THE RECENT LITERATURE ON LOCKE'S POLITICAL PHILOSOPHY

John Locke-Problems and Perspectives. By John Yolton. (Cambridge, England: Cambridge University Press, 1968).

I

The volume Mr. Yolton has edited consists of thirteen essays by twelve scholars and is nearly unique in ranging across almost the full field of Locke's interests-politics, religion, science, epistemology. But far more than half take his political doctrines or political activities and influence as their major emphasis, in which for obvious reasons, we shall follow them. The contributors include many of those prominent in the Locke scholarship of the past quarter century, but absent are such important names as C. B. Macpherson, Leo Strauss, and Willmoore Kendall. The subtitle Mr. Yolton has selected for his collection, "Problems and Perspectives," reveals as well as anything the character of both Locke's thought and of the recent Locke criticism. Locke's political thought is problematical in the extreme, hardly any aspect of it being free from difficulty. The literature on Locke, properly concerned with those problems, consists of a series of "perspectives" or at least of conflicting, sometimes acrimoniously conflicting, ways of dealing with these problems.

The problem *par excellence* of Locke's political philosophy is his doctrine of the law of nature. In every characteristic feature of his political doctrine-the state of nature, the formation of government, the origin and limitation of private property, the end of government, the relation of parents and children-in all these features and almost any other one could name, the law of nature supplies the main contours of Locke's discussion. But the centrality of this doctrine is at least matched by the difficulties to which it is, or appears

* A mere page reference in parentheses in the text refers to the Yolton volume. References to two of Locke's works will also be left in the text, conforming to the following conventions. I Tr. 169 refers to the *First* ***Treatise,*** section **169. I ECHU** iii 13 refers to Book I of the *Essay Concerning Human Understanding,* Chapter 3, section 13. The edition of these works I have used are: John Locke, *Two Treatises of Government, a Critical Edition,* ed., Peter Laslett (Cambridge 1967). John Locke, *An Essay Concerning Human Understanding,* ed., John Yolton (2 vols., London, 1961).

to be, exposed. From these difficulties flow the disagreements within the literature over the meaning of the law of nature and ultimately of the other concepts essentially bound up with it. Whether, for example, Locke's state of nature is a real historical condition, or hypothetical construct; whether it is, as some have argued, on the whole warlike, or, as others have it, more peaceable; whether Locke sanctions "unlimited appropriation" and thus embodies "the spirit of capitalism," or whether he endorses the duty of charity and other traditional limits on the natural right to property, are all controversial questions the settlement of which depends on understanding the law of nature in Locke's thought, for it is this which is the "bottom" or the apparent bottom of the whole edifice.

The apparent difficulties with Locke's law of nature are many. One set, traditionally emphasized, concerns, in Raymond Polin's words, Locke's simultaneous and apparently incompatible professions of "a theoretical philosophy of empirical style and a practical philosophy of innatist inspiration." (1) At its strongest, the claim here is that "the *Essay* has no room for natural law," at the same time that "the objective existence of a body of natural law is an essential presupposition of his political theory."[1] Or, within the *Essay*, difficulties are seen in reconciling the various strands of Locke's ethical doctrine with themselves, much less with the *Two Treatises*. How to combine, for example, his emphases on the demonstrability of ethics on the one hand, with his "hedonism," his uncompromising affirmation that "things are good or evil only in reference to pleasure or pain" (II ECHU xx 2), and both of these with his repeated claims that the law of nature is of, and must be referred back to, God for its validity, content, and sanctions?[2] At the root of almost all the difficulties with Locke's natural law, and indeed with his philosophy as a whole, it is now almost universally recognized, is the problematical relationship between the rational and the religious in his thought.

Within the *Second Treatise*, the difficulties appear in an even simpler form; Locke says "it would be beside my present purpose,

[1] Laslett, "Introduction," *Two Treatises, 81, 82.* Also Geraint Parry, "Individualism, Politics and the Critique of Paternalism in John Locke," *Political Studies,* XII, No. 2 (1964), *167;* M. Seliger, *The Liberal Politics of John Locke* (New York, *1968), 45-49.*

2 See especially Laslett, "Introduction," *96* n. *39; W.* Von Leyden, "Introduction," to John Locke, *Essays on the Law of Nature* (Oxford, *1955), 70-73.* Raymond Polin, *La Politique Morale de John Locke* (Paris, 1960), 48.

to enter here into the particulars of the Law of Nature" (II Tr. 12). As Peter Laslett comments on the passage, "it was always beside his present purpose." Not only does he fail to "enter into the particulars," but even though he assures us repeatedly that reason can know the law of nature, that it is "intelligible and plain to a rational creature," he never tells us in the *Treatise* how reason can know it.[3] There is certainly nothing in the *Second Treatise* resembling a proof for the existence, content, foundation, or method of derivation of the law of nature. At one point, Locke does suggest that the law of nature is "plain," is "writ in the Hearts of all Mankind," that is to say, is available in some immediate or innate way (II Tr. 11). But elsewhere he emphasizes that it is available only to "a Studier of that Law"; and, he tells us, "the Law of Nature being unwritten," is "nowhere to be found but in the Minds of Men," that is, not "writ" in their "hearts" (II Tr. 12, 136). The law of nature, someone has suggested, appears to come on and off stage as required to get Locke where he is going, a veritable *lex ex machina*.

In the recent literature, three quite different kinds of approaches are taken to the problems of the law of nature and the other issues bound up with it. The first, represented by several authors in the Yolton volume (e.g. Hans Aarsleff, Raymond Polin, M. Seliger) attempts to show that the difficulties are only apparent, that is, that a coherent natural law teaching can be constructed for Locke (131). A second approach, associated pre-eminently with the name of Leo Strauss, is not directly represented in the Yolton volume, but is there as the target for Hans Aarsleff's critical "Some Observations on Recent Locke Scholarship" and as a point of reference for many of the others. Strauss maintains that the difficulties in the text are real, not just apparent, but he denies that those indicate similar difficulties in Locke's thought. He argues that Locke's doctrine is perfectly coherent and intelligible, but that his expression of it has been, for various reasons, accommodated to opinions of his day more orthodox than his own. This accommodation is responsible both for the troublesome contradictions and for the troublesome reticences in Locke's writings. The third approach is taken by several other of the authors in the Yolton volume (e.g. Peter Laslett, and John Dunn): Locke never presented the "particulars" of his law of nature, be-

3 Charles H. Monson, Jr., "Locke's Political Theory and Its Interpreters" in C. B. Martin and D. M. Armstrong, ed., *Locke and Berkeley* (Garden City, New York, 1968), 180-181.

cause he could not do so. His philosophic investigations had left him unable either merely to reproduce the traditional natural law doctrine, or to come to another doctrine compatible with his own principles. At the same time, however, "the objective existence of a body of natural law is an essential presupposition of his political theory," and he proceeds then, inconsistently and unsatisfactorily, to employ such a doctrine in the face of his actual inability to provide the philosophical foundations or "particulars" of the law.[4]

Those who take the first approach all agree that, in the words of M. Seliger, the contradictions so emphasized in the other approaches to Locke "are for the most part no contradictions at all."[5] Much of the inconsistency which. has so troubled Locke's interpreters, Raymond Polin suggests, is due not to Locke, but to the too simplistic, pre-established categories into which the interpreters attempt to squeeze Locke's thought (11).[6] Seliger, whose *The Liberal Politics of John Locke* presents a modest version of this approach, explains Locke's reticence on the law of nature in the *Treatises* as follows:

> Since he never did [enter into the particulars of the law of nature] he obviously thought that his natural law concept needed no further epistemological elaboration to serve as the moral foundation of his political theory; in other words, that no radically new conception was required.[7]

No "new conception" was required, because the law of nature in Locke is not so different from traditional doctrines as it is often alledged to be, and needs, therefore, no further elaboration of its foundations than they received. Seliger's formulation however leaves as an open question whether the epistemological principles of the *Essay* can in fact support the traditional law of nature he finds in the *Treatises.*[8] It also conflicts somewhat with Seliger's own showing that Locke's law of nature does in fact depart from "all previous doctrines of natural law" in several very important respects.[9] That in turn raises the question whether it is plausible to rest the Lockean doctrine, with its important novelties, on the traditional foundations of the natural law doctrines from which he deviates. Seliger

[4] Laslett, "Introduction," *Two Treatises, 95 if.;* John Dunn, *The Political Thought of John Locke* (Cambridge, 1968), 187; Von Leyden; *Essays, 70-73.*

[6] Seliger, *Liberal Politics, 34.*

[6] Polin, *La Politique, 48.*

[7] Seliger, *Liberal Politics, 49.*

[8] *Ibid., 48-49.*

[9] *Ibid.,* 69-70,198, *257.*

leaves off then at the very point where hard questions ought to be asked. That Seliger is chiefly interested in an historical problem, the character of the liberal tradition (see his contribution to the Yolton volume, "Locke, Liberalism and Nationalism,") is no doubt responsible for the ease with which he slides over the difficult philosophical issues.

