THE CATHOLIC UNIVERSITY OF AMERICA

The Politics of John Locke’s Ethics of Belief

A DISSERTATION

Submitted to the Faculty of the
School of Philosophy
Of the Catholic University of America
In Partial Fulfillment of the Requirement
For the Degree
Doctor of Philosophy

By
Edmond Kotwick

Washington, D.C.

2016
The Politics of John Locke’s Ethics of Belief

Edmond Kotwick, Ph.D.

Director: V. Bradley Lewis, Ph.D.

An “ethics of belief” encompasses the norms that govern the formation, maintenance, and relinquishment of beliefs, and also the nature and the ground of those norms. According to John Locke’s ethics of belief, one is morally obligated to form one’s beliefs only on the evidence and to hold one’s beliefs with a tenacity that is directly proportional to the strength of the evidence, “evidence” here being the objective probability that one’s beliefs are true. This study is an investigation into the enabling grounds of Locke’s ethics of belief: What philosophical reasons enabled Locke to propose such practices of belief formation as morally obligatory? What conception of the human condition enabled Locke to propose such practices as practicable in the ethical order?

The scholarship treating Locke’s ethics of belief has confined itself entirely to Locke’s An Essay concerning Human Understanding, where Locke articulates his ethics of belief. The scholarship is in agreement: An Essay provides no philosophical justification, and it was proposed as a palliative to the religious crises of the seventeenth century. Against this trend, the author argues that the philosophical justification is to be found in the natural law theory of Locke’s Second Treatise of Government, and that it was proposed as fully consistent with the human condition, Locke’s conception of which is expressed piecemeal throughout An Essay and the Two Treatises of Government. In the first chapter, the author examines An Essay. He argues that the philosophical justification should belong to the “demonstrative morality” that Locke in An Essay claimed was possible. In the
second, he sets Locke’s ethics of belief in the context of those of Hugo Grotius, René Descartes, and Blaise Pascal. Using these thinkers as points of contrast, the author argues that Locke’s ethics of belief was deemed practicable, because the moral law was held to be clear or readily accessible to the unaided human intellect. In the third chapter, the author argues that An Essay’s demonstrative morality is the natural law of the Second Treatise, and that the supposed clarity of the moral law corresponds to descriptions of conditions of epistemic clarity in the Two Treatises. In the fourth chapter, the author extracts from the natural law theory of the Second Treatise the philosophical justification of Locke’s ethics of belief. The natural law of the Second Treatise grants individuals executive power, but it grants executive power with certain “terms of use.” These terms of use require practices of belief formation that mirrors the ethics of belief that Locke articulates in An Essay. The author therefore concludes that the Second Treatise’s natural law theory mandates An Essay’s ethics of belief.
This dissertation by Edmond Kotwick fulfills the dissertation requirement for the doctoral degree in philosophy approved by V. Bradley Lewis, Ph.D., as Director, and by Richard F. Hassing, Ph.D., and John C. McCarthy, Ph.D., as Readers.

________________________________________
V. Bradley Lewis, Ph.D., Director

________________________________________
Richard F. Hassing, Ph.D., Reader

________________________________________
John C. McCarthy, Ph.D., Reader
CONTENTS

ABBREVIATIONS......................................................................................................................vi

INTRODUCTION...............................................................................................................................1

CHAPTER ONE  LOCKE’S ETHICS OF BELIEF IN HIS EPISTEMOLOGICAL WORKS..............................18
  1.1. The Moral Purpose of An Essay concerning Human Understanding......................................20
  1.2. The Operations of the Understanding..................................................................................25
     1.2.1. The Understanding and Its Ideas................................................................................25
     1.2.2. Knowledge: The Perception of Agreement or Disagreement Among Ideas..................36
     1.2.3. Judgment: The Presumption of Agreement or Disagreement Among Ideas..................51
     1.2.4. Assent.......................................................................................................................61
  1.3. The Proper Conduct of the Understanding.........................................................................68
     1.3.1. The Grounds of Epistemic Imperative........................................................................71
     1.3.2. The Scope of the Epistemic Imperative .......................................................................89
     1.3.3. The Evidential Requirement ......................................................................................91
     1.3.4. The Minimum Evidential Threshold ............................................................................102
  1.4. An Essay and the Justification of Locke’s Ethics of Belief...................................................103
     1.4.1. Self-Referential Incoherence: Is Locke’s Ethics of Belief is Unjustified?.......................105
     1.4.2. Theologico-Political Crisis: An Instrumental Justification of Locke’s Ethics of Belief?........119
     1.4.3. Locke’s Hope for a Justification: The Demonstrative Morality......................................123

CHAPTER TWO  LOCKE’S ETHICS OF BELIEF IN ITS HISTORICAL CONTEXT: GROTIUS, DESCARTES, AND PASCAL.......127
  2.1. Problematizing Locke’s Ethics of Belief..........................................................................131
  2.2. Grotius’s Ethics of Belief: A Cautious Precursor to Locke’s Ethics of Belief.......................136
     2.2.1. Grotius’s Grounds of Probability...............................................................................138
     2.2.2. Grotius’s Epistemic Imperative..................................................................................152
     2.2.3. Grotius’s Ethics of Belief.........................................................................................155
4.2.2. From the Law of Nature to the Right to Executive Power .........................................................351
4.2.3. From the Right to Executive Power to an Ethics of Belief .............................................................358
4.3. Does the Ethics of Belief of the Second Treatise Justify the Ethics of Belief of An Essay concerning Human Understanding? .................................................................385

CONCLUSION .................................................................................................................................................390

APPENDIX A ...............................................................................................................................................393

APPENDIX B ...............................................................................................................................................397

BIBLIOGRAPHY ..............................................................................................................................................407
### ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Epistle”</td>
<td>Epistle to <em>An Essay concerning Human Understanding</em>, by John Locke</td>
</tr>
<tr>
<td>P</td>
<td>Blaise Pascal, <em>Pensées De Monsieur Pascal Sur La Religion</em>, (Lyon 1679)</td>
</tr>
<tr>
<td>Prol.</td>
<td>Prolegomena to <em>The Rights of War and Peace</em>, by Hugo Grotius</td>
</tr>
</tbody>
</table>
Introduction

An “ethics of belief” encompasses the norms that govern the formation, maintenance, and relinquishment of beliefs, and also the nature and the ground of those norms. In other words, an “ethics of belief” recommends certain practices of belief formation (and maintenance and relinquishment), and recommends those practices either as moral obligations, as requirements of rationality, or as pragmatically advantageous. In a pluralistic society, such as ours today, it is no surprise to find various ethics of beliefs; yet in contemporary society two stand out prominently. The first is that of the “public reason liberal.”¹ Crudely expressed, the public reason liberal holds that the reasons that one may use in public decision-making should be public—that is, the reasons should be agreeable or acceptable to all members of a given society, and not be partial to any particular set of convictions or to any tradition. The second is that of the “evidentialist.”² Also crudely expressed, the evidentialist holds that belief ought to be accorded only to what is shown on the basis of evidence to be true or probable. Accordingly, if one believes without reason or on evidence that is ambiguous or inconclusive, then one is at fault for believing what one does. This view is strikingly similar to that of the public reason liberal. The reasons that one may use in belief formation should in some way be public—they should be universally accessible, in some way

¹ In these introductory remarks, I use the term “public reason liberalism” with the broadest possible meaning.

² As with the term “public reason liberal,” I use the term “evidentialism” with the broadest possible meaning.
independently verifiable, and of course should not be partial to any particular set of convictions or to any particular tradition.

At the center of both the public reason liberal’s ethics of belief and the evidentialist’s ethics of belief is therefore some notion of impartiality or objectivity. It is interesting, then, that the public reason liberal lays down rules for belief formation only so far as the beliefs inform public decision making but does not extend the rule to all occasions of belief, and that the evidentialist lays down rules for personal belief formation but does not extend the rules to the political sphere. That is, while both the public reason liberal and the evidentialist place impartiality or objectivity at the centers of their respective ethics of belief, one seldom finds that the public reason liberal is at the same time and in the same way an evidentialist. The public reason liberal’s “reasons” are not the evidentialist’s “reasons.” This is perhaps natural enough: the liberal’s concern is primarily to delimit the legitimate and illegitimate uses of political force, and the evidentialist’s concern is primarily to delimit the legitimate and illegitimate practices of belief formation. Further, and according to the division of labor in contemporary academic philosophy, the political philosopher’s discipline is separate and distinct from the epistemologist’s discipline—there need not be any overlap, nor need there be much conversation across the disciplinary divide. Remarkably, even in the work of Gerald Gaus, who freely traverses the divide between political philosophy and epistemology, evidentialism as an ethics of belief barely appears in his theory of public reason liberalism.3

3 As an ethics of belief, evidentialism appears in neither Order of Public Reason (Cambridge: Cambridge University Press, 2011) nor Justificatory Liberalism (Oxford: Oxford University Press, 1996). To take evidentialism not as an ethics of belief but rather as a theory of justification (in other words, not a theory about how one ought to behave intellectually, but rather as a theory about what renders propositions worthy of belief), then this is one of the themes of his works. Still, Gauss is less concerned with personal justification than he is with public justification, that is, less with the reasons one can use to persuade oneself of a belief than with the reasons one can use to persuade
More interesting, however, is that both public reason liberalism and evidentialism have their historical respective sources in the thought of John Locke, who, incidentally, was very much concerned about the place of religious conviction in society. John Rawls self-consciously locates his theory of liberalism in a tradition of the social contract beginning with John Locke’s *Two Treatises of Government.* On the evidentialist side, there has been a continuous succession from Locke through Hume, T. H. Huxley, W. K. Clifford, and Russell up to Earl Conee and Richard Feldman, the latter of whom credit Locke’s *An Essay concerning Human Understanding* with birthing evidentialism. What, then, has happened such that Locke’s successors emerge from a common source only to diverge so widely from one another? Were two separate threads in Locke’s thought identified and independently extrapolated? Or did one thread unravel in the course of Western philosophical development? What I suggest in this dissertation is that Locke’s particular form of public reason liberalism and his particular brand of evidentialism were indeed jointly employed at the same time and for the same purpose: For Locke, the public reason liberal’s “reasons” are the evidentialist’s “reasons.” The evidence that makes for legitimate belief is for Locke the evidence to be used for at least fundamental political decisions. This is what I mean by the “politics of John Locke’s ethics of another of a belief. The different ways in which evidentialism can be understood results in more confusion in the literature than can be stated here.


belief”: the practices that he recommends for belief formation in the private domain have political application and indeed have their normative source in Locke’s political philosophy.

This dissertation takes its bearings from a problem in Locke’s *An Essay*, and it arrives at the above conclusion by pursuing the solution to that problem. *An Essay* more or less concludes with the proposal of an evidentialist practice of belief formation:

> He that believes, without having any Reason for believing, may be in love with his own Fancies; but neither seeks Truth as he ought, nor pays the Obedience due to his Maker, who would have him use those discerning Faculties he has given him, to keep him out of Mistake and Errour. (*E IV.xvi.24*)

One who believes without reason or on ambiguous evidence is at fault. As Locke makes clear elsewhere (*E IV.xv*) the evidence on which one should base one’s beliefs consists of one’s own knowledge and the testimony of others. But one’s knowledge is relegated to one’s empirical encounters with the world, and one can believe testimony only on the condition that the testifiers are known to be truthful. For Locke, the kinds of evidence (the kinds of “reasons”) that one may use in forming one’s beliefs must be publicly accessible (the evidence is at base empirical), independently verifiable (the witnesses must be shown to be truthful), and must not be partial to any particular set of convictions or to any particular tradition (like the assurance of faith, the testimony of the saints, and miracles). Now, Locke presents his evidentialist practice of belief formation as a *moral requirement*.\(^6\) One is at moral fault for not basing one’s beliefs on such kinds of evidence. But the problem for Locke is this: nowhere in *An Essay* does he actually present the reasons why this particular practice of belief formation is morally obligatory. If Locke gives no reason for why one should accept his ethics of belief, then how is it possible consistently to hold to and to practice his

---

\(^6\) I defend this claim in Chapter One, Section 1.3.1.
ethics of belief? It is by no means obvious that there is a moral obligation to form one’s beliefs according to Locke’s program.

I pursue the solution to that problem through the following question: What enabled Locke to propose in earnest his ethics of belief? This question has two components. First, why did Locke think that one ought to comply with his ethics of belief? Second, since ought implies can, how is his ethics of belief practicable? In raising this latter question, I do not mean merely to ask how the human cognitive apparatus is fit for such an ethics of belief. Much more, I mean to ask how Locke’s ethics of belief is appropriate to the human condition: given the exigencies of man’s finite nature, how is Locke’s ethics of belief appropriate? The answer to these questions, I claim, is found in Locke’s conception of the state of nature and his natural law theory as they are delivered in his Second Treatise of Government. In short, one ought to practice Locke’s ethics of belief because it is mandated by Locke’s natural law, and his ethics of belief is practicable because of how the natural law is promulgated.

The questions concerning the obligation and practicability of Locke’s ethics of belief appear to have fallen through the cracks of Locke scholarship. On the political philosophical side, the mind of the Lockean man has been the subject of numerous studies, and a variety of the dimensions of the Lockean mind have been carefully examined. Nathan Tarcov, W. M. Spellman, and James Tully, look at the specific educational practices Locke recommends for making human beings and their habits of thought suitable to the liberal society he hoped to establish. Peter C. Myers and

---

7 This issue has been thoroughly explored in Wolterstorff’s John Locke and the Ethics of Belief.

Thomas Pangle offer studies of how Locke redesigns rationality so that it is detached from any theological foundation and is prepared for self-ownership; by contrast John Marshall presents a Locke who does not detach rationality from religion so much as he moderates the influence religion has over reason.\(^9\) Leo Strauss, Sheldon Wolin, and Uday Singh Mehta focus on the governing ideas and the psychological temper (particularly the “anxiety”) of Locke’s new economic man.\(^{10}\) Recently Jeremy Waldron examined the “democratic intellect” at work in the Two Treatises and how, on Locke’s view, all (or nearly all) humans are capable of living in Locke’s liberal societies and indeed are capable of participating in them at the political level.\(^{11}\) Yet while one or another aspect of the Lockean mind is taken up and investigated, the morally obligatory practices of belief formation with which Locke concludes An Essay are universally overlooked. One finds in this scholarship neither an exposition of the moral obligation to adopt Locke’s practices of belief formation, nor an analysis of the recommended practices of belief formation.

