores the tendency we have to assume unreflectively that all the qualities and powers we experience belong to the things we experience *intrinsically*. This assumption is reflected in our ordinary ways of describing the world when, without pretending to be scientific about it, we do talk as if it were populated by things like rocks whose qualities of greyness and hardness belonged to them essentially. But what these things really are ‘in themselves’, absent our perceiving them as grey and hard, is, Locke argues, mysterious.

It follows that we cannot use ideas of real essence to identify any thing, because we have no such ideas capable of serving as identifiers. Instead, and as the example intimates, we sort things according to an abstract idea, or ‘nominal essence’, designed to capture features that go constantly together in our experience of them.\(^{51}\)

Our pre-philosophical sorting of things according to their perceived properties is liable to correction in the light of previously unobservable or unobserved phenomena.\(^{52}\) But Locke insists that even a clear and distinct idea of the real essence of a thing, could it be had, would have to be related to a nominal essence to do any

\(^{50}\) Locke, *An Essay*, II. xxiii. 4, 297.

\(^{51}\) Locke, *An Essay*, III. iii. 15, 417. Thus Locke’s two notions of essence play different roles: real essences (would) explain, in a narrow sense, why a particular thing is what it is; nominal essences identify sorts of thing and are used to classify particulars. For discussion, see E. J. Lowe, *Locke on Human Understanding* (London, 1995), 78–83.

\(^{52}\) Consider Locke’s example of the English child who can demonstrate that ‘*a Negro is not a Man*’ (*An Essay*, IV. vii. 16, 607) because the lack of diversity in his experiences has led him to make an abstract idea of man which includes a particular idea of flesh-tone, in this case ‘white’. If the child were confronted with the full variety of flesh-tones on repeated experiential occasions he would presumably refine his abstract idea, but confronted with a single instance of something that has the same shape, size, motion and so on as ‘man’, without the colour, he does not allow it the name. The example is designed to illustrate the mistake of taking words for things. But compare Waldron, *God, Locke, and Equality*, 62–3.
work as an identifier. Such ideas are inescapably part of what we might call the grammar of identification. To speak of qualities belonging to the thing *essentially* is implicitly to relate it to a sort and to suppose a species with this essence; and sorting is done according to ideas of nominal essence, not real essence. Even if real essences could be known, we would still have to decide which of their particular features to include in the nominal essence.\(^{53}\)

This may seem to leave the field wide open for anyone to draw the boundaries of nature and so of humanity wherever he likes.\(^{54}\) But the ability to draw boundaries itself is bounded by the character of the world and the ideas we have of it. According to Locke, we can neither make nor destroy what we have not ourselves made, whether particles of matter or simple ideas. We can only arrange or rearrange those materials and ideas that already exist.\(^{55}\) God sustains the world and He guarantees both the similarity and adequacy of our intellectual faculties and the veracity and consistency of the simple ideas that come to us by sense and reflection: by nature we inhabit the same world and perceive that world identically. This explains both the high degree of coincidence in content even in our complex ideas and, in turn, our capacity to engage in civil conversation with one another. If someone perceived things wholly differently they would be ‘in a quite different World from other People’, unfit even for civil conversation.\(^{56}\)


\(^{54}\) See Waldron, *God, Locke, and Equality*, 61.

\(^{55}\) Locke, *Drafts*, 31-2; *An Essay*, II. ii. 2, 120.

\(^{56}\) Locke, *An Essay*, II. xxiii. 12, 303. Locke imagines someone possessed of microscopic sight and hence of different ‘visible Ideas of every thing’. He would be unable to connect his ideas of intrinsic properties with those of powers, and so could not communicate about colours; he would be unable to see whole or distant objects and so his microscopic eyes could not ‘conduct him to the Market and Exchange.’ For discussion, see H. Dawson, ‘Locke on Private Language’, *British Journal for the History of Philosophy*, 43.
Abstraction enables us to refine our complex ideas, to make new, more precise ideas which, designated exactly, permit philosophical conversation. Now it looks as if, when it comes to abstract ideas of substances, Locke’s position is that within the bounds delineated above the decision about what precise idea to make is arbitrary. At least, he omits to outline a particular decision procedure. He does indicate that the ideas we make can be authoritative in relation to the thought and action that proceeds from them, but this does not make them any less arbitrary in relation to a more definitive standard of authority.