More satisfactory in many ways is Aarsleff's essay, "The State of Nature and the Nature of Man in Locke," and Polin's "John Locke's Conception of Freedom," both in the Yolton volume, and especially Polin's *La Politique Morale de John Locke.* Aarsleff supplies an altogether ingenious explanation for Locke's peculiar reticence in the *Treatises:*

> It was the aim of the *Second Treatise* to give an account of the "true original, and extent (sic) [and end] of civil government," but it was not its aim to spell out the grounds and reasons of the assumptions that necessarily had to be employed in that account. (99)

Those "grounds" and "reasons" are to be found in the more theoretical *Essay,* and, says Aarsleff, they altogether absolve Locke of charges of inconsistency or concealment (131).

If we understand the law of nature properly, according to Aarsleff, we can also understand the coherence of what Locke says about the state of nature; especially we can account for the seeming contradiction between the peaceableness and rationality of that state and the "unreason and violence" also attributed to it. The "peaceable" state of nature corresponds to "the state of reason," and is a "purely abstract state." "It has a necessary place in Locke's political philosophy as a guide and model" (101-102). There is also a "non-abstract" state of nature, which refers to "the actual behavior of men in their dealings with one another" (102).[10] This latter state is neither "always peaceful and reasonable [nor] wholly violent, brutish, and unreasonable" (102). The more violent state of nature does not replace the peaceful one, as some have maintained, nor does the coexistence of the two constitute a contradiction, "since they operate on different planes" (102).[11] The two states correspond to "Locke's conception of the nature and capabilities of man," especially man's

10 For similar treatments, *cf.* Polin, *La Politique,* esp. 174-177; and Richard Ashcraft, "Locke's State of Nature: Historical Fact or Moral Fiction?" *American Political Science Review,* LXII, No. 3 (1968).

11 Cf. Richard Cox, *Locke on War and Peace* (Oxford, 1960); C. B. Macpherson, *The Political Theory of Possessive Individualism* (Oxford, 1962).

capability to know and abide by the law of nature (104). The abstract state of nature is an affirmation that there is a law of nature, which makes for peace and sociability, knowable by man, and to which he can conform his actions. The other natural state reflects the fact that knowledge of the law is not innate to man but must be won with intellectual effort, and even once won, not necessarily the guide of action.

To understand the law of nature, then, as this knowable, but not necessarily known, potential, but not necessarily effective thing, is one set of requirements Aarsleff sets himself. Indeed, probably the greatest virtue of Aarsleff's study is the clarity with which he identifies the different elements that must find a place in a coherent account of Locke's law of nature. All knowledge concerning the law of nature must be available to the unassisted reason (106-108); the law must be known to be the expression of the will of a law-maker, i.e., of God (109); and the sanctions for the law must be known, otherwise "it would, as Locke often insists, be nothing" (110). Account must also be taken of Locke's "hedonism" and of the place of the after-life in Locke's scheme (111, 114).

To show that man is "able to see that there is a law of nature" is, according to Aarsleff, relatively easy. For Locke, the "argument from design," to which Locke "was fully committed," supplied this knowledge (103, 108). This argument, "most fully explained" in Locke's early, but only recently published *Essays on the Law of Nature,* establishes that there is a God, and that, since everything has a purpose, man also "is required to do something" (108, 109).[12] But then comes a serious problem: How is man to know what he is required to do? The answer, says Aarsleff, is in Locke's "hedonism": "Far from conflicting with natural law, the hedonism . is the means by which man is guided to the moral rules that pertain to the law of nature" (121, 126-127). The universal moving force of the will *in* man is desire, and desire is always for "happiness," or "good," which are defined as avoiding pain and gaining pleasure. Men are not bound to follow every desire that presents itself, however, for they have the power to suspend the operation of immediate desire, but only in the service of calculating pleasures and pains more distantly consequent on their actions. Reason can generate a

12 Locke, *Essays on the Law of Nature,* esp. 146-159. One might wonder whether the mature Locke's allegiance to this argument is as clear as Aarsleff claims. The proof for the existence of God supplied later in the *Essay* was not an argument of this sort at all. See IV ECHU x.

series of "moral rules," based on long-range and general considerations of pleasure and pain to guide action and opposed to immediate desire. These "rules" would be the law of nature, i.e., God's legislation for man, because "pleasure and pain also come under the wise dispensation of the Creator and law-maker whose rewards and punishments they are." The "machinery, as it were, of pain, pleasure, and uneasiness," is both the way in which the law is to be known (its "promulgation") and its sanctions-and all of it is accessible to the unaided reason (111, 113). Here seems to be the solution to the problem of natural law.

Yet, Aarsleff does not leave it at this. In his calculations of more distant pleasures and pains, man will be led ultimately to "direct and control his conduct" according to "the possibility of a future life that will depend on our conduct in this one" (111, 114). The hedonistic mechanism remains, but is directed toward the "exquisite and endless happiness" and the "dreadful state of misery" of the next life (114; II ECHU xxi 47). Now on the basis of the reasoning which he has been pursuing there is no evident reason why the after-life should be brought in here, and there is a fairly good reason to resist it. As Aarsleff well says, "it may be objected that man cannot without special revelation know what conduct is likely to be rewarded in a possible future life" (114). That is, the natural knowability of the whole structure is threatened by this addition. Be that as it may, Aarsleff's position would be simply untenable if it did not posit the future life as the locus for the law's sanctions, because that is just what Locke says wherever he speaks of that law in the Essay. In a typical thematic passage, for example, Locke as a matter of course speaks of the sanctions God provides for the "rule he has given whereby men should govern themselves" as the "rewards and punishments of infinite weight and duration in another life" (II ECHU xxviii 8). It is not the pleasures and pains of this life, then, which serve as the law's sanctions. But how do those pleasures and pains of this life, so nicely knowable, relate to the conduct required for a favorable outcome in the after-life, perhaps so much less knowable? The key move of Aarsleff's argument occurs at this point. The future life and its sanctions disrupt nothing of the rational structure so far uncovered: "It is clearly Locke's conception that the wisdom of creation is such that the steady pursuit of happiness under the guidance of reason, disengaged from any immediate and contrary passions will in fact constitute virtuous conduct" (114). That is, the same conduct is required by the law of nature to

attain "eternal bliss" as is required to pursue rationally our this-worldly happiness. Thus the knowability of the law of nature is maintained.

In order to evaluate Aarsleff's reconstruction, it is necessary to take note of a certain ambiguity or vacillation on the place of the this-worldly pleasures and pains in his formulations. On the one hand, he says, "pleasure and pain also come under the wise dispensation of the Creator and law-maker *whose rewards and punishments they are"* (111). On the other hand, he speaks of "the hedonism" as *"the means by which man is guided to the moral rules* that pertain to the law of nature" (121). The this-worldly pleasures and pains are, then, either themselves sanctions for the law or nature, or merely the means by which reason can know what the law of nature requires, that is, the means by which the law is promulgated to reason. Aarsleff vacillates because there are difficulties which he hopes to avoid by shifting back and forth.

If the pleasures and pains of this life are taken as the sanctions for the law of nature, as he sometimes does take them, Aarsleff leaves us with a kind of "over-determination" in that the law of nature then has two sets of sanctions. What real role is left for the eternal rewards and penalties; are these not simply superfluous? Aarsleff supplies no account of why they are there; and *(cf.* 128) leaves us with the following strange doctrine: the probability of a future life is to lead men to "the steady pursuit of happiness" (i.e., rational hedonism), "against *whatever* pleasures or pain *this life* can show" (i.e., rational hedonism). (115, II ECHU xxi 70, emphasis supplied).

An even more decisive difficulty, however, in making the pleasures and pains of this life the sanctions for the law of nature is that this flatly contradicts Locke's distinction between natural good and evil, and moral good and evil.

> We call that naturally good and evil, which, by the natural efficiency of the thing produces pleasure or pain in us; and that is morally good or evil which, by the intervention of an intelligent free agent, draws pleasure or pain after it, not by any natural consequence, but by the intervention of that power.[13]

This thrust of Aarsleff's argument would collapse the two kinds of good and evil, and it sets up as sanctions for the moral the "natural

[13] "Of Ethics in General," section 8, in Lord King, *Life of Locke (2* vols.; London, 1930) II, 128. Emphasis supplied. For the same distinction, cf. II ECRU xxviii 5; and "Voluntas" in *Essays on the Law of Nature,* 72-73.

consequences," a situation Locke explicitly rejects. As Locke says in another place, it is necessary to the "true nature of all law" that the reward and punishment which serves as its sanction be "some good and evil that is not the natural product and consequence of the action itself" (II ECHU xxviii 6).