The silence concerning Locke’s ethics of belief on the part of scholars of Locke’s political philosophy might be attributed to the disciplinary gap in the contemporary philosophy department between political philosophers on the one hand and epistemologists on the other. Epistemologists, after all, typically handle issues relating to the ethics of belief. Yet when one looks to the literature

---


on Locke’s *An Essay*, one finds again considerable neglect of Locke’s ethics of belief. In fact, of the enormous and still growing body of literature on Locke’s *An Essay*, there are only a handful of studies on Locke’s ethics of belief. The earliest is John Passmore’s study. His focus is rather narrow, however. His concern is with the psychological mechanisms of Lockean belief formation: On Locke’s account, is one moved to form beliefs on the basis of *reasons*, or is one rather moved to form beliefs on the basis of *passions*? The central question of Passmore’s study, in other words, concerns whether Locke was an intellectualist or an emotivist in regard to belief formation; Passmore answers that Locke was an emotivist. But as to *how* beliefs *ought* to be formed and *why*, one finds only the statement that the beliefs ought to be formed from a passion to have the truth, rather than a passion for some other thing. It does not belong to Passmore’s study to examine the kinds of evidence one must use in forming one’s beliefs, and it was not his business to state why belief formation in conformity to this evidence was morally obligatory. Passmore’s study set the terms for the next study of Locke’s ethics of belief: that by Michael Ayers. The concern of Ayers’s study is just the same as that of Passmore’s, and Ayers’s effort was to show, against Passmore, that Locke was an intellectualist rather than an emotivist. (As I will argue below, Locke’s account of belief formation is best understood as a blend of intellectualism and emotivism.) To date Nicholas Wolterstorff’s 1996 *John Locke and the Ethics of Belief* gives the most complete account of Locke’s ethics of belief as a morally obligatory practice. Wolterstorff offers a painstakingly thorough examination of every facet of Locke’s ethics of belief, both on Locke’s own terms and as they relate to the terms


of contemporary discussions of belief formation. However, when it comes to the justification of Locke’s ethics of belief (which is my chief concern in this dissertation), Wolterstorff is largely silent, and he is silent because he is at a loss. He can show that Locke believes that his recommended practices of belief formation are morally obligatory, but he is unable to state the philosophical reasons why Locke believed so much. Locke is responsible for this lacuna: no justification is provided in *An Essay*. As I argue below, if one restricts one’s view of Locke’s ethics of belief to *An Essay*, as Wolterstorff has done, then one is bound to conclude as Wolterstorff concludes: Locke’s *An Essay* simply does not provide a justifying argument for his ethics of belief. But Wolterstorff does not consider whether the justification could be found in another work of Locke’s.

Wolterstorff’s conclusion must therefore be regarded only as a tentative conclusion. On this tentative basis, then, Wolterstorff supposes a pragmatic justification for Locke’s ethics of belief: Locke recommended his ethics of belief as a means of resolving the heated (and often bloody) theological disputes that typified seventeenth century politics.

When one’s concern is Locke’s ethics of belief, neither the political philosophical scholarship nor the epistemological scholarship is satisfying. The former group appears simply to overlook the issue. The latter group does treat the ethics of belief, but failing to take a fuller view of Locke’s output—failing notably to take into account Locke’s political philosophy—it also fails to appreciate the issue in its fullness, and so also fails to see how Locke’s other writings might fill the argumentative and logical gaps of *An Essay*. Approaching Locke’s ethics of belief, then, one finds this curiosity of scholarship: two impressive bodies of literature, standing on either side of a central issue for Locke, yet saying nothing to each other. The justification for Locke’s ethics of belief sits neglected at the boundary of these two bodies.
In the past fifteen or so years a new interpretation of John Locke has arrived: John Locke as a public reason liberal. This view finds expression in Alex Tuckness’s *Locke and the Legislative Point of View*, Greg Forster’s *John Locke’s Politics of Moral Consensus* and Douglas Casson’s *Liberating Judgment.*

This interpretation has made considerable improvements on the two kinds of Locke scholarship noted above. One finds here a deliberate effort to join Locke’s thoughts on belief formation and regulation to Locke’s liberal politics. However each falls short of accounting for the ethics of belief of *An Essay*. Tuckness’s focus is on Locke’s *Two Treatises* and his letters on toleration; Locke’s ethics of belief, located as it is in *An Essay*, simply does not fall within Tuckness’s purview. Yet even were it to do so, Tuckness would not be in a position to address my specific concern. Tuckness’s aim is to reconstruct Locke’s public reason liberalism such that it is neutral with respect to Locke’s personal philosophical and theological commitments. But my effort is to find precisely those philosophical and theological commitments that support and enable Locke’s ethics of belief!

The efforts of Forster and Casson are more historical than those of Tuckness. Forster and Casson appear to take as the basic premise of their studies Wolterstorff’s characterization of Locke “not [as] the philosopher in the tower rendering judgments on who knows what and how, but [as] the philosopher in the street offering advice to his anxious combative compatriots on how to overcome the cultural crisis engulfing them.” Accordingly, one finds in their work a Locke that is crafting a politics and designing an epistemology that mitigates the problems of religious and political disagreement. Yet they also seem to take as another basic premise the results of

---


15 Wolterstorff, *John Locke and the Ethics of Belief*, x.
Wolterstorff’s study of Locke: the mechanism of belief formation is analyzed, the particular practices of belief formation that Locke recommends are stated, and the justification for those practices is found in the need to mitigate the problems of religious and political disagreement. It is as if Wolterstorff took care of the intellectual practices of An Essay, and Forster and Casson took the next step—to show how these practices are made part of Locke’s liberal politics. Yet Wolterstorff’s study is incomplete. He does not take into view Locke’s political writings when accounting for Locke’s ethics of belief. The incompleteness of Wolterstorff’s account thus bleeds into Forster’s and Casson’s: they do not work from Locke’s political writings back to the ethics of belief of An Essay and show what its foundation actually are. The end result of the studies by Wolterstorff, Forster, and Casson is that Locke’s ethics of belief sits squarely on a pragmatic foundation. But as we will see, pragmatic considerations are incapable of justifying Locke’s ethics of belief in a way consistent with Locke’s own terms.

There is, then, a rather large gap in the scholarship on the intellectual practices Locke recommends for the citizens of his liberal societies. To summarize: while several dimensions of the Lockean mind have been examined, Locke’s ethics of belief has garnered the attention of only a few scholars; and when it has received attention, the political philosophical dimensions of the ethics of belief have been incompletely explored. The reasons why Locke’s recommended practices of belief formation are obligatory and practicable thus remain unknown. The present study aims to fulfill this desideratum. The basic argument is this: the moral and epistemic imperatives of Locke’s ethics of belief are precepts of the natural law of the Second Treatise of Government. I stress here that my goal is not to show that Locke is a public reason liberal. My goal is rather to show what enabled Locke to propose his ethics of belief as a moral obligation. The picture of Locke as a public reason liberal (if
of a curious sort from the contemporary perspective) is an incidental result of my study of his ethics of belief.

I must now give a word to the aims and methods of this study. Such methodical remarks are necessary for Locke in particular, given the extensive and deep influence that the Cambridge School (of intellectual history) has exerted on Locke scholarship.\footnote{For a statement of this approach, see Richard Rorty, J. B. Schneewind, and Quentin Skinner, introduction to Philosophy in History (Cambridge: Cambridge University Press, 1984).} According to the Cambridge School, any attempt to arrive at the original meaning of a given author’s doctrines must take a contextualist approach to that author. Concretely speaking, this means that if I undertake to understand what Locke means to recommend with his ethics of belief, it is necessary for me to situate Locke’s ethics of belief in its social setting as well as in the context of writings on issues relating to the ethics of belief by Locke’s contemporaries. Students of the Cambridge School author the bulk of current scholarship on Locke, so examples of this approach are abundant. A particularly vivid illustration of this methodology is supplied by the work of Ian Harris: he begins his study of Locke with a survey of the sermons Locke is likely to have heard growing up.\footnote{Ian Harris, The Mind of John Locke (Cambridge University Press, 1994), 28-40.} It is not my place to criticize the Cambridge School, and as it is unavoidable that part of my concern is with the meanings of Locke’s terms it is unavoidable also that I turn now and then to the intellectual setting of Locke’s writing. However, my primary concern is with the internal coherence of Locke’s theory of belief formation and moral obligation. My concern, in other words, is with the logic of Locke’s ideas, with how Locke’s ideas did or did not fit together, or might be made to fit together. As Knud Haakonssen shows, when this is one’s concern, the contextualist approach is to little avail.\footnote{For a statement of this approach, see Richard Rorty, J. B. Schneewind, and Quentin Skinner, introduction to Philosophy in History (Cambridge: Cambridge University Press, 1984).} Thus, the method I
use to find the obligating and enabling ground of Locke’s ethics of belief is the tried and true method of close and careful reading of Locke’s own writings.

I search for the obligating and enabling grounds of Locke’s ethics of belief in those works he published, or at least prepared for publication, the works by which Locke achieved his fame. This means that my view is limited at the outset to the *Two Treatises of Government* (1689), *An Essay concerning Human Understanding* (1689), *A Letter concerning Toleration* (1689), *Some Thoughts Concerning Education* (1693), *Reasonableness of Christianity* (1695), and *Of the Conduct of the Understanding* (1706). My reason for confining my investigation to these works is the following assumption: *if* Locke intended to persuade his compatriots to adopt his ethics of belief, and *if* his compatriots were to adopt his ethics of belief in a way consistent with that ethics of belief, *then* the arguments he employed to persuade them should be found in those materials that his compatriots could have had access to. Thus while I will at times access Locke’s journals or correspondence, the justification for his ethics of belief will be sought primarily in the works he himself was committed to publishing. I further confine my investigation to Locke’s *major* works for a cluster of reasons. The present study is not—and by its nature cannot be—an all around and complete investigation into all of Locke’s writings. While there is no a priori reason for believing that Locke’s minor work *Further Considerations concerning Raising the Value of Money* does not contain his justification for his ethics of belief, it is prima facie implausible. This study looks at the prima facie best candidates for containing Locke’s justification of his ethics of belief. These are the works that expressly treat the understanding and its operations, religious belief, moral and political obligation, and moral education, i.e., those works named at the

start of this paragraph. In the course of the study I will narrow the focus to Locke’s *An Essay*, *Conduct*, and *Second Treatise*. My reasons for doing so will become clear as the study progresses.

There are four chapters of this study. In the first, I examine Locke’s ethics of belief in *An Essay* and the *Conduct*. As the justification for Locke’s ethics of belief is not found in these two works, my aim in the first movement is to reveal, given Locke’s terms, what the justification for his ethics of belief should look like. In the second, I look at the practices of belief formation that Locke recommends in relation to those recommended by Hugo Grotius, René Descartes, and Blaise Pascal. Each thinker wielded a considerable influence on Locke and each thinker recommended practices of belief formation other than those that Locke would. The contrasts prove fruitful. My aim here is to reveal the assumptions Locke made about the human condition that made his ethics of belief practicable. In the third, I use the results of the first and second movement to locate where the justification for Locke’s ethics of belief is most likely to be found: Locke’s *Second Treatise*. In the fourth, I reconstruct from the terms of Locke’s *Second Treatise* a justification for Locke’s ethics of belief. A single chapter is given to each movement.

Chapter One is divided into four sections. The first section sketches the moral and political purpose of *An Essay*. By all appearances it was indeed intended to mitigate the problems of religious and political disagreement, and by all appearances the mitigation was indeed to come through specific practices of belief formation. The second section analyzes the cognitive basis of Locke’s ethics of belief—his account of the contents of beliefs (ideas), of the understanding, and of the powers of knowing, judging, and assenting. The third section turns to the practices of belief formation that Locke recommends. Here I argue that Locke’s ethics of belief is (a) a moral obligation (b) that holds only for ethically significant propositions, and requires one (c) to form
beliefs well (d) using specific types of evidence and (e) rendering assent only when the evidence makes an ethically significant proposition rather likely to be true. The fourth section turns to the justification of Locke’s ethics of belief in *An Essay*. To date, there are two accounts of the justification of Locke’s ethics of belief: either it is unjustified, or it is justified with reference to the political and religious crisis of Locke’s age. I criticize both accounts. Against the former I argue that although Locke’s *An Essay* do not provide the justification, they do state what the justification should look like: it should appear as a theorem in the demonstrative morality that Locke promises in *An Essay*. Against the latter I argue that the pragmatic justification of Locke’s ethics of belief will not suffice as a justification on Locke’s terms.

Chapter Two has four sections and a conclusion. The first section problematizes Locke’s ethics of belief in order to see what presuppositions could be at its basis. The search for the justification in Chapter One was only a partial success. The problematization of Locke’s ethics of belief provides an indirect route to the justifications of Locke’s ethics of belief by revealing the possible assumptions that lay at the basis of the ethics of belief and make it practicable. The remaining three sections isolate the particular assumptions Locke made by means of a contrast with three of Locke’s near contemporaries. The second section treats Grotius’s *De iure belli ac pacis*, the third section treats Descartes’ fourth meditation of his *Meditations on First Philosophy* and the provisional morality of his *Discourse on Method*, and the fourth section treats Pascal’s Wager. Each thinker approached the kind of ethics of belief that Locke would recommend, but rejected it as impracticable in the ethical domain. Grotius permitted a wider range of evidence types for moral deliberation than Locke would, and Descartes and Pascal each articulated and for different reasons

---

19 Locke’s demonstrative morality is subject of careful analysis in Chapter Three.
rejected the evidentialist imperative that belief ought to conform to evidence, which is the principle that is the heart of Locke’s ethics of belief. If Locke read these thinkers and constructed an evidentialist ethics of belief against their recommendations, then Locke must have denied Grotius’s reasons for admitting a wider range of evidence types and must have denied Descartes’ and Pascal’s reasons for rejecting the evidentialist imperative. In this way the contrast of Locke with Grotius, Descartes, and Pascal enables one to see the assumptions that Locke made about the human condition. I argue that the assumption Locke made is that the moral law is somehow clear or readily accessible to the unaided human intellect: Locke could propose a stricter ethics of belief than the three named contemporaries, because he holds that moral knowledge is relatively easy to acquire.

Chapter Three has three sections (excluding a concluding section). The first section combines the results of Chapters One and Two to produce prima facie reasons for turning to Locke’s *Two Treatises* for the justification of Locke’s ethics of belief. The prima facie reasons are these: Chapter One concludes that the justification for Locke’s ethics of belief should appear as a theorem in Locke’s demonstrative morality; and Locke’s *Second Treatise* is a candidate for Locke’s demonstrative morality. Chapter Two concludes that Locke’s ethics of belief presupposes that the moral law is clear or readily accessible to the unaided human intellect; the same presupposition appears to be at work in the *Two Treatises*. The second section is devoted to substantiating the view that the *Second Treatise* contains at least portions of Locke’s demonstrative morality. This is a minority opinion in the scholarship on Locke’s *Two Treatises*, so considerable space is given to stating and refuting the reasons for why the demonstrative morality should not be found in the *Second Treatise*. I argue that the natural law of the *Second Treatise* is the demonstrative morality of *An Essay*. The third section provides an account of the promulgation of Locke’s natural law. I argue that
Locke’s natural law is promulgated directly to reason, which in effect means that the moral law is clear or readily accessible to the unaided human intellect. Locke’s views on promulgation diverge considerably from the traditional natural law perspective, according to which the natural law is promulgated *through nature* rather than *to reason*.

The effort of Chapter Four is to extract from the *Second Treatise’s* natural law the justification for *An Essay’s* ethics of belief. This chapter has three main sections. In the first, I explain how I will read the *Second Treatise*. In the second section, I extract the justification. One of the precepts of the natural law is that one is to preserve oneself. Locke’s natural law permits one to use violent force for that sake. I argue that the right to executive power comes with certain terms of use, and that one of the terms of use concerns belief formation. Specifically, legitimate use of the right to executive power requires that one (a) uses the force in matters of urgency only, and that prior to use one (b) forms the beliefs that inform use of the right (c) on the basis specific types of evidence, (e) rendering assent only when the evidence shows to a high degree of probability that one’s use of violent force does not violate the law of nature. I show that these terms of use mirror the requirements of Locke’s ethics of belief as given in *An Essay*. As one must comply with these terms of use lest one violate the law of nature, compliance is morally obligatory. In this way, Locke’s *Second Treatise* provides an at least partial justification of the ethics of belief of *An Essay*. A third section is given to determining the extent to which the *Second Treatise* justifies the ethics of belief of *An Essay*.