But if we assume with Locke that abstraction is a means to a specific end, to making sense of the conduct God requires of us, this omission recedes in importance. For the ideas necessary to understanding and acting in accordance with His requirements are not arbitrary and do answer to a definitive standard of authority. God gives directions that point us towards making those arrangements necessary to acting in our proper interests, as specified in His legislation. Where His directions are not, we may make other arrangements suggested by our own interests according to our own measures.

This means that claims to possess the definitive idea of any substance are bogus, as these ideas are made and refined relative to interests each as arbitrary as the next. There is no definitive idea of the substance ‘man’ and so no universally authoritative essentialist definition to be had. The content of the idea varies according to the interests of those engaged in different disciplines of thought and activity: the natural philosopher and the alchemist operate with different ideas and each takes his idea as the authoritative basis for


57 There are general criteria, however, viz. (i) our abstract ideas should answer to the world, not our fancies, (ii) they should serve the general purposes for which God has made us, by helping us to understand and so master, then improve, the world. See respectively, An Essay, III. vi. 28, 456; Drafts, 21, 147.
wider thought and action within his discipline.\textsuperscript{58} Again, each idea is always subject to further refinement in the light of observation and experimental discovery. However, no one idea will ever disclose reality more definitively than every other.

But if ideas of substance are irreducibly various, they are at the same time irrelevant to making sense of the conduct God requires. With Locke, what is special about human beings is not their substance, but their moral position—their subjection to a law that articulates His wants of them. In this context, the variability of our ideas of substance matters little.

What matters is only that we are capable of knowing and living by the law that establishes this position. All creatures with this capability form a species, because they all fall under an abstract idea whose content answers to the demands of knowing and following that law. This is the species of free agent Locke terms ‘man’. In 1664, he had written, though not without ambiguity, as if to suggest that the substance ‘man’ and the free agent ‘man’ might be necessarily coincident, if not identical.\textsuperscript{59} There is no ambiguity in \textit{An Essay}’s assertion that ‘when we say that \textit{Man is subject to Law}: We mean nothing by \textit{Man}, but a corporeal rational Creature: What the real Essence or other Qualities of that Creature are in this Case, is no way considered’. This idea, unlike ideas of substance, is an ‘immoveable unchangeable’ archetype. It does not refer to the real essence of any substance whatever, only to the capacities needed to grasp and follow a fixed law whose concomitant duties accrue to any creature that meets this description, regardless of its ‘essential’ character. Should a ‘Monkey’ meet it, ‘he would no doubt be subject


\textsuperscript{59} Locke, \textit{Essays}, 198–9. Having suggested that it followed ‘just as necessarily from the nature of man that, if he is a man, he is bound … 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’, Locke adds that this is a result of man’s ‘inborn constitution’.
to Law, and, in that Sense, be a *Man*, how much soever he differ’d in Shape from others of that Name’.  

The decisive gap Locke opens between ideas of agency and free agency does not only encourage speculation about monkeys. It also explains why ideas and terms used in discussions of agency do not belong in discussions of free agency. As Locke puts it, ‘the Names of Substances … can no more disturb Moral, than they do Mathematical Discourses’, because they are as irrelevant to the reasoning involved there as what substance a cube or a cone is made of is to our geometrical reasoning about it. It also suggests an important difference in the kinds of term used in these discourses. The substance-term ‘man’ is categorically different from the moral-term ‘man’ (though Locke’s use of the same term for both can occlude this sometimes). We can illuminate the difference by noticing the special character of the second term: when ‘man’ names a free agent it is a *functional* term, whereas the substance-name ‘man’ is a *non-functional* term. Because Locke tends to assimilate powers to functions, and because he defines free agency primarily in terms of powers, ‘man’ subsequently appears in his discussions of morality as a functional term. This makes it easier to understand