Aarsleff's shift away from natural pleasure and pain as sanction to mode of promulgation of the law of nature is thus perfectly intelligible, but no more viable. According to Aarsleff, we have seen, "it is clearly Locke's conception" that the natural "machinery, as it were, of pain, pleasure, and uneasiness" is the means whereby man can be guided to knowledge "without special revelation" of "what conduct is likely to be rewarded in a possible future life" (111, 113, 114). Now Aarsleff knows Locke's texts very well, and he quotes or cites Locke profusely throughout his article, but for this, the linch-pin of the whole, he provides not one quotation, not one reference to any passage or any work of Locke. He cites none, because none exists, and infact there are several showing the contrary:

> him I say, who hath a prospect of the different state of perfect happiness or misery that attends all men after this life, depending on their behaviour here, the measures of good and evil that govern his choice are mightily changed. . . . For if there be no prospect beyond the grave the inference is certainly right, "let us eat and drink," let us enjoy what we delight in, "for tomorrow we shall die." (II ECHU xxi **55,** 60)[14]

Moreover, Aarsleff simply ignores a decisive difficulty with his construction, pressed in advance so to speak by Leo Strauss: the unassisted reason cannot know of the after-life.[15] "That the dead shall rise and live again: these and the like, being beyond the discovery of *reason,* are purely matters of *faith,* with which *reason* has, directly, nothing to do" (IV ECHU xviii 7). Since, as Aarsleff him-

14 According to Aarsleff his "solution" *is* present or implied by the end *of* II ECHU, but *cf. "Of* Ethics in General," prepared by Locke to be *IV* ECHU xxi, which indicates that by the end of IV ECHU he does not believe he has yet presented the solution to the problem of the law of nature. See esp. section *10* (as printed, p. 133). Also IV ECHU *iii* 18 contains a programatic statement implying again that the natural law has yet to be treated, and moreover, the program he sketches here *is* very different from the "machinery of pain, pleasure and uneasiness" *of* Aarsleff's account, but *is* along the lines *of* the rationalist, demonstrative ethics Locke *is* famous for having advocated. That Aarsleff takes no account of the thread of "demonstrative ethics" in Locke's teaching *is* surely a great weakness. *Cf.* Dunn, *Political Thought,* 188-191.

15 Leo Strauss, *Natural Right and History* (Chicago, 1954), **203-204.**

self emphasizes, a requirement of the Lockean natural law is that, among other things, the unassisted reason be able to know of the sanctions for the law, we have here an insuperable objection to Aarsleff 's reconstruction.

His sometimes identification of the natural "machinery of pain, pleasure, and uneasiness" with the actual sanctions for the law of nature is his attempt to circumvent this difficulty, for the natural machinery is of course in principle accessible to the unassisted reason. But he has another way of trying to evade this problem: the "possibility of a future life," which possibility "cannot be denied," is enough (114-115). But enough for what? It is enough, so he paraphrases Locke, for man "ultimately [to] direct and control his conduct according to the mere probability that there is a future state that will depend on his conduct" in this state (111). It is worth noticing that Aarsleff speaks of the "mere probability" of a future life, where Locke speaks of it only as a "possible consequence" (114, II ECHU xxi 47. Cf. 115, II ECHU xxi 70). In any case Aarsleff is confusing two things here: the passages he cites purport to show how it is possible for man to conform his action to a future state which is a mere possibility. But that men are able to conform their conduct to whatever rules lead to that "eternal bliss" does not at all prove that there is a future state where there are rewards and punishments and, Locke is clear, more than the mere possibility of that is required in order for reason to know the law of nature as a law. In a word, the law of nature cannot be a law in the proper sense. What is knowable and natural, the machinery of this-worldly pleasure and pain, is not a law; what might be law is not knowable, and therefore not *natural* law; these are the incompatible elements that Aarsleff, by his fast footwork, tries to hold together. Thus although his position fails, his attempt is extremely valuable, in that it makes clearer precisely where the difficulties in Locke's doctrine lie, and precisely how insoluble they are.

II

The second, and most controversial, of the three main approaches to the problems of Locke's political philosophy was initiated by Leo Strauss. He argued, to the astonishment of many, that Locke's political understanding was not, as usually believed, opposed to that of Hobbes, but actually agreed in the main with the earlier thinker on the most important matters of politics, in particular, on the state

of nature and the law of nature. The substantive agreement with Hobbes is obscured, Strauss argued, by Locke's employment of the techniques of "esoteric writing," whereby he partially concealed his meaning through a combination of reticence and prudential appeal to orthodox and traditional opinions with which he did not in fact agree. Strauss' exposition, and that of those who have adopted his approach, has been met with so much opposition at almost every point and in many cases with a good deal of misunderstanding, that it is nearly impossible to summarize this approach without taking some account of the criticisms raised against it. [16]

Not only Locke, but other political philosophers as well, have written "esoterically," Strauss argued. Indeed he has pressed a general theory of "persecution and the art of writing," a fact which led John Yolton to claim that "Strauss has an ulterior reason for dealing with Locke as he does": to lend support to his "general theory about techniques of saying one thing and meaning another, the theory of esotericism." [17] But this claim misapprehends the character of Strauss' argument. His general argument on esotericism in no way depends on finding it in every philosopher, and certainly not in Locke. Indeed, Strauss emphasized that not all writers wrote in this manner, and the classic form of his argument applies not so much to modern as to ancient and medieval writers. [18] Strauss posits Locke's esotericism not as a deduction from his general theory, but on the basis of considerations peculiar to Locke. Accordingly, he begins his discussion of Locke not with the question of Locke's "way of writing," but with the question of Locke's teaching on natural law or natural right, the subject of Strauss' book. Locke, he observes, "seems to reject altogether Hobbes' notion of natural law and to follow the traditional teaching; " [19] in particular Locke seems to accept a natural law, whose ultimate source is God, which is

[16] Strauss, *Natural Right,* 165-166; *206-209,* 220-221. Richard Cox, *Locke on War and Peace.* Robert A. Goldwin, "John Locke," in Leo Strauss and Joseph Cropsey, ed., *History of Political Philosophy* (Chicago, 1963). *Cf.* Willmoore Kendall, "John Locke Revisited," *The Intercollegiate Review,* II, no. 4, *(1966) 227.*

[17] Leo Strauss, *Persecution and the Art of Writing* (Glencoe, Illinois, *1952),* and "On a Forgotten Kind of Writing," in *What is Political Philsophy?* (Glencoe, Illinois, 1959), *221-232.* John Yolton, "Locke on the Law of Nature," *Philosophical Review* LXVIII (1958), 478.

[18] Strauss, "Forgotten Writing," *222-224, 230; Persecution, 30-34, C*f. also Seliger, *Liberal Politics, 34.*

[19] Strauss, *Natural Right,* 202.

knowable by natural reason and at the same time in conformity with the revealed law of the New Testament. But Strauss finds several great difficulties in Locke's doctrine, chief among which is the problem we have already seen in connection with Aarsleff's attempted solution: if there is a true natural law, Locke holds, the natural reason must be capable of proving the existence of the after-life, but, Locke also explicitly says, natural reason cannot do that. Therefore, by Locke's own criterion, there cannot be a law of nature such as he describes and seems to accept. Moreover, when what Locke accepts as the dictates of the law of nature are compared with New Testament teachings on the same subjects, it seems clear, Strauss concludes, that Locke's "laws of nature" are "not identical with clear and plain teachings of the New Testament or of Scripture in general."[20] The same conclusion holds when one looks into Locke's claimed reliance on Hooker. Only after he has perceived these substantive difficulties does Strauss posit "Locke's peculiar way of writing" as an explanation for them. Thinking through the substance of Locke's thought, Strauss concludes that:

> Locke's n, tural law teaching can then be understood perfectly if one assumes that the laws of nature which he admits are, as Hobbes put it, "but conclusions, or theorems concerning what conduces to the conservation and defence" of man over against other men. And it must be thus understood, since the alternative view is exposed to the difficulties which have been set forth. [21]

A possible explanation for this strange character of the Lockean texts is that they were written with great "caution"; a cautious man of Locke's day who agreed with Hobbes might well be reluctant openly to advertise that fact.[22] Now many scholars besides Strauss note Locke's "caution" or "guardedness," but there is some disagreement over its meaning.[23] Strauss suggests, however, that the "authentic interpreter of Locke's caution is Locke himself." Locke discussed caution, and more generally the principles of public communication in several texts. In his *The Reasonableness of Christianity* Locke adduces the examples of the ancient philosophers and of

20 *Ibid.,* 219.

21 *Ibid., 229.*

22 *Cf. Cox, Locke,* 18-28, *206-207.*

23 *Cf.* Rosalie Colie, "John Locke and the Publication *of* the Private," *Philological Quarterly,* XLV, No. 1 (1966), *28;* John Dunn, "Justice and the Interpretation *of* Locke's political Theory," *Political Studies,* XVI, No. 1 (1968), *68, 71.* Seliger, *Liberal Politics, 36; Cox, Locke,* 14.

Jesus as persons who cautiously concealed their true meanings from their readers or auditors. Strauss concludes from this Lockean discussion:

> that, according to Locke, cautious speech is legitimate if unqualified frankness would hinder a noble work one is trying to achieve or expose one to persecution or endanger the public peace; and legitimate caution is perfectly compatible with going with the herd in one's outward professions or with using ambiguous language or with so involving one's sense that one cannot be easily understood.[24]

John Yolton, in one of the earliest of the many critical responses to Strauss' argument, objects to this argument of Strauss' as follows:

> Locke's point is that Christ did not come right out and say "I am the Messiah" simply because he knew he had to fulfill his mission of preaching the gospel. Locke in no way generalized from this very special situation to a theory of the art of writing under persecution.[25]

Apart from the fact that Yolton's summary of "Locke's point" omits a great deal, including what Locke saw as the *"suggestio falsi"* of Jesus' speaking, Locke does not in fact treat Jesus as a special case in the respect relevant to this discussion.[26] Jesus acted wisely in practicing the arts of concealment, because greater openness would have endangered himself, threatened the success of his project, and caused public disorder. Locke explains Jesus' behavior not from the special character of his mission, but from a general consideration of prudential behavior in the circumstances. Indeed, as Strauss points out and Yolton ignores, Locke attributes a similar caution or concealment to the pagan philosophers. So while Locke does not "generalize . . . to a theory of writing under persecution," such a general theory seems implicit in his discussion.