Two appendices are included in this study. Chapter Three’s comparison of Locke and Pascal is a comparison of Pascal’s wager argument in the *Pensées* with Locke’s wager argument in *E II.xxi.70*. Appendix A reproduces the text of Pascal’s wager that Locke would have read. The
divergences between contemporary editions of Pascal’s wager and that which Locke would have encountered are explained in Chapter Three, Section 3.4.1. The text of Appendix A is based on the 1679 Lyon edition of the *Pensées* (Locke possessed copies of the 1675 Lyon and the 1678 Paris editions of the *Pensées*). Citations of Pascal in Chapter Three will be from the text as presented in Appendix A.

Appendix B contains a concentrated analysis of Strauss’s interpretation of Locke in *Natural Right and History*. Throughout the present study, it is assumed that Locke’s natural theological statements are sincere and his natural law teaching is theocentric. In his study of Locke, Strauss put forward serious reasons for doubting the sincerity of Locke’s natural theological statements, and therewith the theological foundations of his natural law teaching. His reasons have become the core of the Straussian interpretation of Locke. Since it is a fundamental premise of my study that Locke’s natural law teaching is theocentric, it is appropriate that I defend my view from objections. However, since a defense of my view could find no natural and fitting place in my argument, I have chosen to attach my response to Strauss’s objections as an appendix, which readers may consult as they please.
Chapter One

Locke’s Ethics of Belief in His Epistemological Works

The purpose of the present study is to understand why Locke advanced his evidentialist ethics of belief as morally obligatory. Locke proposed his ethics of belief in *An Essay concerning Human Understanding*,\(^1\) so the natural place to begin searching for the justification for it is in *An Essay*. Yet as Locke’s *Of the Conduct of the Understanding*\(^2\) (published posthumously in 1706) contains Locke’s proposed ethics of belief also, the search for the justification should involve the *Conduct* as well. Thus the initial search for the justification of Locke’s ethics of belief undertaken in this chapter begins with *An Essay* and the *Conduct*.

The present chapter has four purposes. First, I argue that *An Essay* indeed was intended to provide normative rules for the conduct of the understanding. Locke’s *An Essay* was not intended merely to describe the understanding, its contents, and its power. Rather, it aims to say what the proper conduct of the understanding is. The proper conduct, I suggest, is encapsulated in Locke’s ethics of belief, proposed as a kind of conclusion to *An Essay* as a whole.

Second, I lay out the cognitive bases of Locke’s ethics of belief. Exposition of Locke’s ethics of belief is not possible without first stating what Locke takes *belief* and *belief formation* to be. Here I work through Locke’s analysis of the basic contents of the understanding (ideas), the basics

---

\(^1\) *An Essay* first appeared in 1690, and by the time of Locke’s death he prepared five editions of the work. The second edition appeared in 1694, the third in 1695, the fourth in 1700, and the fifth after Locke’s death in 1706.

\(^2\) The *Conduct* was written in 1697, but was only published posthumously in 1706.
powers of the understanding (sensation and reflection), and the specific powers of knowing, judging, and finally assenting. I try to remain neutral about several of the knotty problems in Locke’s theory of mind (e.g., whether Locke was a representationalist, how Locke’s distinction between primary and secondary qualities is epistemologically valid, and so on). In doing so I will for the most part stay at a rather general level. Yet I will draw particular attention to the places where the understanding is subject to some degree of voluntary control, for Locke’s ethics of belief aims to regulate the mind’s activity in these specific areas. This overview of Locke on the understanding is useful not only for understanding Locke’s ethics of belief, however. Throughout the entire study we will return to one or another element of the cognitive basis of Locke’s ethics of belief. For instance, we will return to Locke’s empiricism in the discussion of Grotius’s ethics of belief in Chapter Three, and to Locke’s classification of ideas and the nature of reason in the discussion of Locke’s moral epistemology and promised demonstrative morality in Chapter Four.

Third, I analyze Locke’s ethics of belief. I detail the kind of intellectual activity Locke’s ethics of belief commands, the type and the scope of the epistemic imperative at the center of Locke’s ethics of belief, and the kind of evidence Locke’s ethics of belief requires. I show that Locke’s ethics of belief is, in contemporary parlance, a moderate moral evidentialism. This means that for propositions of ethical significance (rather than all propositions) Locke requires one to believe only so far as the evidence shows the proposition to be true.

Fourth, I determine the extent to which An Essay and the Conduct of the Understanding justify Locke’s ethics of belief. As I argue, An Essay and Conduct provide no justification—Locke’s ethics of

---

belief, at least as it is stated in these two works, is self-referentially defeating. Locke leaves the reader with a pragmatic defense, but also—and importantly—the promise of philosophical justification consistent with Locke’s principles. The pragmatic justification (here Locke’s purpose in writing *An Essay* is important) is not enough to save Locke from self-referential incoherence: as I argue in the third section of this chapter, Locke's ethics of belief is a moral imperative, and hence cannot be justified on pragmatic grounds. However, as I show in the second section of this chapter, Locke believed that a demonstrative science of morality is possible. I conclude this chapter with the prospect that if this demonstrative science (or perhaps the rudiments of it) could be found, then perhaps the justification of Locke’s ethics of belief could also be found.

The remainder of the chapter is divided into four sections (and as necessary further subsections). Each of the four sections respectively fulfills the four purposes stated above.

1.1. The Purpose of *An Essay concerning Human Understanding*

The express purpose of *An Essay* is delivered in the title and in every page until the back cover: it is a work about the understanding. Yet lurking ever beneath its several hundred pages of turgid prose, now and then furtively rising above and then silently sliding beneath the surface, is its somewhat concealed but more pointed purpose: it is a work about the proper conduct of the understanding. The first paragraphs of the “Epistle” reflect the difference between the express and the tacit purposes. The first lines of the “Epistle” speak as if the investigation were undertaken as an endeavor worthwhile in itself: “searches after Truth, are a sort of Hawking and Hunting, wherein the very pursuit makes a great part of the Pleasure.” The intrinsic value of this search is emphasized when Locke
repeats “every moment of his Pursuit, will reward Pains with some Delight,” (“Epistle,” 6). Two paragraphs later, however, Locke admits that the investigation into the “most elevated Faculty of the Soul” (“Epistle,” 7) was prompted not by the pure delights of the pure investigation therein, but by some other concern:

Were it fit to trouble thee with the History of this Essay, I should tell thee that five or six Friends meeting at my Chamber, and discoursing on a Subject very remote from this [the understanding], found themselves quickly at a stand, by the Difficulties that rose on every side. After we had a while puzzled our selves, without coming any nearer a Resolution of those Doubts which perplexed us, it came into my Thoughts, that we took a wrong course; and that, before we set our selves upon Enquiries of that Nature, it was necessary to examine our own Abilities, and see, what Objects our Understandings were, or were not fitted to deal with. (“Epistle,” 7)

In the introduction to the work Locke recalls An Essay’s genesis (E I.i.7), but just as discretely as in the “Epistle.” That would be the last time we hear about An Essay’s origins. One finds a hint of this motive in the introduction to E IV.xviii, “Of Faith and Reason,” where he says, “The greatest part of the Questions and Controversies that perplex Mankind [depend] on the doubtful and uncertain use of Words, or (which is the same) indetermined Ideas, which they are made to stand for.” He continues,

From these Things thus premised, I think we may come to lay down the measures and Boundaries of Faith and Reason: the want whereof, may possibly have been the cause, if not of great Disorders, yet at least of great Disputes, and perhaps Mistakes in the world. For till it be resolved, how far we are to be guided by Reason, and how far by Faith, we shall in vain dispute, and endeavor to convince one another in Matters of Religion. (E IV.xviii.1)

The parallel between these two passages, of course, is only a hint—perhaps we find here merely a coincidence of expression, or perhaps the former states a general objective that embraces a wide variety of particular goals, of which the distinguishing of faith and reason is simply one. Were we to comb through the entirety of An Essay we would scarcely discover anything more than uncertain suggestions of Locke’s intention.
But if Locke is not forthcoming, Locke’s friend James Tyrrell is, and from him we know of the subject of the conversation that prompted *An Essay*. It seems that in early 1671 Locke and his friends were discussing morality and religion. Given the religious wars that burned through Europe and England in post-Reformation Europe, and given further the threat of theocratic politics under King Charles II, this conversation was on an issue of significant urgency. However they found themselves at a loss, unable to make out true religion and morality beyond doubt. Locke proposed, as he states in *An Essay*, tackling the issue indirectly: discover and make clear how the understanding works and what it is capable of knowing before setting out to answer questions of morality and religion. He immediately set himself to work on the publication, and eighteen years and seven hundred pages later Locke published his solution. The opening words of *An Essay* thus present *An Essay* as an intrinsically worthwhile inquiry that has, incidentally, potentially beneficial results, but also obliquely indicate that the *An Essay* contains a solution to a moral and religious difficulty. This is not the only time that Locke hid his intentions from his readers, nor will this be the only significant instance of Locke’s deliberate obfuscation.

Tyrrell’s testimony works both to reveal Locke’s intentions in *E IV.xviii* and to illuminate the often unseen logic of the work as a whole. What Locke tells us in the “Epistle”—namely, that his inability in 1671 to make out beyond doubt true morality and religion brought him to examine the operations and objects of the understanding in order to judge what was within the power of the

---


5 Locke’s caution is well established. Cranston, *Locke*, xi relates that Locke “was an extremely secretive man. He modified a system of shorthand for the purpose of concealment; he employed all sorts of curious little cyphers; he cut signatures and other identifiable names from letters he preserved; at one time he used invisible ink.” I address the significance of this caution for the interpretation of Locke in Chapter 3, Section 3.2.3.
understanding and what was not—perfect reflection in the structure of *An Essay* itself. Books I and II treat the origins of the contents of our mental lives. They thus treat the objects and operations of the understanding, as it were, directly. Book III treats language, particularly with a view to how it represents to us our mental life and its contents. It thus treats the objects and operations of the understanding indirectly. Book IV treats the powers of the understanding, specifically the power to order our mental contents such that we attain knowledge or probable belief, and the power to mismanage those contents and so err. It is in Book IV that Locke’s ethics of belief is proposed. Accordingly it is this book that will receive the bulk of the attention in the remainder of this chapter.

Roughly speaking, Book IV has three movements: chapters i-xiii discuss the conditions under which we attain certainty; chapters xiv-xvi, the conditions under which we attain probable belief; and chapters xvii-xx concern the proper management of the understanding when certainty is not available. In this way *An Essay* aims at the demarcation of certainty and probability, and with it the demarcation of faith and reason. To settle the boundaries of faith and reason, and thereby to quiet many great disputes, can thus be taken to be the target and culminating effort of *An Essay*.

---

6 This view of *An Essay* is relatively recent. As Nicholas Jolley explains in *Locke: His Philosophical Thought* (Oxford: Oxford University Press, 1999), 1-15, the influence of Neo-Hegelian histories of philosophy had for a long time reduced Locke’s *An Essay* to a milestone on the historical development of empiricist theories of knowledge (in opposition, of course, to rationalist theories of knowledge) until mid- to late-20th century scholarship on Locke saw Locke more as an apologist for Boyle, Newton, and the rising new sciences than as a thinker troubled with the problem of skepticism. Recently scholarship has turned again, now paying more heed to the “Epistle.” Jolley writes, “Locke’s project may thus contribute not just to our own peace of mind, but to the peace of society as a whole. It is this noble aspiration which inspires the project of the Essay,” (*Locke*, 15). Nicholas Wolterstorff writes in a similar vein: “Locke is not the philosopher in the tower rendering judgments on who knows what and how, but the philosopher in the street offering advice to his anxious combative compatriots on how to overcome the cultural crisis engulfing them,” (*John Locke and the Ethics of Belief*, x). Views nonetheless persist that no single goal unifies the great mass of thoughts that make *An Essay*. See for example Kevin L. Cope, *John Locke Revisited* (New York: Twayne Publishers, 1999), 43, 60-67.
Locke’s *Conduct* states unequivocally, “It is therefore of the highest concernment that great care should be taken of the understanding, to conduct it right in the search of knowledge and in the judgments it makes,” (*CU* §1).

The solution that Locke provides to disputes over morality and religion is perhaps a little surprising. Locke does settle the boundaries of faith and reason, and so does make good on his proposal to settle issues of morality and religion indirectly. Yet he does not do this by means of a “true” interpretation of revealed religion—at most he proposes the rudiments of a modern, Spinozist biblical hermeneutic. Nor does he do this by means of a “true” natural theology—at most he bequeaths the slenderest skeleton of one. Nor finally does he do this by means of a “true” doctrine of morality—at most he tells us how we could go about developing one. Locke’s *An Essay* gives one the tools to settle disputes, but *An Essay* does not put the tools to work. Locke settles the disputes regarding morality and religion not through any content that one would be required to believe, but rather by recommending various processes or procedures of judging for oneself. When issues of morality and religion arise, Locke tells us, the solution is not to side with orthodoxy, whatever that may be proposed to be; the solution is to think through the issue for oneself, using of course the proper kinds of evidence, or what Locke would call, “grounds of probability.” Locke’s proposed solution, in other words, is an ethics of belief:

Probability wanting that intuitive Evidence, which infallibly determines the Understanding, and produces certain Knowledge, *the Mind if it will proceed rationally, ought to examine all the grounds of Probability*, and see how they make more or less, *for or against* any probable Proposition, before it assents to or dissents from it, and upon a due balancing the whole, reject, or receive it, with a more or less first assent, proportionally to the preponderancy of the greater grounds of Probability on one side or the other. (*E* IV.xv.5)

---

7 Statements to the same effect are given also at *E* I.i.5,6; IV.xvi.1; IV.xix.1,2,14; and hinted at *E* II.xxi.56,67; III.vii.2; IV.xi.10. See also *C* §15, 33, 34, and 42.
1.2. The Operations of the Understanding

This section charts the cognitive foundations of Locke’s ethics of belief—certain knowledge, probable belief, and belief formation. The first subsection deals with the understanding and the ideas. My target there are the classificatory schemes Locke draws up for ideas. These schemes chart out where demonstrative certainty is possible, and where and why one must settle for probable belief. The next four subsections characterize particular powers of the understanding that are essential to Locke’s ethics of belief—the power of knowing, the power of judging, and the power of assent. Particular attention will be given to demarcating those regions where the understanding is passive and where the understanding is active.

1.2.1. The Understanding and Its Ideas

Speaking broadly (as Locke himself does about these issues), the objects of the understanding are ideas, and the powers of the understanding are the ways the understanding can operate on its ideas. Locke defines “idea” several times in An Essay (E I.i.3,8, II.i.1, II.viii.8, and IV.i.1). Each definition is rather informal and light on the details, more a description than a definition, the statements that appear later in An Essay being in no significant way more refined than the earlier. The most instructive definition for my purpose is found in Book II: “Whatsoever the Mind perceives in it self, or in the immediate object of Perception, Thought, or Understanding, that I call Idea” (E II.viii.8). Perceptions, thoughts, and understandings, and as Locke will make clear in
later parts of *An Essay*, imaginations, recollections, and reasonings, are all equally “ideas.” In other terms, everything that the mind receives to work on, all the ways that the mind works on it, and the finished product of the mind’s work are all in one manner or another ideas. As Mackie notes, Locke uses the term “idea” “so broadly and, as [Locke] himself admits, so carelessly that its mere occurrence commits him to very little.” When I set my eyes upon the object before me, I see a blue chair, and so, I have an idea (somehow) of a blue chair. When later I am out of this room and turn my attention to my memory, and recall what I had beheld this day, I have again an idea (somehow) of blue chair. And when I reflect on the types of my day’s perceptions and recollections, I have again and just so much as before an idea (somehow) of a blue chair. No doubt the exact features of each idea differ (for instance, my perception is vividly colorful, my recollection faintly colorful, and my reflection colorlessness), but it is no difference that can affect an idea’s status in the mind as some sort of mental material on or by which the understanding works.