---


61 Locke, *An Essay*, III. xi. 16, 517; see Ayers, *Locke*, ii. 188.

62 The difference is seen most easily if we consider the ways in which the latter can be called ‘good’. The criteria for a good man will vary according to the interests of those who are doing the evaluating: anthropologists and physiognomists will differ about what a ‘man’ has to be like if it is to count as a good one, petrologists and smash-and-grab merchants will differ about what counts as a good rock. The criteria for a good man *qua* free agent, in contradistinction, answer to God’s fixed purposes, not our variable ones, such that the criteria for someone being a man and being a good man are not independent of one another by Locke’s account. For functional and non-functional terms, see R. M. Hare, *The Language of Morals* (Oxford, 1952), 100.

63 A point which sets Locke in an intriguing relation to the trajectory described in A. MacIntyre, *After Virtue* (London, 1981); for a similar conclusion by a very different route, see J. Dunn, ‘The Concept of “Trust” in the Politics of John Locke’, in R. Rorty, J. B. Schneewind, and Q. Skinner (eds.), *Philosophy in History: Essays on the Historiography*
how he can write that someone who violates natural law ‘declares himself to quit the principles of Human Nature, and to be a noxious Creature’ and ‘may therefore be destroyed as a Lyon or a Tyger’: To be a ‘man’ just is to obey natural law: the latter sets the terms of the content of our idea of the former. To disobey it, by contrast, is to disavow reason and to show by your actions that you live by another rule, that of force and violence which governs the existence of animals.64

The phrase ‘to show by your actions’ is important here. ‘Man’, properly speaking, is a third-person term. That is to say, it is an ascription we make to others on the basis of what they do, which in turn generates expectations about how we should treat them, and they us. But what about what I do, my own actions? I may ascribe to others certain mental states or acts in consequence of the actions I observe them performing, intentions or dispositions that their actions seem to me to reveal; these ascriptions will sometimes fit, sometimes fail to fit those to whom they are ascribed. But Locke thinks that I always know what I have done and why I have done it. I have a sense of self that comes along with thinking: when I think, I know I am thinking, when I will, I know I am willing, when I act, I know I am acting. This idea, of consciousness of self, is the idea of a person. ‘Person’, properly speaking, is a first-person term and as such, a signal addition to Locke’s moral vocabulary. It denotes an idea arrived at in the first instance through reflection on my own thoughts and actions.65

Famously, Locke claims that ‘person’ is a ‘Forensick Term appropriating Actions and their Merit’.66 So that term is concerned

of Philosophy (Cambridge, 1984), 279–301, 298n.

64 Locke, Two Treatises II. ii. 10–11, 273–4; II. iii. 16, 279. Hence Locke’s fondness for comparing despots to dangerous beasts: the former put themselves in the moral position of the latter.

65 Locke, An Essay, II. xxvii. 9, 335; see Yolton, Locke, 28–33.

with actions, and by inference with actions which lack merit when performed without the appropriate disposition. It therefore belongs only to beings capable of consciously shaping their actions to a law. As this is effectively to require that specified actions be accompanied by certain mental states, consciousness of those states is taken by Locke to distinguish personal identity. As only divine law includes such stipulations inexorably, the idea of a person is an idea that must answer to its requirements.

The idea of personal identity is thus linked closely in Locke’s mind with salvation. It is obviously an idea very dear to him, since most of the aspects of his thinking we have discussed in this section are found together in his resounding claim that ‘at the Great Day, when everyone shall receive according to his doings, the secrets of all Hearts shall be laid open. The Sentence shall be justified by the consciousness all Persons shall have, that they themselves in what Bodies soever they appear, or what Substances soever that consciousness adheres to, are the same, that committed those Actions, and deserve that Punishment for them’. 67 What this claim says, in effect, is that only I can be responsible for taking care of my own salvation.