Strauss concedes that proceeding on the basis of such a view of caution as Locke held would involve one in "procedures which [present day scholars], from their point of view, justly regard as verging on the unseemly."[27] Indeed, many "present day scholars" see

24 Strauss, *Natural Right,* 206, *209.*

25 Yolton, "Locke on the Law of Nature," 478 *in 5.*

26 John Locke, *On the Reasonableness of Christianity,* George W. **Ewing,** ed. (Chicago, 1965), paras. ***38,*** *53,* 61, ***73,*** *84,* 103, 117, 118, **137,** *140,* 141, 149, 155 **(paragraph** numbers not in the original).

27 Strauss, *Natural Right, 206.*

Strauss' claims as implying that Locke is guilty of some impropriety, that he is, for example, "the most shifty and esoteric of the treasonous clerks."[28] Strauss' point, however, is that the scholars ought not to conclude from their own feelings about such matters that therefore Locke and others would not have proceeded in this way: these procedures "might have been regarded in other ages, and by men of another type, as entirely unobjectionable." The proper guide to how Locke regarded such procedures is surely Locke himself; and it appears that Locke did not consider such conduct at all "reprehensible."[29]

Nor did he or his contemporaries at all consider the employment of such techniques implausible. Richard Cox notes the description, in the *First Treatise,* of Filmer as a "wary physician."

> I do not think our author so little skill'd in the way of writing Discourses of this nature, nor so careless of the Point in hand, that he by oversight commits the fault he himself objects to Mr. Hunton. ... But perhaps Sir Robert found, that this Fatherly authority .. . would make a very odd and frightful Figure . . . if he should have given us the whole Draught together in that gigantic form, he had painted it in his own Pliancy; and therefore like a wary physician, when he would have his Patient swallow some harsh or corrosive Liquor, he mingles it with a large quantity of that, which may dilute; that the scatter'd Parts may go down with less aversion. (I Tr. 7)

Cox notes the very suggestive (in the light of Locke's own training and profession) use of the physician image, and shows how well the method of reading suggested, and the reasons for it, apply when Locke's own "scatter'd" presentation on the state of nature is read as if the statement applied to him.[30] And not only does Locke attribute arts of concealment to Filmer of the same nature as Strauss and Cox attribute to him; but Filmer in turn attributes the very same techniques of concealed writing to Grotius. Filmer shows that Grotius for example "disperses" dangerous statements he wished to

28 Dunn, *Political Thought, 5, cf. 205;* Aarsleff, "State of Nature," 131; Ashcraft, "Locke's State of Nature," 901; Seliger, *Liberal Politics, 94;* Dunn, "Justice," *68,* 71.

29 Strauss, *Natural Right, 206, 208. Cf. Cox, Locke, 26.* The further claim that Strauss tries to discredit Locke by attributing the practice of esoteric writing to him has no support. Strauss does not consider this a vice of any sort. It is a practice he finds in the political philosophers he admires most highly, such as Plato, Maimonides, and Farabi.

30 Cox, *Locke,* 34-44.

conceal, that he is less than candid in some of his outward sayings, which either subtly or "in plain words" he elsewhere contradicts to reveal his true mind.[31] The pervasiveness of these charges, whether justified in particular instances or not, surely shows that seventeenth century writers took the practice of concealment **far** more for granted than we do.[32] Seliger maintains, to the contrary, that Locke in the "wary physician" passage "rejected the method of diluting `some harsh or corrosive liquor' ... and castigated Filmer."[33] But there is nothing in that passage or elsewhere which rejects the method of dilution, the metaphor of the wary physician suggesting instead that such would be appropriate if one were administering unpalatable medicine. And as Cox points out, no matter how much Locke "castigates" Filmer for other things, he is frequently, and surprisingly, praising of "that great master of style's" writing. Aarsleff, in making "Some Observations on Recent Locke Scholarship" in the Yolton volume, responds to Cox's complex discussion with the claim that "the argument is surely unique, in print," and even "rises to comic proportion" (266). But just how does this amount to an adequate response to, much less a refutation of Cox's argument?

In addition to paying due regard to Locke's "caution," the esotericism thesis, according to its advocates, has the advantage of dealing more adequately with Locke than the "accepted interpretation" which finds Locke very illogical, attributing to him "inconsistencies ... which are so obvious that they cannot have escaped the notice of a man of his rank and sobriety," or even, Strauss says elsewhere, of a reasonably bright high school student. One way in which the "accepted interpretation" of Locke's *Treatises* goes wrong, according to Strauss, is by not paying attention to the distinction between civil and philosophic discourse made by Locke in his *Essay*.

> The accepted interpretation somehow assumes that the *Treatise* contains the philosophic presentation of Locke's political doctrine, whereas it contains in fact only its "civil" presentation. In the *Treatise,* it is less Locke the philosopher than Locke the Englishman who addresses not philosophers, but Englishmen.[34]

31 Robert Filmer, *Patriarcha and Other Writings.* Peter Laslett, ed. (Oxford, 1949), 66, 69, '71, 72, 271.

32 One ought to compare also all the charges in Locke's own lifetime of concealed Hobbism, some of which are summarized in Cox, *Locke,* 21-26; Seliger, *Liberal Politics,* 45; Jason Aronson, "Shaftesbury on Locke," *American Political Science Review* LIII, n. 4, (1959), 1104.

33 Seliger, *Liberal Politics,* 60.

34 Strauss, *Natural Right,* 220-221; "Forgotten Writing," 223. *Cf.* I. Tr. Preface;

So, according to Strauss, Locke hesitates to reveal the full extent to which his thought departs from that around him and does not hesitate to attempt to leave the impression that he is in fundamental accord with that thought. That is revealed especially well in his use of "authorities." According to Strauss and Cox, Locke's use of sources, particularly Hooker and the Bible reveals both the extent of his actual divergence from the tradition, and the extent of his conscious obfuscation of that divergence. Although Locke cites various Scriptural texts, for example, to convey "the impression that the state of nature is based on, or at least compatible with, the biblical story of man's original condition; in fact, the rights he ascribes to man in that state are fundamentally incompatible with the Biblical teaching."[35] Locke emphasizes in the *First Treatise,* for example, that the donation to Adam of' "every plant yielding seed ... and every tree with seed in its fruit . . . for food" does not include the right to eat meat, a right added only at the time of Noah: "Every moving thing that lives shall be food for you; and as I gave you the green plants, I give you everything" (Gen. 1:29; 9:3). Locke, speaking for himself, however,

> doubts not, but before these words were pronounced, Gen. 1:28-29, . . . and without any such verbal donation, man had a right to a use of the Creatures.... Reason, which was the voice of God in him, could not but teach him ... he had a right to make use of those Creatures, which by his Reason or Senses he could discover would be serviceable thereunto. (I Tr. 86)

This "Right" to "use any of the Inferior Creatures" means "that he may even destroy the thing that he has Property in by his use of it" (I Tr. 92), a point Locke reiterates at the beginning of his chapter on property: "natural reason tells us, that Men, being once born, have a right to their Preservation, and consequently to Meat and Drink, and such other things as Nature affords for their subsistence" (II Tr. 25, *cf.* also II Tr. 26). Natural reason then teaches that men have a right by nature, which the Scriptural account, allegedly the same, actually denies.

109; II Tr. 52; III ECHU ix 3, 8; Michael P. Zuckert, "Fools and Knaves: Reflections on Locke's Theory of Philosophic Discourse," *Review of Politics,* 36, No. 4 (1974), 544-564: Laslett's response *(Two Treatises,* 85 n.) is based on a clear misreading of the relevant Lockean passages. *Cf.* also Dunn, *Political Thought,* 198 n.; Seliger, *Liberal Politics,* 59.

35 Cox, *Loche,* 56-57.

Aarsleff, in his critique of Strauss' approach, finds this argument "strange" and holds that it,

> depends on the remarkable misunderstanding that "to use the creatures" means "to eat animals of flesh and blood." "To use" is of course not the same as "to eat," and "creatures" include all created things, such as water, soil, rain, sunshine, men, dogs, streams, and "every herb bearing seed," etc. (268 n.)

But since Locke is quite explicit, as Cox points out, that "to use" includes "to destroy" and "to eat," and "creatures" includes "animals of flesh and blood," it is difficult to believe that Aarsleff read Cox's "strange argument" with even a modicum of care.

Strauss' approach has attracted as much hostile attention in the recent literature as it has because it is both radical and powerful. Although I have presented only a small sample, it shows, as would a much needed more thorough review of these debates, that many of the criticisms raised against this approach are rather weak. Especially weak are the critics' response to the detailed textual arguments Strauss and the others have made (for example Aarsleff on the wary physician passage and on the right to eat meat). Their almost casual treatment of the texts reflects the fact that the critics essentially reject Strauss' approach on grounds quite other than those of textual details. Partly they reject it because it is, to them, implausible; partly because such a manner of writing appears to them improper. But as we saw above, these responses are quite unhistorical, in that they take as their standards what is plausible to twentieth century scholars and what is reprehensible in the light of present day liberal academic conventions, rather than what was plausible or reprehensible to Locke and his contemporaries. But there are other, more weighty, general objections the critics have.