In the end Locke’s primary concern with this term was to communicate this much, and to have grasped this suffices for my purpose here.

---

8 “Whiteness, Hardness, Sweetness, Thinking, Motion, Man, Elephant, Army, Drunkenness, and others” (E II.i.1) are all ideas.


10 The precise way in which, on Locke’s account, I come to see the blue chair is irrelevant for the present purpose. Some details are relevant, however, when the discussion turns to Grotius below in Chapter Two, Section 2.2.4.

11 A common complaint is that Locke does not sufficiently distinguish between percepts (the things we pick out and experience) and concepts (the means by which we pick them out). Locke would reply that if we are able to give shape or statement to what a concept is, it is surely because we have an idea of it. This does not always satisfy. See Jolley, *Locke*, 39-44.
Locke gives the same name to all the different sorts of things that go on in the mind, and likewise he gives the same name to all the different powers that belong somehow or other to the mind: As Locke uses “idea” to refer to that about which the mind is conversant, he uses “understanding” to refer to that which is conversant about ideas. (And if I alternate between “understanding” and “mind,” I intend no difference in meaning.) Just as perception, thought, etc., come equally before the mind’s eye, so ideas, perceiving, thinking, etc., equally belong to the mind’s college of powers. Locke appears to subsume under a single entity what might otherwise have been regarded as independently operating faculties. A brief comparison with Locke’s predecessors is instructive here. In the Aristotelian conception, for instance, which was at the time of Locke’s writing still quite relevant, the mind was a corporation of different faculties hierarchically ordered, with varying relationships to the material body, and each with their own proper objects and actions. The seeing of a blue chair was the action of vision, not of the intellect, nor, properly speaking, of the soul. Yet on Locke’s view it is quite proper to say that the seeing of a blue chair is an action of the mind. At the time of Locke’s writing, the Cartesian conception of the mind was on the table, and according to this conception the occurrences, which Aristotle had attributed to different faculties operating on different objects were understood to be all different actions of a single substance: the mind. Like Descartes, Locke attributes any interior operation upon an idea to a single dexterous mind, rather than to a federation of faculties.

---

12 It appears that Locke would also intend no difference in meaning between his own uses of “understanding” and “mind.”


14 As we will see in Chapter Three, Locke was in many ways a disciple of Descartes. However I do not believe that the general agreement between Locke’s use of the terms “idea” and
Locke posited an empirical origin to all our ideas, and his sense of empiricism is as flexible as is his use of “idea” and “understanding.” He develops his empiricism in Books I and II. In Book I Locke attacks the doctrine of innate ideas, which at the time of Locke’s writing was the orthodox view. According to this view, the human mind is from its creation fitted with several ideas—indeed several of the most fundamental theoretical and practical principles. *An Essay*’s Book I is a relentless assault on this position. In our minds, Locke argues, are to be found no ready-made ideas, neither imminently nor dispositionally, that could be said to bear some evident or even discernable mark of innateness. Locke’s attack on this position, especially on the dispositional version of this doctrine, is useful for characterizing his empiricism. The thesis that there are ideas that are imminently present to the mind conflicts with the fact that these ideas do not find universal assent, which surely is required of a theory that holds that each human has these ideas. The dispositional thesis is designed to save the doctrine from this problem. On this view, certain ideas and principles are indeed innate, but they must be called up from whatever potency they have in the mind. Once

---

“understanding” and Descartes’ theory of mind sufficiently indicates that Lock was on this point a Cartesian. I make two claims about Locke’s terminology in *An Essay*. First, I claim that it was Locke’s intention to write in such a way as to do the least disturbance to ordinary experience and pre-philosophical intuition. As he says at *E*, Liv.25, he takes ordinary experience to be the final judge of his work: “All that I shall say for the Principles I proceed on, is, that I can only appeal to Mens own unprejudiced Experience, and Observation, whether they be true, or no.” Second, I claim that Locke took the term “idea” adequately to an event in ordinary experience. While the term means something quite specific in Descartes’ thought, the term nonetheless was novel in the seventeenth century and might still have carried little philosophical baggage.

---


these ideas are called up, the mind sees their truth immediately and assents. According to Locke’s presentation of this doctrine, these ideas are called up either through the maturation of reason (E I.ii.6), or through some evocation, typically reasoned speech (E I.ii.7). Locke then argues that the former specification entails the impossibility of distinguishing innate ideas that are discovered through the use of reason from non-innate ideas that are also discovered through the use of reason, and that the latter specification nearly renders superfluous the work nature performs in supplying ideas. On both interpretations of the dispositional thesis, one “begins to know a Proposition, which [one] knew not before; and which from thenceforth [one] never questions,” (E 1.ii.21). The upshot of these specifications is that the doctrine of innate ideas becomes indistinguishable from a simple empiricism that posits that each idea present in the mind began to be in the mind at some point after the mind was in existence and began to operate. And such is in fact Locke’s empiricism: for every idea we recognize to be in our minds, there was a time when we could not have recognized it to be in our minds. Experience is what carries us from ignorance of some idea to an awareness of the idea.

Locke’s empiricism is characteristically flexible. He is committed to the rather minimal view that the source of our ideas must be some or another kind of experience. If Book I shows that we are not simply born with ideas, then Book II must explain how the mind comes to be furnished with the ideas it possesses (E II.i.1). Most of his attention in An Essay is given to two sources of ideas in particular: sensation and reflection (E II.i.2). Sensation consists simply in the communication to the mind by the senses of the ways in which external objects have worked on the senses (E II.i.3). Reflection is the mind’s sensation of itself and its own operations. Reflection is a communication to itself from itself of the way it works on itself: “the Perception of the Operations of our own Minds within
us, as it is employ’d about the Ideas it has got” (E II.i.3). The mind comes to know of itself through reflection, and not surprisingly the mind comes to know itself as an idea.\textsuperscript{17} While Locke gives his attention particularly to sensation and reflection, he recognizes in total five sources of ideas: sensation (of material objects), reflection (on one’s own understanding), divine revelation,\textsuperscript{18} the manipulation of some spirit other than God,\textsuperscript{19} and the mind’s own power to combine ideas already in its possession, reason about them, and therefore come to new ideas it had not otherwise experienced. The first former provide the mind with simple ideas, whereas the last provides the mind with complex ideas. Two of these are extraordinary sources of ideas, of course.\textsuperscript{20} Locke gives his attention mostly to the sources men can ready find taken in themselves.

In the course of Book II Locke offers a catalogue of the ideas we get from sensation and reflection. Initially he orders the catalogue according to whether the idea comes from one sense only, from several senses, from reflection only, or from a combined effort of the senses and reflection (E II.iii.1). A more important criterion of classification than the source of an idea is the

\textsuperscript{17} E II.i.3: “which Operations, when the Soul comes to reflect on, and consider, do furnish the Understanding with another set of Ideas, which could not be had from things without: and such are Perception, Thinking, Doubting, Believing, Reasoning, Knowing, Willing, and all the different actions of our own Minds.”

\textsuperscript{18} E IV.xviii.3: “For whatsoever Impressions he himself may have from the immediate hand of GOD, this Revelation, if it be of new simple Ideas, cannot be conveyed to another, either by Words, or any other signs.”

\textsuperscript{19} E IV.xix.10: “the Proposition that must be well grounded, and manifested to be true is this, that GOD is the Revealer of it, and that what I take to be a Revelation is certainly put into my Mind by him, and is not an Illusion drop’d in by some other Spirit.”

\textsuperscript{20} Thus Locke’s statement to the effect that there are only two sources of ideas: “These two, I say, viz. External, Material things, as the Objects of SENSATION; and the Operations of our Minds within, as the Objects of REFLECTION, are, to me, the only Originals, from whence all our Ideas take their beginnings,” (E I.i.4).
complexity of an idea. At the most basic level, ideas are classified into simple and complex. By definition, simple ideas have no component parts and complex ideas are compositions of simple ideas \((E\ II.i.1,2)\). More important than the bare definitional difference between simple and complex is the cause of the distinction between simple and complex ideas, specifically, the mind’s action or inaction in receiving them.\(^{21}\) Concerning simple ideas, it is the case that “the Understanding is meerly passive” \((E\ II.i.25)\). The mind is powerless to construct or invent a simple idea; the mind must be stamped with them. “It is not in the Power of the most exalted Wit,” Locke writes, “or enlarged Understanding, by any quickness or variety of Thought, to invent or frame one new simple Idea in the mind . . . nor can any force of the Understanding, destroy those that are there” \((E\ II.i.2)\). For our purposes, most essential is not the fact that simple ideas do not have component parts; rather it is the fact that simple ideas, when present, are invincibly present to the mind.\(^{22}\)

If the mind’s passivity and impotence before an idea marks the idea’s simplicity, then the mind’s activity and power marks an idea’s complexity. A complex idea is by definition an idea with component parts. The cause of the complexity of complex ideas is the mind’s action. Complex ideas are products of the mind’s action:

\(^{21}\) I have glossed over how the mind receives simple ideas and complex ideas. Does, for example, perception consist of an array of simple ideas that the mind somehow or other weaves into a continuous and fluid appearance? Or is perception rather of a fluid and continuous manifold, from which the mind somehow or other extracts simple ideas? I gloss over these issues in keeping with the interpretative guidelines I set out at the beginning: I intend to remain general, except where issues relevant for belief formation emerge.

\(^{22}\) Jolley notes that while Locke does not define simple and complex ideas according to the mind’s action in receiving either of them, Locke does maintain equivalences between simple and passively received ideas and complex and actively formed ideas. He argues that Locke is thereby able to evade the counterargument that experience never furnishes us with simple ideas as Locke defines them. Jolley, *Locke*, 46-47.
When the understanding is once stored with these simple Ideas, it has the Power to repeat, compare, and unite them even to an almost infinite Variety. (E II.ii.2)

But as the Mind is wholly Passive in the reception of all its simple Ideas, so it exerts several acts of its own, whereby out of its simple Ideas, as the Materials and Foundations of the rest, the other are framed. (E II.xii.1)

The powerlessness of the mind regarding simple ideas and the power of the mind regarding complex ideas will come to play crucial roles in Locke’s account of knowledge and belief, as we will see below.

I turn now to the classification of complex ideas, which will be of particular importance for Locke’s account of knowledge and judgment. Locke classifies complex ideas into ideas of substances, ideas of modes, and ideas of relations. Ideas play a kind of representative role: they tell the mind about something. Ideas of substances, of modes, and of relations are all distinguished from one another according to what each idea aims to represent. Ordinary experience readily testifies to the fact that the world is filled with independently existing entities that are capable of maintaining identity over time. It further testifies to the fact that these entities have various affections and are capable of taking on and losing various other affections. Finally, it testifies to the fact that independently existing entities can fall into some relation with other such entities; the affections of an entity fall into relation with certain other affections, whether it is on the same entity or on others; and the affections of an entity fall into some relation with the entity itself. The independently existing entity is “a substance,” the affection it has, takes on, or loses is “a mode,” and the relations among substances, affections, modes, and all else are “relations.” To the various features of the world—to substances, modes, and relations—correspond ideas that represent those features to the mind—the ideas of substances, ideas of modes, and ideas of relations.
The idea of a substance intends to pick out a substance. The idea of the substance gold aims to represent to the mind what gold actually is rather than what gold appears to be. In practice, however, we pick out substances by what they appear to be. We pick out apples by their roundness, redness, and hardness, rather than by whatever it is that makes an apple to be an apple. This fact gives rise to the distinction Locke draws between a substance’s “real essence,” and the substance’s “nominal essence.” The “real essence” is the internal constitution that makes a substance to be what the substance is. According to the terms of Locke’s epistemology, the internal constitution is wholly obscure to us. Our access to the structure of substances is only indirect, our acquaintance with them being limited only to the various ways in which substances work on our senses. In other words, we know what substances are only according to what they appear to be. The sum of appearances makes up the “nominal essence.” Consider gold. We set gold in the sunlight and see that it shines; we strike it and see that it yields; we squeeze it and see that it resists; we hold it, and feel that it is weighty; and we set it in *aqua regia* and see that it dissolves. We fashion an idea of gold by combining together the various ideas we have collected from empirical experience with it. The radical difference between the real essence and the nominal essence opens severe epistemological shortcomings for any science of substances. The nominal essence of gold is essentially a definition, so whatever satisfies that definition is, as far as we know, gold, whether or not it has the same internal constitution as “genuine gold.” Further, Locke’s account entails an incorrigible ignorance of the real essences of substance: our empirical investigations reveal only the effects of the substances; we arrive at the causes of these effects only through guesswork, and guesswork cannot attain to
certainty. There is simply an unbridgeable gap between our idea of substances and the actual natures of substances. Accordingly, we can never have knowledge about the nature of substances.  

The ideas of modes are the ideas of affections of substances. Ideas of modes come in two varieties, simple and mixed. The idea of a simple mode is either the simple idea of an affection of a substance, or an iteration of the simple idea of an affection of a substance—e.g., “one” or “two,” “three,” “one dozen,” “a score,” and so on are all examples of simple modes. A mixed mode is a complex idea built out of several different simple modes. Examples are “Beauty, consisting of a certain composition of Colour and Figure, causing delight in the Beholders,” and “Thief,” which is “the concealed change of the possession of any thing, without the consent of the Proprietor.” (E IV.xii.5). The idea of a mode does not aim to represent the internal constitution of some entity that gives rise to the appearances that the affections of a substance take—that task is given to the ideas of substances. The idea of a mode aims only to represent that affection, and makes no claims and has no aims beyond that. As Mackie cleanly puts it, “there is nothing in this idea beyond which we are aware of and thus associate with the name.” For this reason, the nominal essence of a mode perfectly coincides with the real essence of the mode. The definition we give to an affection is the nature of that affection. Thus we can know of the nature of modes without first experiencing the substances that bear the affections the modes represent. It is possible to know what “freezing” is without first encountering ice (E IV.xv.5), or what the state of nature is without having experienced it. Further, the perfect coincidence of the real and nominal essences permits perfect, precise, and adequate knowledge of modes. This, Locke alleged, was the secret to the success of mathematics (E

\[\text{23 This point is made clear in Section 1.2.2.}\]

\[\text{24 Mackie, Problems from Locke, 89.}\]
III.xi.16, IV.i.9, IV.ii.9). As moral notions are also modes, the possibility is opened up for a
demonstrative science of morality as well as of mathematics. We return to this point below in
Sections 1.2.2 and 3.2.1.

The idea of a relation does not require much comment. The idea of a relation is simply the
idea that results when two ideas are set into comparison. Attention will be given to particular kinds
of ideas of relation in the discussion of knowledge and judgment in Sections 1.2.2. and 1.2.3 below.

Such, for our purposes, is the understanding and its ideas. An idea is whatever happens to
fall under the comprehension of the mind’s eye, and ideas are classified, first, according to the
mind’s activity in receiving them, and second, according to the representational role they are
intended to play. Where the mind is wholly passive, can only receive, and can neither create nor
destroy, there the mind is possessed of a simple idea. Where, however, the mind is active, and can
compound or separate, there the mind is conversant about a complex idea. The mind constructs
three different sorts of complex ideas: for ideas of substances, the complex idea is intended to pick
out substances; for ideas of modes (simple or mixed), the complex idea is intended to pick out the
affections of substances; and for ideas of relations, the complex idea is intended to pick out the
relations among substances and affections. As for the mind itself, Locke describes it as a network of
competences—there’s a power to perceive the outside world, to perceive the interior mental world,
to compound and compare ideas, to discourse and reason, and so on—but he states no claims as to
the nature of the mind beyond this minimum.
1.2.2. Knowledge: The Perception of Agreement or Disagreement Among Ideas

This subsection examines Locke’s definition of knowledge as the perception of the agreement or disagreement among ideas, and on the distinction Locke draws between intuitive knowledge and demonstrative knowledge.