By the same token, this idea belongs primarily to discussions of divinity, where it distinguishes the free agent judged by God and rewarded or punished as his actions merit. So much may perhaps be inferred from the absence of corporeality from its terms, for this notion is less obviously relevant to the rewards and punishments promised for the life to come than the present one. 68 In this life, it is


68 A point Locke emphasizes when addressing Edward Stillingfleet’s somewhat incoherent claims about just what is resurrected on the day of judgement. Locke gently suggests that the Bishop is too quick to assume that it must be the same body. Stillingfleet’s intellectual gymnastics implicitly acknowledge the difficulties that that assumption raises, difficulties vividly encapsulated in Robert Boyle’s concern for the eternal fate of godly men eaten by cannibals. See Locke, Mr. Locke’s Reply, 302–24; R. Boyle, ‘Some Physico-Theological Considerations about the Possibility of the Resurrection’, in Selected Philosophical Papers of Robert Boyle, ed. M. A. Stewart (Indianapolis, 1991), 198. See
true, we identify others as persons, but what we understand of them can never be more than partial. We may find a particular action meritorious or meretricious on the basis of a judgement we make of the person, his motivation, state of mind, or whatever; but we know the person only through the actions of the man, so that our knowledge is incomplete and provisional, and perhaps misleading. For we are not privy to the secrets of all hearts, only our own; and Locke is clear that we cannot and should not arrogate the judgement of an omniscient God. Large-scale empirical studies are not required to prove that we are very far from omniscient.

In this way, Locke completes his picture. Having outlined a vocabulary organized around ideas of law and the practices they structure, he develops around those ideas further ideas, of the free agents who engage in these practices, as well precise terms which explain their functions. Together, they allow us to make sense of our moral lives, broadly conceived. But the way in which they do so is highly significant, for they not only imply categorical distinctions between the practices of politics, morality, and religion, but seem also to assert their autonomy and protect each against outside intrusions in pointed ways: the idea of a person, and so of salvation, belongs properly within the practice of religion; ideas of substance have no place in understanding the practices of politics and morality.

also Waldron, God, Locke, and Equality, 71, for speculations on the same theme suggestive of an equally thoroughgoing misunderstanding of Locke’s position on this point.

69 See J. Locke, A Third Letter for Toleration, to the Author of the Third Letter Concerning Toleration (London, 1692), 136: ‘[I]t is impossible for you, or me, or any Man, to know, whether another has done his Duty in examining the Evidence on both sides, when he imbraces that side of the Question, which we (perhaps upon other Views) judg false: and therefore we can have no Right to punish or persecute him for it. In this, whether and how far any one is faulty, must be left to the Searcher of Hearts … the great and righteous Judg of all Men, who knows all their Circumstances, all the Powers and Workings of their Minds; where ‘tis they sincerely follow, and by what Default they at any time miss Truth: And he, we are sure, will judg uprightly.’
But now a puzzle arises, for when Locke writes about politics in *Two Treatises of Government* he seems to ignore these distinctions completely, bandying terms around with scant regard to categorical proprieties. The final step on our path is to attempt to solve this puzzle.

\[V\]

A clue to the solution may be found by focusing again on abstraction. Abstraction, to recollect, is a part of only one general element of Locke’s teleology. It is an instrument of God’s cognitive guidance of mankind—what enables us to understand the law He has placed us under.

In being placed under law we are implicated in a juridical structure. That we have been endowed with an understanding to direct our actions means that we are always in a position to understand this law and its requirements; we can follow it because we are naturally free to do so, God having endowed us too with ‘a freedom of Will, and liberty of Acting, as properly belonging thereunto, within the bounds of that Law’ we are under.\(^{70}\) This implies that we are all equally capable of grasping and following it, because our intellectual faculties are basically adequate and basically similar. The basis of abstraction therefore turns out to be the basis of natural equality, for to Locke, nothing is ‘more evident, than that Creatures of the same species … born to … the use of the same faculties, should also be equal one amongst another without Subordination or Subjection’.\(^{71}\)

In a condition of natural equality, whatever rights we have must be distributed equally. The rights we have are derived from our duties under natural law to preserve ourselves and other men. These rights, too, are instruments—means to the ends natural law

\(^{70}\) Locke, *Two Treatises*, II. vi. 58, 306.