The subordinate character of the textual concerns in Seliger's response to the Strauss approach is clearly indicated in his claim that although it is "questionable" on various grounds, "it is invalidated because [Locke's] unveiled justification of the right of revolt is left unexplained." "What," Seliger asks, "does the concealment of a radical political teaching amount to if revolution is openly advocated?" an advocacy more dangerous and as unorthodox as the "thread-bare opinions" Locke is said to have concealed in esotericism. The manifestation of Locke's "caution," legitimate in the light of Sidney's fate, is the *Treatises'* anonymity. And if Locke "felt safe in [the open advocacy of revolution] by concealing his author-

ship, it is altogether improbable that for presenting his philosophic arguments he should have sought the additional security of hiding his true intentions behind contradictions. "[36] This argument would be weightier if it were not so unhistorical. The situation in which Locke published his book, immediately after the Revolution of 1688, which he claimed to justify in his book, was entirely different from that in which Sidney several years earlier under a Stuart king lost his life (I Tr. Preface). Another, and decisive difficulty with Seliger's argument, however, is that he notices only one side of the line of reasoning with which Strauss (following Locke in the *Reasonableness)* explains why Locke might write in this way. Not only does such a procedure save Locke from the personal danger that might come to an advocate of heterodoxical or dangerous opinions, an end to which the anonymity is indeed an alternate means, but it is also the device of a "wary physician," that is, of a man who wants to be effective, but fears the doctrine without "dilution" would prove too bitter. This consideration makes much of Seliger's argument beside the point.

The most widespread, as well as most substantial general objections to the Strauss approach, cluster on its subjectivity, on the limited testability of the thesis itself and the readings it produces, and the circularity of its principles. The most uncompromising, but' I think least tenable formulation of these objections, faults the Strauss thesis for encouraging unintentional, and even inviting intentional distortions of the text for the sake of making good the interpretation. The latter is the position taken by John Yolton in the most intemperate reply yet published to the Strauss thesis. He speaks of the "lengths to which Strauss will go in making Locke say what [he] wants him to say"; of "the unscholarly nature of Strauss' analysis"; of Strauss' "glaring errors," and "irresponsible methods," of his "violently distorted" interpretation; and as we have already seen, he accuses Strauss of having "an ulterior reason" in interpreting Locke as he does.[37]

Among the most "unscholarly" and "irresponsible" of Strauss' techniques, are his "use of omissions from crucial passages," which "prevents his readers from seeing the correct meaning of Locke's statement" and his practice of quoting "out of context, the context being ignored or carefully covered up."[38] One such distortion oc-

6 Seliger, *Liberal Politics, 35-36. Cf.* also Aarsleff, "Some Observations," *266.*
[37] Yolton, "Locke on the Law of Nature," 478, *493.*
[38] *Ibid., 483* n. 10, *485,* 490.

curred, Yolton says, when Strauss, seemingly following Locke, affirmed "a desire of happiness and an aversion to misery" as "innate practical principles." But, says Yolton, "only impressions of truth upon the understanding are properly called `innate practical principles'," a conclusion he believes would have been clear from the end of the sentence, not quoted by Strauss, which shows "that Locke meant to contrast desires and aversions with impressions of truth upon the understanding."[39] But how Locke's contrasting desires and aversions with impressions of truth implies that "only impressions of truth . . are properly called 'innate principles'," I do not see, especially when the passage both Strauss and Yolton quote says clearly that "Nature . . . has put into man a desire of happiness and an aversion to misery; *these indeed are innate practical principles"* (I ECHU iii 3 emphasis supplied).

Yolton complains more generally of Strauss' methods of citation:

> The pages devoted to Locke ... are filled with brief words, phrases, sentences quoted from Locke. After a long series of such quotations, a footnote lists a string of references to the Locke texts. But the order of references in no way corresponds to the order of quotation. . . It takes literally hours to trace the references to single words and brief phrases.[49]

For the most part, Strauss does quote "brief words, phrases, sentences" rather than long passages. But he does this not for the sinister reason Yolton suggests, but because he covers a great deal in a relatively short space. As Yolton admits, he supplies ample footnote citations to supplement the texts he quotes. For all the "literally hours" Yolton spent with Strauss' footnotes, he never seems to have grasped the principle which governed their order: they refer to Locke's texts in the order in which they appear in Locke. That is neither arbitrary, demonic nor unintelligible, for there were at least two good reasons why Strauss did it that way. The brief phrases he put in his text were illustrative of the points he was making, the basis for which were as much the other texts cited in the notes, as the ones he quotes. Strauss also uses his footnotes to provide the interested reader with a fuller explication of the way Locke's argument unfolds and develops than he could fully present in his text. Yolton complains in several places that "in many cases, the references are quite irrelevant to the point Strauss has been arguing," or "actually

30 *Ibid., 490.*
40 *Ibid.,* 483 *n.* 10.

go against Strauss' interpretation."[41] An example: the state of nature, Strauss says, is a "state of penury," but, says Yolton, "his reference to II Tr. 32 . . . **speaks** of a period of plenty."[42] In fact, II Tr. 32 says: "God, when he gave the world in common to all Mankind, commanded Man also to labour, *and the penury of his condition required it of him."* II Tr. 37 and 38, according to Yolton, "also speak of plenty, not of penury." II Tr. 37: "For I aske whether in the wild woods and uncultivated *waste of America left to Nature,* without any improvement, tillage or husbandry, a thousand acres will yield *the needy and wretched inhabitants* as many conveniences as ten acres of equally fertile land doe in Devonshire when they are well cultivated?" Neither these nor any other accusation Yolton makes holds up under examination, as the reader can see who looks at Yolton's "evidence." The examples presented here were selected only because they could be stated most compactly; otherwise they are quite typical of what he brings forward to make his case against Strauss.

Far more important than these charges of distortion is the concern that the Strauss methodology is circular, reading the texts in the light of "extensive *a priori* components." Strauss uses, it is said "a question-begging hypothesis," which "repeatedly ignores the characters of the texts analysed," by imputing to them "a degree of integration which can be shown, as a matter of historical fact, simply not to have been there."[43] The problem these accounts do not bring out, however, is that the "circularity" problem is, so to speak, double edged. When Dunn, for example, claims that the Strauss thesis "ignores the character of the texts" he does not seem to understand that the character of the texts is just what is at issue. Or when Monson, discovering inconsistencies in the texts, asserts that "Locke is not a careful writer," and Aarsleff insists that we have "our own observations to tell us that his writings do not have the qualities claimed for them to support the concealment hypothesis" (265), they ignore the fact that the "concealment hypothesis" concedes, even emphasizes, that the texts do have a careless or loose appearance, but that the real character of Locke's writing can emerge only from a reading which does not stop with "our observations."[44]

41 *Ibid., 483 n. 10,* 485.

42 *Ibid., 494* n. 24.

43 Dunn, *Political Thought, 158,* 187, *cf. 164;* "Justice," 71. Monson, "Locke's Political Theory," *186.*

44 *Ibid.,* 196; also *cf.* Yolton's emphasis throughout his "Locke on the Law of Nature" on the "obviousness" of one thing or another.

Their unwillingness to follow Strauss in calling into question "our observations" of the "character of the texts," rests in part on their view that Strauss' methodology fails to comport with proper standards of evidence and objectivity, that is, it is not a scientifically valid method. As Aarsleff puts it,

> Even on general grounds, there is the strong objection against the hypothesis that it cannot be tested: If it were claimed that all the divines of seventeenth century England were really atheists who for the sake of caution and concealment continued to perform their duties as if they were not, I do not see how it could be disproved, which surely is no reason to accept it. (267-8)

I wonder though if Mr. Aarsleff understands what constitutes "testing" in historical matters. If there were "no reason to accept it," that is, if no reasons and no empirical evidence were brought forward to support the hypothesis, would that not be sufficient disproof to reject the hypothesis? Conversely, if we found evidence, for example correspondence among the divines, which indicated they were atheists, would Aarsleff then respond that such evidence is to be overturned by the fact that they publicly performed the mass, that most or all people of the seventeenth century were not atheists, and therefore that "we have our own observations" that they were not atheists? No doubt, with the Strauss thesis we are working with more subtle kinds of evidence, but there is no reason to say that either the one hypothesis or the other is in principle untestable.