Locke defines knowledge at *E IV.i.1* as “nothing but the perception of the connexion and agreement, or disagreement and repugnancy of any of our Ideas. In this alone it consists,” (*E IV.i.1*). Knowledge has three dimensions: (1) it is about the relation between ideas; (2) the relation consists in agreement or disagreement; and (3) in knowing the mind is possessed of a perception of the agreement or disagreement.

Knowledge is first and foremost about ideas; it is only in a secondary sense about the things that ideas represent. When I look out and see a blue chair before me, the perception of the blue chair is not straightway also knowledge that there is a blue chair in front of me. To have knowledge of the presence of the blue chair, I need to set my perception of the blue chair (an idea) into relation with other ideas, for instance, the idea of external existence. When an agreement obtains between these two ideas, I have knowledge that there is a blue chair in front of me. On Locke’s view, I pass from the bare perception of a blue chair to knowledge of the presence of a blue chair when I have reflected on and endorsed my perception as veritable. This particular outcome of Locke’s account of knowledge (that we know ideas first, things second) follows as a matter of

---

25 Knowledge of objects in the external, sensible world—what Locke terms “sensitive knowledge”—will not be further explored in this study. Of particular importance to this study is moral knowledge, which on Locke’s view belongs principally to “demonstrative knowledge.”
necessity: knowledge is about ideas set into relation. The upshot of this is that knowledge consists in the perception of a complex idea. Insofar as knowledge consists in the perception of a complex idea, the mind must be in some way active in order to attain knowledge. The mind must bring together two ideas and set them into a relationship, and then the mind (of course) must look at the relation.

The second dimension of knowledge is that the relation between the ideas must be one of agreement or disagreement. The agreement or disagreement follows from no other source than the ideas themselves: “Some of our Ideas have a natural Correspondence and Connexion one with another” (E II.xxxiii.5). Locke does not give us a simple criterion for identifying a natural agreement or disagreement. When he sets out the definition of knowledge he is content to evoke the experience he trusts all know:

For when we know that White is not Black, what do we else but perceive, that these two Ideas do not agree? When we possess our selves with the utmost security of the Demonstration, that the three Angles of a Triangle are equal to two right ones, What do we more but perceive, that Equality to two right ones, does necessarily agree to, and is inseperable from the three Angles of a Triangle? (E IV.i.2)

Finally, knowledge is the perception of the agreement between the two ideas set in relation to one another. As before, Locke evokes rather than explains his meaning: “For in this, the Mind is at no pains of proving or examining, but perceives the Truth, as the Eye doth light,” (E IV.i.1). Just

---

26 Locke does distinguish knowledge of relation from knowledge of identity, co-existence (or necessary connection), and real existence (E IV.i.3). It is fairly puzzling why he chose to do this, given that knowledge of identity, co-existence, and real existence are special cases of knowledge of relation.

27 See also E IV.ii.5: “If there be Sight in the Eyes, it will at first glimpse, without Hesitation, perceive the Words printed on this Paper, different from the Colour of the Paper: And so if the Mind have the Faculty of distinct Perception, it will perceive the Agreement or Disagreement of those Ideas that produce intuitive Knowledge. If the Eyes have lost the Faculty of seeing, or the
above we saw that the mind is active in knowing insofar as it sets ideas into relation. But we will see that at the moment of perception the mind is passive.

The metaphor to light—“perceives the Truth, as the Eye doth light”—is potentially misleading. It is true that the relation between the two ideas must be clearly visible (as, of course, light is) in order for perception to occur. But if one takes Locke at his word and presses him on this metaphor, one wonders what is responsible for illuminating the relation between the two ideas. The relation in question must be one of agreement, and the agreement follows directly from the content of the ideas themselves. Does the clarity of the agreement also follow directly from the ideas themselves? Do the ideas themselves illuminate their own relation? If the ideas illuminated themselves, then how would error be possible? Or might the mind itself illuminate the ideas? I think that both lines of questioning are inappropriate. This should become clear in working through what it means that knowledge is a perception of the agreement or disagreement between ideas: the mind passively receives a simple idea.  

There are two reasons for the view that the perception of the agreement between any two ideas comes as a simple idea. The first is that Locke does not in any way define agreement, but evokes the experience of it, that is to say, shows what agreement is. This follows the pattern of all simple ideas: they cannot be defined; they must be shown (E III.iv.7). A definition, Locke explains, is a compound of several ideas, and so cannot be taken to represent an idea that is uncompounded.

Mind of perceiving, we in vain enquire after the quickness of Sight in one, or clearness of Perception in the other.”

28 I dwell shortly on the passivity of the knowing mind. This will come to be particularly significant in the discussion of the promulgation of the natural law in Chapter Four.
That Locke does not define it of course does not prove that the idea is simple, but it is indicative of consistency.

The second reason comes from the description Locke gives of knowledge: in knowing, the mind is passive, just as when it senses and perceives. If the perception of the agreement between two ideas set in relation is a simple idea, then, according to what we saw above about the passivity of the mind when receiving simple ideas, we should expect the mind to be passive whenever it knows the relation between two ideas. Indeed Locke says so much. Of intuitive knowledge, Locke writes:

[T]his kind of knowledge is the clearest, and most certain, that humane Frailty is capable of. This part of Knowledge is irresistible, and like the bright Sun-shine, forces it self immediately to be perceived, as soon as ever the Mind turns its view that way; and leaves no room for Hesitation, Doubt, or Examination, but the Mind is presently filled with the clear Light of it. (E IV.i.1, my emphasis)

In fact, statements of the knowing mind’s passivity abound:

[H]e then begins to know a Proposition . . . because the consideration of the Nature of the things contained in those Words, would not suffer him to think otherwise. (E I.ii.21)

Men that have Senses, cannot chuse but receive some Ideas by them . . . and if they have any distinguishing Faculty, cannot but perceive the Agreement, or Disagreement of some of them one with another. (E IV.xiii.1)

[I]ntuitive Evidence, which infallibly determines the Understanding, and produces certain Knowledge. (E IV.xv.5)

In any Truth that gets not possession of our Minds by the irresistible Light of Self-evidence. . . (E IV.xix.1)

As Knowledge, is no more arbitrary than Perception. . . E IV.xix.9

It appears that passivity characterizes the experience of knowing in the same way that passivity characterizes the experience of any simple idea.

The emphasis I place on the minds passivity is not typical. Typical instead is to emphasize the luminousness of ideas or the faculties of the mind. Michael Ayers writes, “[W]e have knowledge
when and only when it is appropriate to speak of ‘perceiving’ the truth… In knowledge, in other words, the truth or fact or state of affairs in question is itself perspicuously presented to us by our faculties.”

Nicholas Wolterstorff follows this line of interpretation: the characteristic element of knowing is luminousness. In proportion as the mind’s passivity or powerlessness is omitted or downgraded in the presentation of Locke’s understanding of knowledge, Locke’s understanding is misunderstood.

Two reasons indicate that it is better to construe Locke’s understanding of knowledge according to passivity rather than to perspicuity. The first concerns the metaphor to light itself. The experience of sunlight contains more than just the power to illuminate and make other things perspicuous. Equally distinctive of the experience of a bright day is the overwhelming power of the sun. As Locke says, “This part of Knowledge is irresistible, and like the bright Sun-shine, forces it self immediately to be perceived,” (E IV.ii.1; my emphasis). To be sure, long philosophical tradition linked sunlight to the mind’s openness to luminous, actual reality, but we have no reason to suppose that Locke was in all things orthodox or traditional. When I look at the blue chair before me and see that blue chair, it is true that the chair is perspicuous to my eyes, but it is equally true, and an altogether

---

29 Ayers, Locke, vol. 110; see also 82.

30 Wolterstorff, John Locke and the Ethics of Belief, 39: “Whether it be propositions or facts, whether it be seeing-that or seeing, sometimes it is said that the seeing occurs because Reason illumines the thing seen; Descartes was given to this way of speaking. Sometimes, on the contrary, it is said that the seeing occurs because the thing seen is itself luminous. Locke was partial to speaking in this way. Either way, whether Reason lights up what we see so that we can see it, or whether the thing itself is luminous so that by Reason we can see it, it has often been said or suggested that there is an unavoidability about believing what one ‘see’s.”

31 Wolterstorff cannot avoid mentioning the passivity of mind (see the remark about “unavoidability” in the quote cited just above), but no attention is given to it. Plantinga, Warranted Christian Belief, 69 does make the passivity and powerlessness of the mind to be the characteristic feature of knowing, however.
different aspect of my experience of seeing the blue chair, that it is impossible for me to see anything other than the blue chair at the time that I am looking at it. I am invincibly compelled by what is before my eyes to see what I see—which happens in both dim and bright light. I contend that Locke’s metaphor to light means to draw our attention to an experience not of luminosity, but rather to an experience of passivity. Thus he writes near the conclusion of An Essay, “When the Agreement of any two Ideas appears to our Minds, whether immediately, or by the Assistance of Reason, I can no more refuse to perceive, no more avoid knowing it, than I can avoid seeing those Objects, which I turn my Eyes to, and look on in day-light” (E IV.xx.16).

The more decisive reason to understand Locke’s account of knowledge according to the mind’s passivity is drawn from the cause for second thoughts that the association of ideas provided. On an account of knowledge characterized essentially by the luminosity of knowledge there would have been no occasion for the sort of second thoughts that Locke had. The second dimension of Locke’s account of knowledge is the nature and source of the relation: the relation is one of agreement or disagreement, and the agreement or disagreement follows from the contents of the ideas themselves. There is a “natural Correspondence and Connexion” (E II.xxxiii.5) between ideas that impresses themselves upon the knowing mind. However, by the fourth edition of An Essay Locke had discovered “another Connexion of Ideas wholly owing to Chance or Custom,” (E II.xxxiii.5) such that whenever one idea is called up in the mind, another idea, which has no natural connection to the first, follows immediately and irresistibly, such that the two ideas appear to have a natural connection. Locke had supposed that there was a natural correspondence between ideas, but discovered that custom was so powerful that customary correspondences between ideas could be nigh indistinguishable from natural correspondences.
The customary association of ideas poses a serious difficulty for Locke. On Locke’s analysis, the mind is as passive in perceiving the natural connection between ideas as it is in perceiving the customary connection between ideas. Because the mind reacts in the same way to such different causes, there is the danger that knowledge is indistinguishable from customary belief.\[^{32}\]

Locke writes of the customary bond between ideas,

This gives Sence to Jargon, Demonstration to Absurdities, and Consistency to Nonsense, and is the foundation of the greatest, I had almost said, of all the Errors of the World; or if it does not reach so far, it is at least the most dangerous one, since so far as it obtains, it hinders Men from seeing and examining. When two things in themselves disjoin’d, appear to the sight constantly united; if the Eye sees these things rivetted which are loose, where will you begin to rectify the mistakes that follow in two Ideas, that they have been accustom’d so to join in their Minds, as to substitute one for the other, and, as I am apt to think, often without perceiving it themselves? This, whilst they are under the deceit of it, makes them incapable of Conviction, and they applaud themselves as zealous Champions for Truth, when indeed they are contending for Error; and the confusion of two different Ideas, which a customary connexion of them in their Minds hath to them made in effect but one, fills their Heads with false Views, and their Reasonings with false Consequences. (E II.xxxiii.18)

If Locke had characterized knowledge according to the light that the ideas from themselves shine on the mind, Locke would never have thought that the association of ideas would threaten his account of knowledge. For custom cannot reach into simple ideas and alter their content. If, however, Locke had taken the mind’s passivity to be a sufficient sign of knowledge, then the association of ideas would cause problems for Locke—and it evidently did. The customary association between two ideas means that the thought of one idea necessarily entails the thought of another idea as well. The mind in effect is powerless to prevent this sequence of ideas. If we take passivity to mark knowledge, then we struggle to distinguish the perception of natural agreement between ideas set in relation and customary agreement between ideas set in relation. There are

\[^{32}\] For a discussion of how it does work to undermine his ethics of belief, see Wolterstorff, *John Locke and the Ethics of Belief*, 159-179.
independent reasons for suspecting that Locke understood knowledge to be marked by passivity, and the fact that he did struggle to distinguish perceptions of natural agreement from perceptions of customary agreement works to confirm those suspicions.\textsuperscript{33}

Thus when the mind knows, it is in some ways passive and in some ways active. It is active at least insofar as it gathers any two ideas together, sets them into relation, and examines the relation. It is passive, however, at the moment of examination: the specific relation that is generated by the contents of the ideas themselves, impresses itself onto a passive, perceiving mind.

Let that suffice for the general characterization of knowledge. I turn now to the classification of knowledge. Locke classifies knowledge according to a variety of metrics. According to one, knowledge is classified by the sorts of ideas that are set in relation to one another: in “Identity” an idea is set in relation to itself; in “Relation” an idea is set in relation to any idea (though all instances of knowledge are special cases of relation); in “Co-existence” an idea ingredient to the complex idea of a given substance is set in relation to a different idea ingredient to a complex idea of the same substance; and in “Real Existence” an idea is set in relation to the idea of existence (\textit{E IV.i.4-7}). According to another metric, knowledge is classified by whether the perception of agreement is present to the mind, as it is in “actual knowledge,” or whether it is stored in memory, as it is in “habitual knowledge” (\textit{E IV.i.8}). According to a third, knowledge is classified by “the different way of Perception, that Mind has of the Agreement, or Disagreement of any of its Ideas,” (\textit{E IV.ii.2}). The latter of these is the metric relevant for our purposes. The ways are two: the agreement or disagreement between any two ideas is perceived either (1) immediately or (2) through the mediation of some set of interposing ideas. The first way of perceiving the agreement yields intuitive

\textsuperscript{33} The issues that custom poses for Locke’s moral epistemology will be considered in Chapter Two, Section 2.2.4 and Chapter Three, Section 3.3.2.
knowledge, which is the paradigmatic instance of all knowing. Here the mind brings together any two ideas and sets them into relation, the agreement or disagreement between the ideas follows directly from the content of the ideas, and the mind is as utterly determined to perceive the agreement or disagreement as the eyes are utterly determined to see light when turned to the sun. This sort of knowledge yields maximal certainty and is the foundation of all other certainty: “He that demands a greater Certainty than this, demands he knows not what, and shews only that he has a Mind to be a Sceptick, without being able to be so” (E IV.i.1). As the paradigmatic instance of all knowledge, the examples illustrating it range from the trivial (an orange is not a melody) to the significant (suicide disagrees with the law of nature).