\(^{71}\) Locke, *Two Treatises*, II. ii. 4, 269.
articulates. Because natural law underwrites politics, these rights can form the basis of political society. On this basis, politics can be understood in terms of ideas of law, free agency, and right, an understanding incompatible with others in which right is absent. These terms, after the requisite mental work, are available to us at any time. Thus, we are always able to evaluate our political society—and no doubt to identify subsequently instances of power beyond right.72

But politics cannot be understood purely in these terms because they do not explain why, as a matter of fact, our political society and others before and beside it happen to exist. With Locke, political societies are things people make, and so he needs to explain how and why they do so. Here the other general element of his teleology, in which God is understood as the author of human appetites, needs, and interests, comes into play.

Not only has God instituted a specific juridical structure, He has given people appetites, needs, and interests—in preserving themselves and others, and in procreating—which propel them towards creating the institutions authorized by that structure. He has placed them in a natural condition in which there are obstacles to assuaging their appetites and satisfying their needs and placed within them ‘dispositions and desires of Society’, fitting them ‘by nature’ for it.73

Cognitive guidance and divine propulsion thus coincide in the institution of civil society and the relations that are best sustained within it—the family, marriage, and so on—and thence civil government (which is itself a means of solving difficulties inherent in the natural condition) by the consensual actions of free agents who bear equal rights.74 But these free agents are particular

72 Locke, Two Treatises, II. xviii. 199, 398.
73 The Correspondence of John Locke, ed. E. S. de Beer (8 vols., Oxford, 1976–89), i. 649.
individuals; and making first a civil society and then a civil
government is something they have done.

To put this summarily, there is a difference between making
abstract ideas and making a civil society or government. The former
is something that anyone at any time and place can do and replicate,
because the process uses components available all the time and
everywhere. The latter, on the other hand, is something that these
people acting in this way at this time have done. It is a very
particular history, in which certain people are seen connecting
a series of ideas of particulars in response to their particular
situational difficulties. As such, it cannot be replicated in the way
abstract ideas can be—something that remains true even if there is
a typology that all societies can be seen to use.

This has implications for the idioms in which discussions about
politics are conducted, for on this account understandings of politics
involve not only different ideas but also different sorts of idea,
which correspond to different types of knowledge. In a note of 1681,
Locke identifies two such types, ‘generall & particular founded
upon two different principles: i.e. true Ideas and matter of fact or
history. All generall knowledg i[s] founded only upon true Ideas and
soe far as we have these we are capeable of demonstration or certain
knowledge’.  

Now politics can be discussed in general or particular terms.
Abstract ideas of law, right, and free agency can be gathered from
and used to evaluate political practice, but they do not explain it.
The consensual actions of particular men who bear certain rights
explain how and on what terms civil governments come into being;
but they explain a particular thing. Trouble starts when the two
kinds of discussion are confounded or confected.  

---

75 MS. Locke f. 5: 77.

76 See Locke’s notes on William Sherlock’s The Case of Allegiance due to Sovereign
is neither due nor paid to Right or to Governm’ which are abstract notions but only to
persons haveing right or governm”.
Locke’s second *Treatise* is not a confection. It is an explanation of the ‘*True Original, Extent, and End of Civil Government*’, which includes both ‘Reason’ and ‘Examples of History’ as central components—as an account of the particular ideas particular men have connected surely must.\(^{77}\) As this account involves matters of fact, it cannot be expressed in the philosophical idiom, which is designed to convey only abstract ideas exactly, with the aim of demonstrative certainty. Accordingly, and as befits its subject matter, *Two Treatises* is characterized not by the *philosophical* but the *civil* use of words. ‘Man’ is to be understood there as it is ‘in most people’s sense’, and interchangeably with ‘person’; but neither is a term of art denoting a precise and determinate abstract idea.\(^{78}\)