Strauss does not begin, as Aarsleff seems to think he does, with a mere ungrounded hypothesis. He begins by reading Locke in a very literal way, more literally really than his critics, and finds that taking seriously all that Locke says, not just the overall impression or the most numerous statements, or our prior "historical" knowledge of what Locke must have meant, leads to certain difficulties. Not only that, carefully following Locke again, Strauss sees that Locke himself suggested intentional caution in communication as a way of accounting for difficulties of the very nature found in Locke. On re-reading Locke on this basis, that is on the basis of the possibility that "caution" and "persuasion" have had a hand in determining the mode of presentation of his doctrine, Strauss again follows Locke's own guidance. He disregards nothing that Locke himself does not give him reason to disregard; he attributes no doctrine to Locke which is not. in the text or clearly implied in the text. [46] These

45 **Contra Dunn,** *Political Thought,* 161.

are not subjective or arbitrary methods. Of course Strauss may be mistaken in any given interpretation he supplies with his way of reading, but of course so may any other interpreter. This method of reading requires evidence and reasons just as any other, and it is the critics' failure to look with adequate care at the reasons and evidence Strauss supplies that makes their responses generally so weak. Ironically, just as it is Strauss who reads literally and they who tend to "explain away" inconvenient parts of the text, so it is not Strauss but they who engage in circular reasoning: the Strauss thesis, they say, is untestable, because they have refused to look at the evidence put forward for it, because it is untestable.

Strauss' method does not, as Dunn puts it, "demand that we apply to the writings of great philosophers what Professor Flew has gaily titled the Infallibility Assumption."[48] His point is not that great philosophers are "infallible," but that their errors are not likely to be those even an average academic or bright young person would avoid, especially when those "errors" seem to fall into a pattern and center on matters which are highly sensitive in the philosopher's environment. When Locke claims, for example, (a) that there is a law of nature in the traditional sense and specifies certain conditions, including natural knowledge of immortality of the soul, for there to be such a law of nature; and (b) that no natural knowledge of immortality is possible, is it attributing him with infallibility to doubt that he was unaware of this inconsistency? Or whether, for example, it is Locke's infallibility that leads Cox and Strauss to doubt that Locke did not know what he was doing in presenting a teaching on the right to eat animals, which contradicted his own understanding of the Biblical teaching on that subject, even though he claimed to be in agreement with the Biblical teaching?

In the final analysis, however, the critics, most of whom take the third, historically-oriented, of the approaches to Locke, do not like the Strauss approach because it contradicts, or seems to, some of their deepest beliefs about the nature of history and the purposes of studies in the history of political philosophy.[47] So Dunn huffily claims that "the hidden truths, whether Whig, Marxist, or Straussian, are only mechanistic, superstitious models, as inept to explain

[46] Dunn, "Justice," 69.

[47] *Cf.* esp. J. G. A. Pocock, *Politics, Language, and Time* (London, 1972), ch. 1; Quentin Skinner, "Meaning and Understanding in the History of Ideas," *History and Theory*, VIII (1969), 3-53.

the microcosm of John Locke as they are the macrocosm of the "Historical Process."[48] Or, in another place, "the Straussian position .. . implies that historical changes in values only happen in the minds of stupid men."[49] The "Straussian position implies" no such thing. It is certainly not an attempt to "explain the macrocosm of the historical process," and it makes no claim that Locke is a "microcosm" -rather the opposite if anything. Dunn's large historiography keeps obtruding itself here and elsewhere, so that he finds objectionable "philosophy of history" wherever he turns, when in truth, there are no claims about the philosophy of history being raised at all: Dunn does not seem to understand, for example, that "denying the presence of incoherence in Locke's own thought" is not equivalent, as he seems to think it is, to "inflicting an illicit explanatory coherence upon the historical world as a whole."[50] To let history speak for itself, which is what these critics seem to desire, requires that Locke be allowed to speak for himself, which means that prior conceptions of history's "meaning" cannot be interposed between the texts and the reader, nor even between the critics and each other.

III

The third type of "solution" to the difficulties in Locke's political doctrine, is, in a sense, not a solution at all, for it accepts those difficulties as irreducible givens. This approach is, above all, concerned to understand Locke "historically." The most radical attempt to read Locke "historically" within the recent literature is undoubtedly Peter Laslett's. Partly on the basis of a new understanding of the genesis of the *Two Treatises*, Laslett postulates a new, historical meaning for them.

Relying on an ingenious but almost entirely circumstantial argument-it had to be circumstantial, for Locke destroyed every draft, every note, all correspondence which might associate him with the book-Laslett maintains that the *Two Treatises* were conceived and substantially composed not at the time of the Glorious Revolution of 1688, but almost a decade earlier, during the political movement to exclude the Catholic James from the succession, a movement led by Locke's friend and patron, the first Earl of Shaftesbury. The im-

48 Dunn, *Political Thought*, 5.
49 Dunn, "Justice," 69.
50 Dunn, *Political Thought*, 6.

mediate occasion for the *Treatises,* Laslett suggests, was the republication of the political works of Sir Robert Filmer and their great accession of popularity as ideological and propagandistic props among Shaftesbury's political opponents. Locke undertook the *Treatises* probably at Shaftesbury's instigation, and aimed both of them (actually begun, Laslett says, in the reverse order) at Filmer, whose writings were at the time of some political importance, and not at Hobbes, whose writings were not. Accordingly, in the *Treatises,* "Locke did not write as a philosopher applying to politics the implications of his view of reality as a whole," but more or less as a political propagandist. [51]

Laslett is therefore neither surprised at, nor does he attempt at all to minimize or reconcile the inconsistencies between Locke's philosophical and political writings. "Locke's political thought is not a simple extension of his philosophy, but an explanation of contemporary political experience offered to his contemporaries in one, and not the only one, of the modes of discourse they were accustomed to adopt." [52] Laslett is very blunt: "Two Treatises is an Exclusion tract." [53] Its aim is political; the bases of its thought are pre-existing "modes of discourse," i.e., the "Whig tradition" of political thought, or "common sense," or the "rigidly conventional background," or the "vulgar ideology" of his time, such notions taken over from his environment as the Great Chain of Being, the creating God, equality of men under God, the basic tenets of Christian morality, and so on. [54]

Now although Laslett's general line of argument has been very influential, it has, also, in some respects been very controversial. The controversy follows from some difficulties that seem to inhere in his formulations, of many of which he himself is aware. One difficulty is the following: it would not seem possible for Locke to have been the original and profoundly influential political thinker he has traditionally been believed to be, if his political thought is the propagandistic expression of a tradition of political thinking, widespread and influential independently of him, rather than the philosophic expression "of his view of reality as a whole." John Dunn's contribution to the Yolton volume, "The Politics of Locke in England and

[51] Laslett, *Two Treatises, x.*
[52] Pocock, *Politics, 204,* citing Laslett and Dunn.
[53] Laslett, *Two Treatises.*
[54] *Ibid.,* 106; Dunn, *Political Thought, 79,* 187-188.

America" can be seen as a response to this problem. The *Treatises,* Dunn argues, were in fact, far more limited in influence, and certainly were not formative of the tradition of political thought within which they came to have a certain sort of pre-eminence.

> Above all, [the *Two Treatises]* was only one work among a large group of other works which expounded the Whig theory of the revolution [of 1688], and its prominence within this group is not noticeable until well after the general outlines of the interpretation had become consolidated. The readiness with which many scholars have detected the influence of the *Two Treatises* in England and America is at least in part a product of the fact that they have read so little else of the English political writing contemporary with it. ... [In America] the book was of no great popularity before 1750 and the tradition of political behaviours within which the colonists conceived their relationship with England was already highly articulated by this date in its most general values. (79, 80)

Dunn's researches into the actual reception of the *Treatises,* on which he bases the above conclusions, would have been extremely interesting to those concerned with the ways in which theoretical ideas influence (or do not) events, if one could have more confidence in his conclusions. It is difficult to give them much confidence, for he consistently raises very extensive claims which he fails to support with adequate evidence, and he consistently interprets what evidence he has so as to tally with what look to be preconceived conclusions. He says, for example, of the position of the *Treatises* in England: "It was only in the second half of the [eighteenth] century [that] Locke's vast philosophical eminence conferred an intellectual status on the work, despite its previous low reputation" (62). But Dunn has nowhere shown that the book had a "previous low reputation." At the most he shows that its reputation during Locke's lifetime, its period of anonymity, was not extensive-quite a different matter from "low"- and that after Locke's death "its reputation trailed that of his major philosophical work," the *Essay* (56-57). As a matter of fact, he brought forth no evidence, not even one footnote to establish his claim that the *Treatises* "trailed" the *Essay* in reputation, but even if he could show this, it certainly does not mean the *Treatises* thereby had a "low reputation," given the well-known eminence of the *Essay* in the eighteenth century.

Dunn's argument at times reminds of nothing so much as of what Locke said of Filmer: "let his premises be what they will, always [there is his] conclusion" (I Tr. 44). Let the *Treatises* be unread

and unknown, they are of "low reputation." Let the *Treatises* be widely read and universally accepted, they are *ipso facto* read in a "slackly ideological" way (57). Let them be widely read and sometimes rejected, there is evidence that "even in England the book at no time secured the sort of unquestioned acceptance and esteem which it is customary to assert for it today" (60-65).[55] There is no potential set of facts able to falsify Dunn's picture of the *Treatises'* impact.