There are cases, however, where the mind is unable to bring two ideas into comparison such that the agreement between them is immediately perceived. Consider as an example some claims from Locke’s Second Treatise of Government: how do the ideas “Every one as he is bound to preserve himself, and not to quit his Station wilfully,” (TT II.6) and “The measure of Property, Nature has well set, by the Extent of Mens Labour, and the Conveniency of Life,” (TT II.36) relate to one another? Do the ideas agree or do they disagree? The nature of their relation is not so immediately perceptible as the disagreement between the idea of suicide and the idea “every one is bound to preserve himself and not quit his station willfully.” In cases where the relation is not clearly visible, the mind must either resign itself to guesswork or search after “those intervening Ideas, which serve to show the Agreement or any two others” (E IV.i.3). When the mind succeeds finding the connective ideas, then the mind has achieved demonstrative knowledge. So as an illustration of demonstrative

---

34 E IV.i.2: “Yet it does not always happen, that the Mind sees that Agreement or Disagreement, which there is between them, even where it is discoverable; and in that case, remains in Ignorance, and at most, gets no farther than a probable conjecture.”
knowledge let us set down with Locke (as he does at E IV.xvii.4) two ideas: “Men shall be punished in another world” and “Men can determine themselves.” Neither agreement nor disagreement immediately manifests itself when these two ideas are set in relation to one another. In order to show the agreement between these propositions, intermediate ideas must be sought. Locke produces the interposing ideas thus: “Men shall be punished,—God the punisher,—just Punishment,—the Punished guilty—could have done otherwise—Freedom—self-determination” (E IV.xvii.4). The process whereby Locke moves from one idea to another is the demonstration. Yet in order for demonstration rightly to be called knowledge, it must proceed by intuitive knowledge. Each intervening idea marshaled in the demonstration must agree immediately with the idea prior in the proof. Locke believes this example illustrates so much. Demonstration is thus a linking together of several instances of intuitive knowledge.

Two comments on Locke’s statement of demonstrative knowledge are useful. First, the mind is more active in demonstrative knowledge than in intuitive knowledge. Two active powers of the mind precede the perception that constitutes intuitive knowledge: the mind creates with its own power a complex idea (of relation) and then sets itself into a second-order view of the complex idea it has created (rather than into a view of, for instance, some perception, memory, operation, and so on). In comparison to intuitive knowledge, the activity of the mind in demonstrative knowledge is

35 In anticipation of the almost obvious objection to this sort of procedure, Locke writes, “If it be true, that all Knowledge lies only in the perception of the agreement or disagreement of our own Ideas, the Visions of an Enthusiast, and the Reasonings of a sober Man, will be equally certain… Such Castles in the Air, will be as strong Holds of Truth, as the Demonstrations of Euclid,” (E IV.iv.1). Locke responds to this by proposing that reasoning ought to be based on specific kinds of evidence. Locke’s recommended kinds of evidence are examined below.

36 That said, Locke does sometimes suggest that intuition happens not so much freely as automatically. See E IV.i.1, quoted in note 26 above.
in one way iterated and in one way supplemented. Demonstrative knowledge features an iteration of the activities in intuitive knowledge, insofar as they are put into effect multiple times, while in intuitive knowledge they are employed just once. The activity of the mind is supplemented in the sense that in demonstrative knowledge the mind searches for interposing ideas. To my knowledge, Locke makes no statement concerning the iterative and supplemental dimensions of demonstrative knowledge, so let all the various activities of the mind in intuition and demonstration be grouped together under a single power, and let it be called an “evaluative power.”

Second, Locke affirms that both intuitive knowledge and demonstrative knowledge are certain, but he also concedes that demonstrative knowledge is less certain than intuitive knowledge.37 The diminished clarity of demonstrative knowledge relative to intuitive knowledge is not due to the ideas themselves, or even to the length of the chain of ideas that forms the demonstration. The difference in clarity is due rather to the weakness of our own nature, which Locke is sure to emphasize in both his description of intuition and his description of demonstration: Intuitive knowledge is the “clearest, and most certain, that humane Frailty is capable of” (E IV.ii.2), while demonstration is “like a face reflected by several Mirrors,” where “after many removes it has a great mixture of Dimness, and is not at first Sight so knowable, especially to weak Eyes” (E IV.ii.6). Each step of demonstration features the unyielding clearness of intuition, and so in principle demonstration is no less clear and compelling than intuition. Angelic intelligences, he hypothesizes, have a “larger Comprehension, which enables them at once to Glance to see the Connexion and Agreement of very many Ideas…which we by single and slow Steps, and long poring in the dark, hardly at last find

37 E 4.2.4: “This Knowledge by intervening Proofs, though it be certain, yet the evidence of it is not altogether so clear and bright, nor the assent so ready, as in intuitive Knowledge.” E 4.2.6: “Tis true, the Perception, produced by Demonstration, is also very clear; yet it is often with a great abatement of that evident lustre and full assurance, that always accompany that which I call intuitive.”
out, and are often ready to forget one before we have hunted out another” (E IV.iii.6; see also E II.x.9, IV.xvii.14). Demonstrations are relatively weak, only because our natures are weak. From the perspective of the demonstrations themselves, they are as clear (and to perfect intellects as irresistible) as intuitive knowledge.

The cause of the weakness of our nature (at least on this point) is worth examining briefly: it is a weak memory that leads to a weak nature. From the perspective simply of the ideas in a successful proof, demonstrations are in no wise less certain than intuitions. On Locke’s view, the content of the ideas necessitate this. The relative weakness of demonstration can be attributed only to the weakness of our own nature. We are not able to perceive all at once the whole train of ideas that constitutes a proof: we must rely on our memory. Accordingly, how we appraise demonstration depends on how we appraise memory. Locke’s various remarks on memory indicate a fair amount of wavering. On the one hand Locke did recognize the weakness of memory and our aptness to forget even those things we have just moments ago perceived (E IV.iii.6). He noted that it is inconceivable that Newton could have held in his memory all the particulars of the trains of demonstrations in his works (E IV.i.9), and also that diagrams do for mathematicians what their memories could not (E IV.iii.19). Yet even were Newton able at one time to recall all the steps of his thought, that is no proof that memory will secure his knowledge at all times. Memories fade, sometimes wholly out of existence (E II.x.8). Further, Locke’s image of the face reflected between mirrors, which he used to illustrate demonstrative knowledge, seems to have rather troubling implications for this kind of knowledge: might it not happen that sufficiently long proofs meet with such a “great mixture of Dimness” that they cease altogether to provide knowledge, and secure for us at best only highly probable conjecture? Locke does not explore this possibility.
For all that Locke has great confidence in memory, or at least he is persuaded that its defects do not undermine the security and certainty of demonstrative knowledge. He recognized that some human memories border on the miraculous—Pascal, for instance, “forgot nothing of what he had done, read, or thought in any part of his rational age,” (E II.x.9). Further, he insists that the fact that we must rely on memory does not necessarily imply that our demonstrations fall below the threshold of knowledge. Isaac Newton, Locke affirms, indeed does know what his books show (E IV.i.9), even if he cannot reconstruct from memory the steps he took to arrive at such knowledge. In other places, Locke speaks as if memory is a secure guarantor of knowledge: What a person has once known, he writes, “and so lodg’d in his Memory, that whenever that Proposition comes again to be reflected on, he, without doubt or hesitation, embraces the right side, assents to, and is certain of the Truth of it” (E IV.i.8). He repeats this position twice more in An Essay: if a man “remembers certainly, that he once perceived the Demonstration, that the three Angles of a Triangle are equal to two right ones,” then he “is certain that he knows it,” (E IV.i.9), and if one has “once with care and fairness, sifted the Matter as far as they could,” and “lay up the Conclusion in their Memories,” one may “remain satisfied with the Testimony of their Memories,” (E IV.xvi.1).

Given human nature, reliance on memory is “unavoidable,” (E IV.xvi.2) and no demonstration can be made without it; but it is also weak. What, then, permits Locke to say that demonstration merits the title “knowledge”? How can Locke admit the weakness of memory, but not confess that through its presence demonstration withers into probable conjecture? On Locke’s view, memory is the power of reviving past perceptions—knowledge once gained can later be recalled in its original clarity. But memory not only revives past perceptions; it comes “with this
additional Perception annexed to them, that [the mind] has had them before,” (E II.x.2).

Recall that knowledge is the perception of agreement between two ideas set in relation to one another, and recall further that the idea of agreement that the mind perceives is a simple idea. If the perception that the memory must revive in order to accommodate the demands of demonstration is merely the agreement that obtained between two ideas, rather than the agreement together with all the interposing ideas set in the proper relation, then the work memory has actually to do is considerably less than the work that would be required to recall a proof in its fullness. Perhaps it is this reasoning that underlies the confidence of E IV.i.9: if one is invincibly conscious of the memory of having once perceived the agreement between two ideas, then one can be confident that one knows what one does not anymore know how to prove.

As far as I can see, Locke does not provide clear proofs for these claims. I do not know how far ordinary experience can bear them out; mine does not seem to testify to it. For my part, I suspect that Locke’s confidence in the sufficiency of memory for demonstration derives from what could be demonstrated about God’s providence. “Men have Reason to be well satisfied with what God hath thought fit for them, since he has given them (as St. Peter says) . . . Whatsoever is necessary for the Conveniences of Life, and Information of Vertue,” (E I.i.5). As memory “is of so great moment, that where it is wanting, all the rest of our Faculties are in a great measure useless,” and “our Thoughts, Reasonings, and Knowledge, could not proceed beyond present Objects” (E II.x.8), so “God [has] fitted Men with faculties and means, to discover, receive, and retain Truths,” (E Liv.22; my

---

38 See also E II.x.vii: “This farther is to be observed, concerning Ideas lodg’d in the Memory, and upon occasion revived by the Mind, that they are not only (as the Word revive imports) none of them new ones; but also that the Mind takes notice of them, as of a former Impression, and renews its acquaintance with them, as with Ideas it had known before.”
emphasis). It is as if Locke’s concession that demonstration is less certain than intuition and his insistence that we can have confidence in what we once proved form a compromise between human frailty and divine providence.

To summarize Locke’s classification of knowledge: He distinguishes knowing into two types, namely, intuitive, in which the mind perceives the agreement between ideas immediately, and demonstrative, in which the mind perceives the agreement only through the mediation of interposing ideas. Demonstrative knowledge is in a way less certain than intuitive knowledge. However, and if by providence, the memory is such that one can be as certain and as confident in what one demonstrates as in what one intuitively knows.

As a concluding thought, I return to Locke’s classifications of ideas and the limits on knowledge the different ideas impose. Knowledge consists of a relation between two ideas. Regarding substances: because of the impossibility of perceiving the agreement between the substances’ real essence and the substances’ nominal essence (impossible, because the real essence is epistemically inaccessible), knowledge of substances is strictly impossible. Regarding modes: because the real essence of a mode and the nominal essence of a mode are identical, it is possible to have perfect, precise, and exact knowledge of what a mode is; and it also is possible to have perfect, precise, and exact knowledge of the relation of agreement or disagreement that one happens to obtain for any two modes set into relation with one another. While a demonstrative science of substances is impossible, a demonstrative science of modes is entirely possible. A particular implication of this is that a demonstrative science of morality is possible. Moral notions (the idea of theft, murder, etc.) and moral rules (prohibitions on theft, murder, etc.) are not ideas of substances,

39 In contradistinction to E I.i.5, Locke gives the claims of E I.iv.22 no scriptural support.
and they are not ideas of relations. They are instead ideas of modes: the moral notion describes an affection that a substance can take on, and conformity or disconformity to a moral rule is another affection. As modes, the relations among moral notions and moral rules can be made out with perfect clarity and distinctness. In principle, therefore, it should be possible to determine whether any proposed moral imperative agrees with the grounds of true morality, whatever that might be. I mention this possibility here, but save the development of it for other contexts.

1.2.3. Judgment: The Presumption of Agreement or Disagreement Among Ideas

If one were permitted to believe only those things one is capable of knowing, then one would “be often utterly in the dark” and “have little else to do, but sit still and perish,” (E IV.xiv.1). As a guide to assent where the power of knowing guides not, one has the power of judging. While the power of knowing perceives the agreement or disagreement between ideas, the power of judging presumes the agreement or disagreement: “Judgment” is “The Faculty…whereby the Mind takes its Ideas to agree, or disagree…without perceiving a demonstrative Evidence in the Proofs” (E IV.xiv.3). The presumption of agreement or disagreement brings with it several difficulties. When the mind knows, the perception of the agreement between two ideas and the formation of the belief that the two ideas agree appear to be coincidental. In other words, where knowledge, such as Locke defined it, is concerned, the act of evaluating the truth of a proposition and the act that renders belief in a proposition appear to be simultaneous. But when the mind is unable to perceive the agreement between two ideas, the evaluative and elective powers diverge: I can withhold belief in a proposition I evaluate to be likely, and I can believe in a proposition I evaluate to be unlikely. This
sort of doxastic freedom seems wholly alien to knowledge. In this subsection and in Section 2.1.4 below, I discuss how Locke charts this difficult terrain. The present subsection has two concerns. The first is to settle a vocabulary for naming the different powers and activities in belief formation where knowledge is not possible. The second is to clarify the difference between acts of knowing and acts of judging.

The target of this subsection is judgment as an evaluative power that presumes or guesses the agreement or disagreement between two ideas. Locke first introduces the term “judgment” at E IV.xiv.3 for this purpose. However he soon uses a variety of other terms—“belief,” “assent,” and “opinion”—both as synonyms and as near synonyms of “judgment,” but also as designating actions of the mind related to but distinct from judgment (again, as an evaluative power). Therefore the first step in analyzing Locke on judgment is to clarify the language that Locke uses. But in order to clarify Locke’s language, the confusions must be presented. The presentation will have the incidental and beneficial result of acquainting us with the powers of the mind relating to but nonetheless distinct from judgment.

Consider first E IV.xiv.3. Here “Judgment” is said to signify “This Faculty of the Mind, when it is exercised immediately about Things,” while “assent” is said to signify this same faculty “when [it is exercised] about Truths delivered in Words,” (my emphases). At E IV.xiv.3, “assent” and “judgment” both name powers of evaluation; they are distinguished only by the objects of evaluation. However, just one chapter later Locke defines “assent” as well as “belief” and “opinion”...

---

40 In my use of the term “evaluative power” I conflate two distinct acts. The first act is the act whereby the truth of a proposition is determined correctly. Properly speaking, this is an act of evaluation. The second act is the act whereby a truth value or probability is assigned. This is an act of evaluation only in a loose sense. With “evaluative power” I embrace both of these acts and their causes. For reasons made clear below, I believe that this use of the term reflects Locke’s descriptions of knowledge and judgment.
thus: “The entertainment the Mind gives this sort of Propositions, is called Belief, Assent, or Opinion, which is the admitting or receiving any Proposition for true…without certain Knowledge that it is so” (E IV.xv.3). While E IV.xiv.3 gave the name “assent” to a power to evaluate, E IV.xv.3 gives the same name to a power to elect (as in, elect a proposition for belief). What is more, E IV.xv.3 gives the names “belief” and “opinion” to the same power. Locke has identified two different powers, but the terms he uses to name them have blurred significations. The problems are amplified just one chapter later. At E IV.xvi.9 “judgment” is the term given to the evaluative power and “assent” is the term given to the elective power, but now “belief,” which at E IV.xv.3 named an elective power, is a specific degree of confidence with which one elects a proposition for belief:

The difficulty is, when Testimonies contradict common Experience, and the reports of History and Witnesses clash with the ordinary course of Nature, or with one another; there it is, where Diligence, Attention, and Exactness is required, to form a right Judgment, and to proportion the Assent to the different Evidence and Probability of the thing… This only may be said in general, That as the Arguments and Proofs, pro and con, upon due Examination, nicely weighing every particular Circumstance, shall to any one appear, upon the whole matter, in a greater or less degree, to preponderate on either side, so they are fitted to producing in the Mind such different Entertainment, as we call Belief, Conjecture, Guess, Doubt, Wavering, Distrust, Disbelief, etc. (E IV.xvi.9).  