There are implications too for the relations between politics and religion and, connectedly, for toleration. Locke’s account of the development of civil society ‘makes use of a God understood in terms of natural theology and the Old Testament. There is no sign of any churches in Locke’s narrative’.\(^{79}\) As Christianity came into a world in which civil societies and governments were an established fact, this makes good historical sense. But it has a number of important consequences.

One is that Locke’s account of how civil society and civil government come into being includes no ecclesiastical component, which suggests that civil rule by the clergy is not a legitimate way of organizing Christian peoples. A second is that though church history and civil history may intersect at various points, the former


\(^{78}\) The failure to register this point has occasioned a good deal of confusion. See e.g. J. Tully, *A Discourse of Property* (Cambridge, 1980), 105–24.

\(^{79}\) For a fuller discussion, see I. Harris, ‘Sex, Power and Consent in *Two Treatises of Government*’, unpublished paper presented on 3 April, 2004 at St Anne’s College, Oxford in the British Society for the History of Philosophy conference for the tercentenary of Locke’s death, organized by G. A. J. Rogers. I am indebted to Dr. Harris for allowing me to quote this passage from the typescript of his paper.
is not properly an aspect of the latter.\textsuperscript{80} The Christian church has its own, quite distinct and very particular history, a history expounded at length in Locke’s \textit{Defence of Nonconformity}.\textsuperscript{81}

The Christian church comes into the world with Christ. He promulgates a new law, the law of faith, which restates the requirements of the law of nature but promises that, where people are unable to fulfil its obligations, ‘Faith is allowed to supply the defect of full Obedience; and so the Believers are admitted to Life and Immortality as if they were Righteous’. Like civil societies, churches are constituted by the consent of particular individuals, in this case when they ‘Enroll \textit{themselves} in the Kingdom of Jesus the Messiah, and profess themselves his Subjects’.\textsuperscript{82}

On the other hand, people cannot be born into churches in the way they are ‘borne members of common wealths, beset with relations’.\textsuperscript{83} Joining a church involves instituting a new and different relation that bypasses civil society altogether: a relation with Christ—taking Him to be one’s ‘King and Ruler’—which every individual must self-consciously institute for himself. But this may be done by anyone at any time. A church is brought into existence even ‘\textit{where two or three are gatherd together in [Christ’s] name}’.\textsuperscript{84} By contrast, the civil societies that people have made as means to assuage appetites and satisfy needs common to all mankind, so long as they actually \textit{do} this, do not need to be consciously reaffirmed, let alone re-made, by every subsequent constituent member.\textsuperscript{85} This is

\textsuperscript{80} See Harris, ‘Sex, Power and Consent’.

\textsuperscript{81} See Bodleian MS. Locke c. 34: 77–104.

\textsuperscript{82} J. Locke, \textit{The Reasonableness of Christianity}, ed. J. C. Higgins-Biddle (Oxford, 1999), 19, 188.

\textsuperscript{83} Locke, \textit{Correspondence}, i. 649.

\textsuperscript{84} Locke, \textit{Reasonableness}, 118; MS. Locke c. 34, 105, alluding to Matthew 18: 20.

\textsuperscript{85} \textit{Pace} Waldron’s remarkable suggestion that Locke had not ‘sorted these things out in his own mind’: Waldron, \textit{God, Locke, and Equality}, 214.
why tacit consent is an idea that appears in Locke’s discussions of politics but not in his discussions of religion.

It is also why toleration is not merely an adjunct to Locke’s political philosophy but the idea in which it finds completion. *Two Treatises* explains the terms on which civil governments exist. Bodies constituted on different terms, whatever else they might be, cannot be civil governments: the latter are distinguished as the outcome of a particular explanation, which depends upon particular terms. As Christ and his purposes are wholly absent from these terms, to expect reference to them in an explanation of civil government is curious to say the least.