One example from his treatment of Locke in America should show how he uses his evidence. Although Locke was not really very important for the colonists before the revolution, afterwards his book did not even "display such an apparent relevance as it had done before" (78). For this claim he supplies three pieces of evidence, the first of which may represent them all. "John Adams' remark that the Constitution of Massachusetts embodied the doctrines of Locke and Sydney, was a piece of rhetoric rather than an analytical point." The only shade of evidence he provides for this assertion is a quotation from Adams' *Diary and Autobiography*, dated 1775: "I had read Harrington, Sydney, Hobbs, Nedham, and Locke, but with very little application to particular views: Till these debates in Congress ..." (78). What exactly is proved about the Massachusetts Constitution by this admission is not clear. In any case, the Constitution which Adams claimed "is Locke, Sydney, and Rousseau, and De Mably reduced to practice" comes well after his "application to the particular views" of these thinkers for he was referring to the Massachusetts Constitution of 1780, of which he was the chief draftsman."

Dunn is just not very persuasive in making the future of the *Treatises* harmonize with the Laslett version of their past. That picture of their past has several difficulties in its own right as well. Laslett claims, "The *Treatises is* an Exclusion Tract." But Dunn points out that "Locke's insistence on [the unchangeableness of the `original constitution'] involves him in gratuitous problems [gratuitous from what point of view?] and leads him to propound a solution at one point which was sharply in tension with the Exclusionist programme."[57] Locke ignores, Dunn points out, the exclusionists' attempt to extend the use of the impeachment power; he emphasizes meth-

[55] *Cf.* Dunn, *Political Thought, 7-8.*

[56] John Adams, *Life and Works,* ed. Charles F. Adams (10 volumes; Boston, 1850-1856), IV, 215-216.

[57] Dunn, *Political Thought,* 51-52.

ods for controlling the executive, especially the power of the purse, which were not at all at issue at this time, and he directly controvenes the thrust of the exclusionist program in emphasizing executive independence in foreign affairs.[JB] Moreover, the *Treatises*, both in structure and substance, differ substantially from exclusionist literature. O. W. Furley, in the most extensive survey of this literature finds that,

> the uniformity of Whig propaganda is remarkable. . . . Most pamphlets owned a common construction, consisting first of simple, personal arguments against James as heir to the throne,

arguments which centered on James' relations to the Popish Plot and to the French king, and on the absolutist tendencies of Catholic rulers. The pamphlets' second part consisted of "more complex theories to prove that Exclusion was `constitutional' and not innovatory."" Now Locke's *Treatises* contain neither of these features universal to the exclusion tracts. Indeed, on the central issue of the crisis, Locke's book is, as Dunn indicates, noncommital: whether the succession may be altered depends on how "that consent, which Established the Form of the Government, hath so settled the Succession" (I Tr. 94) and he does not discuss at all how the English Constitution settled that. On the whole then, the fit between the *Treatises* and exclusion is rather poor.

There is also a kind of logical gap in Laslett's movement from his conclusions about the *Treatises'* genesis to his conclusions about their nature:

> The fact that a man of the intellectual stature of Locke wrote a *piece de circonstance* [says NI. Seliger] ... is itself no indication, and still less proof, that the *Treatises* are a non-philosophical work.... After all, a book on politics can be both philosophical and an *oeuvre de circonstance*. There is no necessary contradiction between writing a book under the pressure of political demands and providing an answer to their challenge as a political philosopher.[so]

58 *Ibid.*

59 *O. W.* Turley, "The Whig Exclusionists: Pamphlet Literature in the Exclusion Campaign, 1679-1681," *Cambridge Historical Journal,* XIII, No. *1 (1957), 21-23.* See also J. *R.* Jones, *The First Whigs: The Politics of the Exclusion Crisis, 1678-1683* (London, 1961), esp. 160-161, 167.

co Seliger, *Liberal Politics, 32; cf.* Polin, *La Politique, 2;* Locke's own estimate *of* the *Treatises* in his letter to Richard King, quoted by Laslett, *15;* and Esmond *S.* de Beer, -"Locke and English Liberalism: The *Second Treatise* in its Contemporary Settings," in Yolton, *36.*

Laslett's construction, moreover, with the simple diremption it posits between Locke the thinker and Locke the author of the *Treatises* appears to lead to a picture of Locke as an intellect for hire, turning his hand to defending causes and using arguments as required by his employers, that raises questions about Locke's integrity well beyond those raised by the Strauss thesis. For these reasons and others Laslett himself and some of his followers even more, qualify substantially his claims. Impressed with the differences between the *Two Treatises* and other exclusion literature, between Locke's book and other polemics against Filmer, Laslett says also that the *Treatises* are "at once a response to a particular political situation and a statement of universal principle, made as such and still read as such."[61] So far as they are "a statement of universal principle," the *Treatises* arise out of what Laslett calls the "Lockean attitude" as contrasted with the "Lockean philosophy." But he is far from satisfactory in giving substance to this "attitude" or in relating it to the philosophy, which, he is certain, "has no room for" natural law, the central concept of the political writings, i.e., *is* fundamentally opposed to them. He leaves us with perhaps a coherent picture of the *Treatises,* but with an extraordinarily incoherent picture of Locke. The more recent work on Locke by John Dunn and Richard Ashcraft can be seen as attempts to remedy this by supplying a picture of, in Dunn's phrase, "the coherence of [Locke's] mind."[62] Let us see what this means in the case of Ashcraft, and what kind of solution to the difficulties of the Lockean law of nature he supplies.

Ashcraft shares with Laslett the aspiration to read Locke "historically": "I propose to discuss Locke's philosophy and especially his epistemology in what I believe to be the seventeenth century context within which the *Essay* was written" (194). Attention to that context reveals that "questions of religious dogma, were of the greatest importance to Locke's contemporaries," and "suggests that Locke's primary commitment was to certain principles of the Christian faith," within which "context the *Essay* should be read to gain an appreciation of Locke's viewpoint" (194). Consequently, Ashcraft overcomes Laslett's distinction between the "Lockean philosophy" of the *Essay,* and the "Lockean attitude": the "Lockean philosophy," if properly understood, rests on the same "commitments"

61 Laslett, Two *Treatises, x,* 91, *Cf.* Dunn, *Political Thought, ch. 5.*

62 Laslett, *Two Treatises,* 101; Dunn, *Political Thought,* 9, 203-267. Richard Ashcraft, "Faith and Knowledge in Locke's philosophy," in Yolton.

as does the *Treatises.* All the "Lockean philosophy" rests on "the revealed truth, which Locke accepts unquestioningly. . .. Locke's philosophy rises from the catacombs of an unshakeable Christian faith" (214).

Ashcraft therefore agrees with Laslett that Locke never did supply the rational "particulars" or the foundations for his law of nature, because he could not do so. But he does not follow Laslett in positing the political or rhetorical character of the *Treatises* as the explanation for Locke's employment of a doctrine he could not rationally defend. The problem of the Lockean law of nature is "resolved definitively" within Locke's work in his *Reasonableness of Christianity* (218). There, Locke points to the New Testament as "the only certain and complete compilation" of the laws of nature. His own failure to supply a rational account of the law of nature is the manifestation of the necessary failure of reason itself:

> it is not merely that, at some point in history, man's "unassisted reason" failed him. That failure is less historical than ontological, since it was necessary that men fall short of a complete knowledge of natural law. (219)

Ashcraft supplies a rather curious explanation of why that should be so: "If men possessed a complete knowledge of the law of nature, their actions would be `unavoidable,' and the moral obligations they owe to God could not be freely discharged' " (220). For that claim he presents no textual evidence, however. (For the "unavoidable," *cf.* 204, top, and II ECHU xvii 17). In any case, "To the end, Locke insisted on human free will.... Paradoxically, it is our ignorance of the law of nature that preserves our freedom to act as moral agents" (220). Moral action, Ashcraft would have it, is action in conformity to the law of nature, but action taken in ignorance of the law. For Ashcraft's Locke then, moral action is chance conformity to the law of nature. Ashcraft sees this strange doctrine as following from Locke's explanation that "It is necessary for the vindication of God's justice and goodness, that those who miscarry should do so by their own fault and that their destruction should be from themselves; and they be left inexcusable" (220). There are even more absurdities than this in Ashcraft's account. Reason fails to arrive at the law of nature, he says, because in accord with "God's wisdom" ignorance of the law is necessary for morality. But how is it that knowledge of the law through the revelation of the New Test-

ament is, on Ashcraft's view, any less destructive of the "free discharge of moral obligation"?

Apart from the inherent absurdity of Ashcraft's construction, it is clear this doctrine cannot be Locke's for it violates all the criteria Locke establishes for a valid law of nature. In particular it denies entirely the criterion on which above all Locke insists: All that pertains to the law of nature must be accessible to the "unassisted reason" *(cf.* the discussion of Aarsleff in Part I above). Ashcraft even admits that in the *Reasonableness* Locke "does not abandon the belief that the law of nature is knowable, in principle, through the use of reasoning" (219, *cf.* 220-222). But the construction Ashcraft attributes to Locke not only "abandons" that belief, but has that abandonment as its core. Ashcraft substitutes for the very precise formulations of the difficulties or contradictions in Locke's doctrine that come out of studies such as Aarsleff's and Strauss' an extremely vague construction, related to Locke's texts in about the same way as he believes men are to relate their actions to the law of nature, and consisting of a series of absurdities such as only an academic would ever attribute to another human being, much less to a man like Locke. As an interpretation or statement of what Locke thought, this construction cannot stand.