There are two other puzzles. First, we might wish to take E IV.xiv.3 as authoritative. If so, then “assent” and “judgment” refer to different aspects of the same power. Accordingly, “assent” should never be paired with knowledge, because knowledge is a power separate and distinct from judgment, although they are both evaluative. Yet Locke pairs the terms “assent” and “knowledge” many times. Speaking of habitual knowledge, Locke writes, “whenever that Proposition comes again to be reflected on, he, without doubt or hesitation, embraces the right side, assents to, and is certain of the

41 Compare to E IV.xiv.4, where “right judgment” is said not when the mind assents in proportion to the evidence, but when the mind’s guess at the agreement or disagreement between ideas is correct.
Truth of it,” (E IV.i.8). Moreover, there are more than a dozen pairings of the terms “assent” and “knowledge” in Book I.\textsuperscript{42} We might wish to solve this puzzle by maintaining that “knowledge” and “judgment” are about things whereas “assent” is about words. While this might solve the puzzle from a logical perspective, it does not help to clarify Locke’s blurry idiom, for we are lead by this solution to a second puzzle: in the dozen or so pairings of “assent” and “knowledge” in Book I, “assent” appears to be about things rather than words.\textsuperscript{43}

From the above passages at least two powers can be discerned. Discernable is an evaluative power, which determines the relation between ideas. The powers of knowing and of judging are both evaluative powers, because they perceive or presume the agreement or disagreement between ideas. Discernable also is an elective power, which forms a belief on the basis of what is perceived or presumed. As the frequent pairing of “assent” and “knowing” in Book I indicates, the evaluative power and the elective power operate simultaneously when knowledge occurs. There may or may not be a third power discernable here. Is there an independent power that determines the confidence with which one entertains a proposition evaluated according to “Arguments and Proofs, pro and con,” (E IV.xvi.9)? Is the confidence determined entirely by the evaluation? Is the confidence a product of the elective power? Or is the confidence the product of some power activated by the elective power but operationally independent of it and the evaluative power? I reserve these questions for later.

\textsuperscript{42} See E I.ii.5, 6, 8, 10-14, 17, 20, 22, I.iii.12; compare with E IV.xx.16.

\textsuperscript{43} Take E I.ii.5 as an example: “For to imprint any thing on the Mind without the Mind’s perceiving it, seems to me hardly intelligible. If therefore Children and Ideots have Souls, have minds, with those Impressions upon them, they must unavoidably perceive them, and necessarily know and assent to these Truths, which since they do not, it is evident that there are no such Impressions.”
The terms I will use to describe the actions of the mind relating to judgment are the following. “Judgment” will be used in accordance with Locke’s definition of it as “The Faculty…whereby the Mind takes its Ideas to agree, or disagree…without perceiving a demonstrative Evidence in the Proofs” (E IV.xiv.3). I will break from Locke’s use insofar as I will use this term both where the mind exercises this faculty about things and where the mind exercises this faculty about propositions. “Opinion” I take to be the product of a judgment. It is the evaluation of how likely to be true (given one’s evidence) a given proposition is. Rather than let degrees of confidence be specified with such terms as “Belief, Conjecture, Guess, Doubt, Wavering, Distrust, Disbelief,” (E IV.xvi.9), I let it be evoked through the locutions, “It very much appears so,” “It seems to be so,” “I’m inclined to believe so,” “It seems not,” “I don’t think so,” and so on. “Assent” I take to refer to that elective power that is responsible for the formation of beliefs. In defining “assent” thus, I posit that there are evaluative and elective powers.

It is not clear whether Locke recognizes a power of assent. At several places, what Locke says seems to commit him to the existence of this power, but at several other places he seems not to recognize it. In my interpretation of Locke, I side with those passages that point to the recognition of this power.44 “Belief” I take to be the product of assent. To assent is different from to opine in this: to opine is only to judge how likely to be true a proposition is, but to assent is to take an opinion as a belief, more concretely stated, to take the opinion as a guide to life and action. A “belief,” then, as opposed to an “opinion,” is a proposition that has been in some way endorsed as true or probable and that has also been taken up as a guide to action. A belief is the endorsement of

44 In doing this, I follow Ayers, Locke, vol 1., 128-30, and Wolterstroff, John Locke and the Ethics of Belief, 46-47, though our terminology is not entirely the same.
some such proposition as “The measure of Property, Nature has well set, by the Extent of Mens
Labour, and the Conveniency of Life,” (TT II.36), whereas an opinion is the endorsement of some such
proposition as “King Richard the Third was crook-backed,” (E IV.xx.16). The latter is (in most cases,
surely) not a proposition one uses much in practical life.

The terminology in place, I return now to the main theme of this subsection: judgment. The two evaluative powers of knowing and of judging are distinguished in the following way. While
the power of knowledge simply sees what the contents of the ideas, which are set in relation, make
plain, the faculty of judgment presumes there to be an agreement or disagreement when none is
plainly to be seen (E IV.xiv.4). Where agreement or disagreement is not to be seen the mind
supplies from its own action a guess as to how the ideas in reality relate, rather than receive from the
content of the two ideas themselves their actual relation. When the mind does this correctly, then it
judges rightly (E IV.xiv.4). Knowledge can be analyzed into three parts: (1) it is about two (or
more) ideas set into relation with one another; (2) the relation consists of either agreement or
disagreement; and (3) the mind perceives (i.e., is passive in receiving the idea of) the agreement or
disagreement. Judgment diverges slightly but significantly: (1) it is about two ideas set into relation
with one another against a common set of background ideas; (2) the relation consists of a presumed
agreement or disagreement; and (3) the mind is partly active, partly passive in presuming agreement or
disagreement.

The first part of judgment concerns the items involved in an act of judgment. In an act of
intuitive knowledge, two items are in play, but in an act of judgment, three are in play: the two ideas
and “something extraneous to the thing” judged (E IV.xv.3). Judgment occurs only when the

45 I discuss the meaning of “correctly” in Section 1.3.3 below.
contents of two ideas set into relation do not from themselves offer a sight of their relation—when in other words the agreement or disagreement cannot be immediately perceived. Judgment is distinguished from demonstration, however, in this: whereas in demonstration the mind seeks proofs (intermediate ideas that reveal to a certainty the agreement or disagreement), in judgment the mind sets the ideas against a background set of beliefs, and the mind guesses the agreement on the basis of this background. This background “is something extraneous to the thing I believe [judge]; something not evidently joined on both sides to, and so not manifestly shewing the Agreement, or Disagreement of those Ideas, that are under consideration” (E IV.xv.3). Specifically, the common background is a background of evidence, or in Locke’s terminology, a set of “grounds of probability,” (E IV.xvi.1). Speaking in a descriptive mode rather than a normative mode, the grounds of probability are “some reverenced Propositions, which are to him the Principles on which he bottoms his Reasonings; and by which he judgeth of Truth and Falsehood, Right and Wrong” (E I.iii.24). These “reverenced Propositions” are the “first and firmest ground of Probability” (E IV.xx.8), and their effect is such that anything that is seen to be consistent with these principles is liable to be looked upon as true, and anything inconsistent as false. The set of such reverenced propositions and the set of known logical consequences of these principles together constitute the third item that is necessarily involved in every act of judgment.

The second part of judgment concerns the nature of the relation between ideas. Whereas for knowledge the relation between two ideas is one of agreement or disagreement, for judgment the relation is not manifest; instead the relation is presumed. When no proof of their agreement (or disagreement) is available, the agreement (or disagreement) that one is apt to see depends on one’s adopted “grounds of probability,” that is, the ideas one takes up as true and lays at the foundations
of all evaluative efforts. Consider again the two propositions “Men shall be punished in another world” and “Men can determine themselves.” Locke’s proof (stated above—see page 46 above) relies on the idea of a just God. But how does the agreement between these two ideas stand without the idea of a just God? If one sought not the proof, but set the two ideas against a background set of beliefs that included the proposition that God is just, then the relation is likely to be presumed as one of agreement. “Let any one, with Polemo, take the World; or, with the Stoicks, and Aether, or the Sun; or, with Anaximenes, the Air, to be God; and what a Divinity, Religion, and Worship must we needs have!” (E IV.xii.4; compare E I.iii.5; II.xxi.60). The presumption of agreement or disagreement is not arbitrary. It depends on the background set of ideas against which the two ideas set in relation are viewed.

The knowing mind perceived the relation between two ideas, which means that the mind passively received the simple idea of agreement or disagreement. The judging mind, however, presum— is the mind active or passive? Assuredly the mind is active so far as it combines and compares ideas. But in the moment of presumption, is the mind active or is it passive? It appears that according to Locke’s account the judging mind, at the moment of presumption, is passive in a way quite similar to the knowing mind. The knowing mind is “infallibly determined,” (E IV.xv.5) to side with the truth. The judging mind is “induced” (E IV.xv.1) to side with what seems to be the truth. 46 As the mind is induced, so it is also passive:

It being impossible for Reason, ever to procure any Assent to that, which to it self appears unreasonable. (E IV.xviii.6)

46 See also E 4.15.4, where Locke uses similar language: “Probability then, being to supply the defect of our Knowledge, and to guide us where that fails, is always conversant about Propositions, whereof we have no certainty, but only some inducements to receive them for true”; and E 4.16.5: “But to return to the grounds of Assent, and the several degrees of it, we are to take notice, that the Propositions we receive upon Inducements of Probability.”
[Reason] can never permit the Mind to reject a greater Evidence to embrace what is less evident, nor allow it to entertain Probability in opposition to Knowledge and Certainty. (E IX.xviii.10)

We can receive it [the probability of a proposition] for no other than such as they [the measures of probability] deliver it to our Understandings. (E IV.xix.1)

Not but that it is the Nature of the Understanding constantly to close with the more probable side. (E IV.xx.12)

But that a Man should afford his Assent [Judgment] to that side, on which the less Probability appears to him, seems to me utterly impracticable, and as impossible, as to believe the same thing probable and improbable at the same time. (E IV.xx.15).

It seems, then, that in both knowing and judging the mind is forced to a vision of something. In knowing, the mind is forced by the contents of the two ideas set in relation to one another. In judging, it appears, the mind is forced by the contents of the two ideas together with and against the elected grounds of probability. Thus, even if in judging the mind makes a presumption of the relation between two ideas, it is not quite up to one to presume whatever one pleases.

As the mind is somewhat more active in judging than in knowing, the question arises as to whether there is there more or less doxastic control in judging than there is in knowing? Two powers were identified in knowledge: the mind has the power to combine two ideas together into a complex idea of relation, and the mind has the power to view or not to view that idea. The knowing mind, however, does not have the power to see whatever it will, but only what the content of that complex idea delivers to the mind. One sees a near parallel for judgment: the mind has the power to combine two ideas together into a complex idea of relation, and the mind has the power to view or not to view that idea. The judging mind, however, does not have the power to see whatever it will, but only what the content of that complex idea together with the grounds of probability suggest to the mind. But what powers does the mind have to elect the grounds of probability? To start, Locke
seems to hold that it is unavoidable for one to have grounds of probability: “most Men” cannot be “quiet in their Minds, without some Foundation or Principles to rest their Thoughts on” and “there is scarce any one so floating and superficial in his Understanding” who does not have some such principles (E I.iii.24; see also CU §6). To have or not to have grounds of probability, it appears, is not up to voluntary control.

Yet when it comes to the election of one’s grounds of probability, one appears to have some degree of indirect voluntary control. In the first place, Locke’s ethics of belief would be in vain were it not possible in some way to elect these foundational measures. If our judgments, as Locke argues, are determined by one’s grounds of probability, and if in turn one’s grounds of probability are determined by other factors for which one is not responsible, then one cannot be held responsible for what one believes or does not. Yet Locke does indeed mean to hold others responsible for what they believe. Further, if it is simply natural and unavoidable that the “first and foremost ground of Probability, is the conformity any thing has to our own Knowledge” (E IV.xx.8; see also E IV.xv.4), then it is equally unavoidable that the first and foremost ground of probability changes over time as our knowledge changes over time. Since growth in knowledge cannot be accomplished without some active effort of the mind to gather, combine, and examine ideas, the principles “on which we bottom our reasonings” also change in accordance with the compounded effect of these active efforts. The grounds of probability are thus products of the powers of knowing and judging (and searching, finding, and combining of ideas), in such a way as to be open, in principle, to change, improvement, or degeneration. This outcome finds confirmation in Locke’s remarks about the sources of these grounds: they are acquired through “long Custom and Education” beginning as early as the cradle (E IV.xx.8-10), through some powerful, overwhelming passion (E IV.xx.12),
through the appeal or burden of fashion, or through a constitution ill-suited to “taking the pains” needed to examine the foundations of one’s thinking.

1.2.4. Assent

The reason to be concerned about assent is because belief does not always track judgment. Commenting on this issue in Locke, Wolterstorff writes, “it seems entirely possible to be exceedingly tenacious in hanging onto beliefs in propositions about which one is not very confident, and to be entirely non-tenacious with regard to beliefs in propositions in which one has a high level of confidence.” I can be supremely confident that the earth is not the center of the universe, but never risk anything of my life for the sake of that proposition. Yet I can be uncertain that the paths I have elected will turn out well, but hold tenaciously to the proposition that they will—and “risk my life” for the sake of that proposition for as long as I hold to that proposition and stay the course. Assent does not always track judgment. In this subsection, I show how Locke charts out the main ways that assent fails to track judgment, and I also hazard a claim as to why Locke says it fails to do so. The point I drive at is this: Locke is both an emotivist and an intellectualist in belief

47 *E I.iii.25*: “And had Men leisure, parts, and will, Who is there almost, that dare shake the foundations of all his past Thoughts and Actions, and endure to bring upon himself, the shame of having been a long time wholly in mistake and error? Who is there, hardly enough to contend with the reproach, which is every where prepared for those, who dare venture to dissent from the received Opinions of their Country or Party? And where is the Man to be found, that can patiently prepare himself to bear the name of Whimsical, Sceptical, or Atheist, which he is sure to meet with, who does in the least scruple any of the common Opinions?”

48 “Take the pains” or a similar formula occurs frequently in *An Essay*, appearing at *E* I.i.1, 3, ii.7, 10, 11, II.xxi.21, 67, 69, III.ix.9, and IV.xiii.3.

49 Wolterstorff, *John Locke and the Ethics of Belief*, 81.
Belief is a matter of evidence and pragmatic importance, or “concernment.” The activation of the power of assent is a function of what one sees to be true and what one takes to be good.

In Section 1.2.3 I described the powers to judge and to know as evaluative powers. These powers ascertain the truth of propositions by perceiving or presuming the agreements or disagreements among the ideas in propositions. In that section I also suggested that assent is an elective power—it is a power to take up propositions as true or probable and forms beliefs. Insofar as the judgment that a proposition is likely to be true is sometimes not sufficient to form a belief, this description of the power of assent is accurate in the following way: in many cases, something extraneous to the evaluation of a proposition is responsible for belief or disbelief in the proposition. However, my statement is inaccurate to the following degree: Locke recognizes no single power that is responsible for the formation or dissolution of beliefs. To be precise, “assent” names a set of conditions that, when met, result in the formation of a belief. Locke’s account of belief formation is rough and underdeveloped, so a full exposition of assent is far from possible. In what follows I provide the central points of Locke’s account of belief formation.