That absence carries a crucial implication for civil government. It confines it to purposes different from Christ’s. Its purposes relate only to matters that are secular in character. The duties to self-preservation and the preservation of others under natural law, from which people’s rights derive, refer to the preservation of terrestrial life. As they entrust to civil government only the power to enforce these rights, it lacks the power, still more the authority, to extend its jurisdiction into matters pertaining to the next life.

Hence, if unsurprisingly, the general and the particular accounts of politics converge. Whether considered abstractly in terms of law, free agency, and right, or explained in terms of its particular causes, civil government has nothing whatever to do with religion. The absence of explicit discussions of religion from *Two Treatises* serves, paradoxically, to identify it as a decisive statement on the subject of toleration.

---

86 See Harris, *Sex, Power and Consent*.

87 Compare Waldron, *God, Locke, and Equality*, 211–16. The absence of such reference seems to baffle Waldron, who accounts for it by ‘a desire on Locke’s part to avoid unnecessary controversy’ (216).


89 For further discussion, see Harris, *Legacy*, 161 and T. Stanton, ‘Locke and the Politics and Theology of Toleration’, *Political Studies*, 54 (2006), 84–102, at 91–5. But
VI

Locke was a thinker who relied upon distinctions—between types of law and the free agents who obey them, as well the agents that do not; between types of practice and the institutions and disciplines of thought that arise out of them, between politics and religion, religion and theology, natural theology and revealed theology, and the kinds of idea that arise in each; between identities that are politically salient and others that are politically irrelevant; between types of knowledge and the idioms appropriate to their promulgation. His writing rebukes the failure to respect these distinctions, whether the totalizing ambitions of different forms of practice, or the loose speech that invites us to be unwittingly acquiescent in those ambitions. His writing on toleration too depends upon such distinctions—between civil and ecclesiastical societies and the different terms on which they subsist, between the claims of politics and the claims of religion.

Above and between these distinctions there are connections. Whilst distinct, different practices and bodies of thought exert a reciprocal influence on one another. With Locke, if men are fitted for civil society by God and obliged to maintain that society under natural law, other obligations concur and reinforce that obligation. The virtuous man often is an innocent subject and a dutiful person, his conduct in different practices answering to a common teleology that shapes each to a greater or lesser extent. It is Locke’s manner of making distinctions and connections—the way he splits and lumps—that shows us his style of thinking. It is in the conduct of his understanding that we see his assumptions about the world shaping his understanding of it and being shaped by that understanding in turn.

Locke, then, understood the world in terms of connections and distinctions. If it is the merit of Waldron’s book to draw attention to

these connections, the distinctions which it fails to notice are at least as important in making Locke the thinker he was and his positions the positions they were. For Locke, the magistrate who attempts to command moral virtues or to compel religious con-formity within a commonwealth or suppress idolatry or heresy is, among much else, guilty of the same kind of category error that is perpetrated by the modern interpreter of Locke who discerns Christian foundations in his political thought—for all that the consequences of the former are by far the more dangerous. In taking Locke’s distinctions seriously, we are brought closer to understanding Locke the thinker and the complex structure of his thought. We may yet find in that thought some of the resources we need to make sense of our own moral and political lives and, perhaps, of the questions of right, identity, and toleration so central to them still.

University of York

90 Department of Politics, University of York, YO10 5DD. E-mail: ts19@york.ac.uk. Thanks are due to Professor Susan Mendus and Drs Jon Parkin and Ian Harris for their written comments on an abbreviated version of this essay, which was presented at the Morrell Conference at the University of York in September 2005. The abbreviated version is due to be published under the title ‘Toleration and the Philosophy of Locke’s Politics’, in M. Matravers and D. Edyvane (eds.), Toleration Re-examined (University Park, Pa., 2009).