There is a systematic vacillation in Ashcraft's essay, however, over whether he is presenting an interpretation or an explanation of Locke's thought, that is, an account of what Ashcraft knows Locke to be doing, whatever Locke might have thought himself to have meant. "Whatever the contradictory nature of Lockean statements on [the relation of reason and faith], in the end there is no escaping the "unmoved foundation' of faith" (210). But if there is no escaping this unmoved foundation, why does Locke contradict himself? And how does Ashcraft know which of the contradictory thrusts expresses Locke's "unmoved foundation"? Part of the answer apparently comes from Ashcraft's knowledge of the "context" and "purpose" of Locke's thought; that is, Locke lived in a Christian time, therefore his Christianity is the deepest commitment of his thought.[63] As an explanation of Locke's thought, if that is what he

63 Another part of the answer comes from Ashcraft's remarkable practice of relying more heavily on Locke's controversial writings than on the works in controversy. So, when Burnet or Stillingfleet accuse some Lockean doctrine of being subversive of Christianity, and Locke indignantly denies it, Ashcraft takes these Lockean statements as the most authoritative indications of his position, or intentions. Given the context of the remarks-Locke's attempts to defend himself

is presenting, Ashcraft's construction is unsatisfactory both because it is so confused about what it is trying to explain, Locke's thought as it stands or as Locke might have understood it, and because it is so arbitrary and ungrounded in itself. About the only basis for the explanation is the heavy close of historical preconception Ashcraft brings to Locke's texts, and those same preconceptions are what he emerges with.

Dunn's "Historical Account of the Argument of the *Two Treatises of Government"* contains the same combination of interpretation and explanation (or "account"), but in his case the boundary between the two is better defined." Dunn's revision of Laslett follows many of the same lines as Ashcraft's. He accepts Laslett's identification of the occasion for the *Treatises,* but refuses to see them as an Exclusion Tract: "There is no doubt that if the text of the *Two Treatises* as we have it now is exclusively or even predominantly an Exclusion tract, it is often a notably ham-fisted one." Likewise, although he accepts Laslett's thesis that the *Treatises* in no sense simply "follow" from the philosophy of the *Essay,* he is dissatisfied with Laslett's distinction between the "Lockean philosophy" and the "Lockean attitude." In making it, Dunn suggests, Laslett mistakenly "seems to take the intention of the philosopher as a statement of his achievement," or to take an incorrect "perspective" on the *Essay,* a perspective which "reads the achievement of the *Essay* with the eyes of nineteenth century historians of philosophy, its splendid contribution to the great line of English empiricism, and then continues to attribute this to Locke as his own ambition." [65] The proper "perspective" on both-or all the works-is, again like Ashcraft, one which focuses on "Locke's religious preoccupations," on the "series

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from charges which, if generally accepted might make things very uncomfortable for him-one might think a critical attitude towards them would be appropriate. A recent discussion showing how Ashcraft was led astray on another issue by his heavy reliance on the debates with Stillingfleet is Paul Helm, "Locke on Faith and Knowledge," *Philosophical Quarterly, 23,* (1973), *52, 62-63.*

[64] Dunn, *Political Thought, ix, xi* n. *2, 190.* One of the recent studies where the boundary is not defined at all, the argument entirely vitiated by vacillation between the two, is John Yolton's "Locke on the Law of Nature," restated with some modification in Yolton's *Locke and the Compass of Human Understanding* (Cambridge, 1970). The locus of the difficulty in Yolton's treatment is his explanation of Locke's law of nature in terms of the "role in morality" it plays for him. *Compass,* esp. 174-180. There is the same explanation of what Locke was doing in terms of what was "everywhere felt to be necessary" at his time. *Ibid.,* 174.

65 **Dunn,** ***Political*** *Thought,* ***53,*** 198-199.

of theological commitments" on which "an extremely high proportion of Locke's arguments [depend] for their intelligibility, let alone plausibility."[66] Dunn is far more precise than Ashcroft, however, in identifying wherein the "coherence" of Locke's mind lay-in a variant of the Puritan doctrine of the calling. Locke expounded this doctrine because "he was brought up in a Calvinist family," and all through his life was "subject to acute status aspirations," and was "very neurotic."[67] Ultimately then, Dunn's explanation becomes a sort of psycho-socio-biography combined with a distillation from the more refined expressions which we find in Locke's thought of the less refined, cruder, even vulgar, ideological bases of that thought. Although I do not wish to pursue it here, there seems something problematical in this attempt to read the more refined in terms of the less refined. Dunn's book is flashy, even brilliant in the literal sense, but it is not for all that very persuasive. Too many of his interpretations of Locke's life, thought, times, and the connections between these seem altogether arbitrary, or dominated once again by preconceptions as to what Locke could possible have meant.

For all his extensions of Laslett's position, Dunn still rests firmly on the foundation of the former's explication of the meaning of the *Treatises. His* explanation of Locke can be no more adequate than the interpretation of Locke which is to be explained:

> When men think of themselves as organized with each other they must remember who they are. They do not make themselves, they do not own themselves, they do not dispose of themselves, they are the workmanship of God. They are his servants, sent into the world on his business, they are even his property. . . . To John Locke this was a proposition of common sense, the initial proposition of a work which appeals to common sense throughout... .
>
> From this common sense starting point he proceeds to two inferences, that we are all free and we are all equal.[68]

And thence to the law of nature, and, according to Laslett and Dunn, to almost all, if not all, the other characteristic features of Locke's political doctrine-the state of nature, consent, limited government, and the right of resistance. If this "commonsensical" position prop-

66 Ibid., x-xii, 203-267.

67 Ibid., 259.

68 Laslett, *Two Treatises, 92* citing esp. II Tr. *6, 23.* For Dunn's reliance on this foundation, *cf.* Dunn, "Consent in the Political Theory *of* John Locke," *Historical Journal,* No. *2 (1967),* 153, esp. 157-8; *Political Thought,* Chs. *8, 9;* "The Politics *of* Locke in England and America," *53.*

erly interprets Locke's doctrine in the *Treatises,* how are we to understand Seliger's finding that Locke there "broke with all previous doctrines of natural law," in several respects, but especially in deriving from the law of nature "the primacy of private property"?" And it is well-known that the way in which Locke made private property natural "was to lay it clown that `every man has *a Property* in his own Person' so that `the *Labour* of his *Body,* and the *Work* of his *Hands'* are his" (II Tr. 27). Laslett remarks that "this famous passage . . . almost contradicts his first principle that men belong to God, not themselves." [10] Unless and until Laslett shows otherwise, that seems to be more than "almost" a contradiction. Locke states the point even more forcefully later: "Man in the State of Nature [is] absolute Lord of his own Person and Possessions" (II Tr. 123). As we have seen in another context, Locke insists also that a man "may even destroy the thing, that he has Property in." Since man has property in himself for. Locke, one wonders whether the suicide taboo will take the doctrinal weight Laslett and Dunn put upon it. (C f. II Tr. 23 and Laslett's note on it; II Tr. 194). Locke's curious usage of "property" to stand generally for the trinity "life, liberty and estate" can only be understood as an attempt to emphasize the centrality of the notion of a man as owner of himself; and Locke's insistence that the end of government altogether is nothing but the preservation of property in this extended sense reveals the centrality of that notion for his entire political thinking and not only for the derivation of private property in the narrow sense.

So Locke contradicts the major assertions in terms of which Laslett interprets the *Treatises,* and from what we are assured are "commonplace," or "commonsensical" or even "vulgar" and "banal" propositions, Locke derives extremely novel conclusions. It is not merely that Laslett's construction is contradicted by such prominent parts of Locke's texts and fails to deal with contrary positions in other readings (e.g., the Strauss and Cox findings about Locke's actual relationship with his alleged traditional authorities), but, to borrow a phrase from Mr. Dunn, his reading is extraordinarily "slack." It is that slackness, that failure to confront the texts at all strenuously which, as much as anything, makes this third approach

[9] Seliger, *Liberal Politics,* 188. *Of* great importance also is the "executive power of the law of nature," the only thing in the *Treatises* to which Locke explicitly draws our attention on account *of* its "strangeness."

[10] Laslett, *Two Treatises,* 100. Note Dunn's silence on this issue.

to the "problem" of Locke's thought so unsatisfactory. On the one side, the "historical approach," eager to avoid reading the texts with the eyes of the present, and to avoid imposing on them a false "present-minded" intelligibility, produces studies which do not hesitate to attribute the gravest absurdities or the gravest crudities to Locke, but which for all their concern with "historical accuracy" have only the loosest connections to the text. In the final analysis they paper over that difficulty by systematically vacillating between interpretation and explanation, most often using explanation to make good interpretation rather than building explanation, as they ought, on interpretation. And on the other side the historical interpreters fail to supply a persuasive version of an accurate historical understanding because they so easily move from their legitimate thought that the historical context should be taken into account in reading the texts to substituting their notion of the historical context for the text itself. If one attends loosely to a text and with strong preconceptions of what it means, one is likely to come out, as these interpreters do, with a loose interpretation which conforms to one's preconceptions. In their lack of sufficient rigor in confronting the texts and sufficient precision in formulating much less defending their claims, the third approach stands as the least satisfactory of the current spate of "perspectives" on the "problems" of Locke's political philosophy.

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