There are two contexts in An Essay in which one sees that Locke is clearly committed to the thesis that assent (i.e., election of a proposition for belief) does not always track judgment (i.e., the evaluation of a proposition’s truth): in the context of his theory of action in Book II, Chapter xxi, 50

50 Passmore, “Locke and the Ethics of Belief,” assiduously collects all the evidence for the emotivist elements in Locke and all the intellectualist elements. Passmore assumes that the two sets of views are incompatible and that one or another set must be the correct, authoritative view, while the other belongs to an earlier stage of Locke’s thought. Ayers takes these assumptions over, but argues that Locke was an intellectualist. I argue that the two views are descriptions of two separate elements that together contribute to the formation of beliefs.
“Of Power,” and in the context of his discussion of the causes of false judgment in Book IV, chapter xx, “Of wrong Assent, or Errour.” At several places in E II.xxi Locke speaks as if action follows immediately upon judgment: “a Man's will, in every determination, follows his own Judgment,” (E II.xxi.48; see also E II.xxi.52 and 53). This, of course, would mean that assent follows immediately upon judgment. On must be cautious here, however. The use of the term “judgment” in E II.xxi.48, 52, and 53 is consistent with the definition Locke gave in Book IV, which as we saw in the previous subsection is vague. This means that the term “judgment,” as it appears in E II.xxi is capable of embracing several actions involved in belief formation rather than just signaling one specific action. Further, one can surmise from the use he makes of the term in E II.xxi that it refers indiscriminately to all the actions of the mind that result in belief. Next, Locke draws attention in several places to the suspension of judgment, which, given the immediately above considerations, might as well be the suspension of assent:

For, since the will supposes knowledge to guide its choice, all that we can do, is to hold our wills undetermined, till we have examin'd the good and evil of what we desire. What follows after that, follows in a chain of Consequences linked one to another, all depending on the last determination of the Judgment. (E II.xxi.52; see also E II.xxi.47, 50, 51)

The suspension of judgment/assent is later in the chapter called “the first therefore great use of Liberty,” (E II.xxi.67). This power to suspend judgment is clearly not the same thing as the power of judgment discussed in Section 1.2.3 above. What is more, the power to suspend judgment/assent is clearly important for the actual formation of beliefs: whether a belief is formed or not depends on whether the power to suspend a judgment/assent is activated or not. The role of the power to suspend judgment/assent in belief formation is made plain in Locke’s brief discussion of the evasion of assent at E IV.xx.13 and 14. The first evasion is the “old Reply, non persuadebis, etiamsi persuaseris, though I cannot answer, I will not yield.” If one so much as suspects that “there may be a Fallacy latent in
[arguments],” (E IV.xx.13), one can suspend the course of one’s judgment, form no new belief, and leave old beliefs undisturbed. The second evasion of assent is much more blunt, and is so “open and so wide that it is hard to determine, when a Man is quite out of the Verge of it”:

Manifest Probabilities may be evaded, and the Assent withheld upon this Suggestion, That I know not yet all that may be said on the contrary side. And therefore, though I be beaten, ’tis not necessary I should yield, not knowing what Forces there are in reserve behind it. (E IV.xx.14)

Thus, although one’s evaluative power might recommend a proposition as likely to be true, one may withhold assent. For this reason the power to suspend judgment/assent may be understood as a specific form of the power of assent. Above I described the power of assent as an elective power. Although the terms “assent” and “elective power” suggest a power that chooses, it does no violence to my presentation in this subsection to call a power “elective” that is actually prohibitive when activated and permissive when not activated. For whether the belief is made through active choice or passive permission, the belief is formed all the same.

The text of E IV.xx.14, quoted just above, appears to suggest that some specific disposition of the power to suspend judgments is necessary to form any belief. But Locke exaggerates in E IV.xx.14. The power to suspend judgments is determinative of belief formation in those cases where the evidence is not overwhelming. where the truth is plainly seen, assent is irresistible. In other words, for those instances where the truth of a proposition is undeniable, assent tracks knowledge and judgment. As we will see, for those instances where the truth of a proposition is obscure, assent ceases to track judgment. The former view appears in several places throughout An Essay. To begin, there are a dozen or so instances in Book I where “knowledge” and “assent” are paired. Consider for example E I.i.10: “but the other [mathematical maxims], as soon as understood, are,
without any the least reasoning, embraced and assented to,” (see also E I.ii.5, 6, 8, 10-14, 17, 20, 22, I.iii.12). 51 There are several passages in Book IV that testify to roughly the same:

As Knowledge, is no more arbitrary than Perception: so, I think, Assent is no more in our Power than Knowledge. (E IV.xx.16)

For that which makes the Mind assent to such Propositions, being nothing else but the perception it has of the agreement, or disagreement of its Ideas. (E IV.vii.9)

But where the Proofs are such as make it highly probable…there, I think, a Man, who has weighed them, can scarce refuse his Assent to the side, on which the greater Probability appears. (E IV.xx.15)

Locke takes the view that it is simply impossible to deny assent to evident truth. As he says elsewhere, “the natural tendency of the Mind” is “towards Knowledge” (E II.xxxii.6), so presumably once the mind actually perceives the agreement or disagreement between ideas (i.e., knows), then it can do nothing but render assent.

Yet as E IV.xx.15 suggests, when the truth is not evident, assent ceases to track judgment. When this happens, an element besides evidence emerges—“concernment.” Locke writes at E IV.xx.16:

But where the Mind judges that the Proposition has concernment in it, where the Assent, or not Assenting is thought to draw Consequences of Moment after it, and Good or Evil to depend on chusing, or refusing the right side, and the Mind sets it self seriously to enquire,

51 The context here is Locke’s critique of the doctrine of innate ideas, but the point stands all the same.

52 Compare with E IV.xix.1: “In any Truth that gets no possession of our Minds by the irresistible Light of Self-evidence, or by the force of Demonstration, the Arguments that gain it Assent, are the vouchers and gage of its Probability to us; and we can receive it for no other than such as they deliver it to our Understandings.”

53 As we will see below, Locke holds that some instances of very high probability are functionally indistinguishable from instances of certainty.

54 Compare with CU §§24 and 42.
and examine the Probability: there, I think, it is not in our Choice, to take which side we please, if manifest odds appear on either. The greater Probability, I think, in that Case, will determine the Assent: and a Man can no more avoid assenting, or taking it to be true, where he perceives the greater Probability, than he can avoid knowing it to be true, where he perceives the Agreement or Disagreement of any two Ideas. (E IV.xx.16).

Above we saw that assent does not track judgment when one’s train of thought is suspended. Here we have a second instance where assent does not track judgment: when the evidence is not overwhelming and the proposition is not judged to be important (i.e., of “concernment”), one will not necessarily believe as the evaluative powers recommend. When the proposition is not regarded as important, one will not hold a belief as true against the recommendation of judgment. Yet when the proposition is regarded as important, it may very well happen that one holds a belief as true against the recommendation of judgment. Thus passions, which distort one’s appreciation of what’s important and not, will lead one to render assent other than as judgment recommends (E IV.xx.12), or the love of one’s own pet theories or explanations (or by extension, courses of action) will prevent one from bending to the plain evidence before one’s eyes (E IV.xx.11). When the evidence of a proposition does not overwhelm and irresistibly determine assent, the concernment of a proposition becomes influential in the formation of a belief.

To state in detail the role that “concernment” plays in belief formation would require an analysis of Locke’s theory of action, and as such would take us too far afield. Therefore a summary of concernment must suffice. On Locke’s account of action, we are moved to act by some present “uneasiness.” “Uneasiness” should not be identified with either pleasure or pain, nor with desire or aversion, wishing or fearing. “Uneasiness” is a blanket term Locke uses to refer to any impulse of

---

55 These two causes of error are considered in more detail in Section 1.3.4 below.

whatever sort that disrupts our “hedonic inertia,” as it were—uneasiness alters a hedonic propensity or knocks one out of hedonic equilibrium. A pain in the leg might move one to change how one sits. The anticipation of future hunger pains might set one presently to work. The worry that one is in error about one’s choices might move one to examine one’s beliefs. Fears of public shame or social reprisal might move one to suppress one’s findings or halt one’s inquiries. Pride might move one to exaggerate them. One moves, works, examines, remains silent, or boasts depending on one’s uneasiness. But uneasiness comes in degrees and has a variety of sources. In all cases, uneasiness is a matter of judgment. Future pleasures and pains, for instance, are often misjudged on account of their distances away (E II.xxi.63), leading one often to “mistake . . . imaginary for real happiness,” (E II.xxi.51). As one judges one’s happiness to consist in this or that, one’s concernment tends in this way or that, and as a result one’s concernment may or may not align with what one’s evaluative powers tell one is likely to be true. As uneasiness varies, so diverges assent and judgment. One sees in this a connection between the present remarks on concernment and the previous remarks on the power to suspend judgment: because one is ill at ease to give up one’s beloved hypothesis, or because one is ill at ease because of some momentary but intense passion, one suspends one’s judgment, thus permitting one’s beliefs not to track the evidence.

This picture of assent suffices for my purposes here. The elective power of assent does not in all cases track the evaluative powers of knowledge and judgment, because the evidence is not overwhelming in all cases, because one is not in all cases concerned to conform one’s beliefs to the evaluations of one’s judgment, and because judgment can be suspended. There are thus a variety of conditions (to use the term somewhat loosely) that must be met before one assent can be rendered.
I term the entire catalogue of conditions “the power of assent.” The specific conditions are no matter for this study.

I note here that the above sketch intimates several intricate puzzles about the relationship between judgment and assent. One assents to a proposition according to one’s judgment of the proposition’s truth, when one is concerned to assent according to one’s judgment. But one’s concernment is a matter of uneasiness, and uneasiness is a matter of judgment. So does one assent according to one’s judgment when one judges that it is good to assent according to one’s judgment? But in order to judge that it is good to assent according to one’s judgment is it not necessary to be concerned to judge that it is good to assent according to one’s judgment? Locke does not work these puzzles out. He is content instead to stress the importance of (1) having the correct measures of evidence, and (2) being concerned to judge according to the evidence. The correct measures of evidence are discussed in Section 1.3.3 below. That one should be concerned to judge according to the evidence is discussed in Section 1.4.1 below.

1.3. The Proper Conduct of the Understanding

Locke’s ethics of belief contains the rules for the proper conduct of the understanding. Locke’s most direct and concentrated statement of the principles of his ethics of belief appears at E IV.xv.5:

Probability wanting that intuitive Evidence, which infallibly determines the Understanding, and produces certain Knowledge, the Mind if it will proceed rationally, ought to examine all the grounds of Probability, and see how they make more or less, for or against any probable Proposition, before it assents to or dissents from it, and upon a due balancing the whole, reject, or receive it, with a more or less firm assent, proportionally to the preponderancy of the greater grounds of Probability on one side or the other.
The purpose of the present section is to ascertain what this statement means. The passage clearly announces that there is an epistemic imperative to judge the likeliness of propositions. But what sort of imperative is this? What evidence determines the probability? How probable must a proposition be before one is morally justified in forming the belief that one does?

The first and the second subsections address the “ought” that generates this epistemic imperative. (While the above passage does not contain “ought,” Locke’s other statements of the principles of his ethics of belief do contain “ought.”) Does the imperative have a pragmatic ground? That is to say, ought one to regulate one’s beliefs according to Locke’s program because doing so is instrumentally good? Or does the epistemic imperative have rather an epistemic ground? That is to say, ought one to regulate one’s beliefs according to Locke’s program because it is simply rational to do so? Or finally does the epistemic imperative have a moral ground? That is to say, ought one to regulate one’s beliefs according to Locke’s program because doing otherwise is to incur moral blame? I answer that the epistemic imperative is indeed a moral obligation. In the second subsection, wherein I consider the scope of the obligation, I argue that it holds only for some times and for some beliefs.

While the first two subsections treat the grounds and the scope of the epistemic imperative, the final three subsections explain particular features of the epistemic imperative. The third subsection explains that Locke’s epistemic imperative is a procedural imperative. One ought “to examine” one’s beliefs. Locke’s ethics of belief does not require that one believes specific propositions; it requires that one form one’s beliefs well. In other words, Locke’s ethics of belief does not impose “content obligations”; it imposes “procedural obligations.”
The fourth subsection explains how Locke’s epistemic imperative requires that beliefs be formed on the basis of only specific types of evidence. As stated above, one ought to evaluate “the grounds of probability and see how they make more or less, for or against any proposition.”

According to Locke’s ethics of belief, one forms one’s beliefs well when one forms them with respect to specific types of evidence. This subsection articulates what Lockean evidence is. Common among contemporary evidentialists is that the kind of evidence that one may employ must be “propositional evidence.” This means that the evidence must be such that it could be function as a term in a logical a proof that the proposition proposed for belief is true. This is to say, the evidence works to reveal the truth or falsity of a proposition proposed for belief. Locke does not quite require propositional evidence, but his standard of evidence shares the spirit of propositional evidence. The evidence must be truth-indicative, but it may be non-propositional (as experiences or sensations are non-propositional).  

The fifth subsection explains what the evidential threshold requirement for Locke’s ethics of belief is. One ought to evaluation propositions on Lockean evidence and “reject, or receive it, with a more or less firm assent, proportionally to the preponderancy of” the evidence. One forms one’s beliefs well when one forms them on and in proportion to the evidence. In practice, this means that one believes feebly or even remains indifferent for all those propositions that do not receive the strong support of Lockean evidence.

57 Today Earl Conee and Richard Feldman take a similar route: they argue that evidentialism is not necessarily committed to propositional evidence.
1.3.1. The Grounds of the Epistemic Imperative

Locke’s epistemic imperative makes three commands: one (1) ought to examine propositions (2) according to a specific standard of evidence, and (3) render assent in proportion to the evidence. Statements of these three commands are scattered throughout *An Essay*. Statements that we are duty-bound to examine our beliefs occur frequently in *An Essay*—by my count eleven times. Just more than half of these statements occur in Book II, Chapter xxi, “Of Power,” where Locke develops his theory of action. The concentration of such statements in this chapter is most natural, for it is here that Locke develops his theory of action and analyzes the ways that reason impacts action. Most frequent, occurring fourteen times, are statements that we are duty-bound to

---

58 *E* I.iv.22: “misemploy their power of Assent, by lazily enslaving their Minds, to the Dictates and Dominion of others, in Doctrines, which it is their duty carefully to examine”; *E* II.xxi.47: “and when, upon due Examination, we have judg’d, we have done our duty, all that we can, or ought to do, in pursuit of our happiness”; *E* II.xxi.52: “till they have duly and fairly examind’d the good and evil of it . . . and when we have done it, we have done our duty”; *E* II.xxi.53: “[when] we are not Masters enough of our own Minds to consider thoroughly, and examine fairly; God, who knows our frailty, pities our weakness, and requires of us no more than we are able to do . . . But the forbearance of a too hasty compliance with our desires, the moderation and restraint of our Passions, so that our Understandings may be free to examine, and reason unbiased give its judgment, being that, whereon a right direction of our conduct to true Happiness depends; ‘tis in this we should employ our chief care and endeavours”; *E* II.xxi.56: “Because, by a too hast choice of his own making, he has imposed on himself wrong measures of good and evil . . . He has vitiated his own Palate, and must be answerable to himself for the sickness and death that follows from it. The eternal Law and Nature of things must not be alter’d to comply with his ill-order’d choice”; *E* II.xxi.67: “He that judges without informing himself to the utmost that he is capable, cannot acquit himself of *judging amiss*”; *E* II.xxi.70: “and he that will not be so far a rational Creature, as to reflect seriously upon infinite Happiness and Misery, must needs condemn himself, as not making that use of his Understanding he should”; *E* IV.xiii.3: “But yet these Truths, being never so certain, never so clear, he may be ignorant of either, or all of them, who will never take the Pains to employs his Faculties, as he should, to inform himself about them”; *E* IV.xv.5: “the Mind if it will proceed rationally, *ought to examine all the grounds of Probability*”; *E* IV.xvi.1: “It suffices, that they have once with care and fairness, sifted the Matter as far as they could; *E* IV.xx.16: “Yet we can hinder both Knowledge and Assent, by stopping our Enquiry, and not imploying our Faculties in the search of any Truth. If it were not so, Ignorance, Error, and Infidelity could not in any Case be a Fault.”
examine our beliefs *according to measures of evidence*. Unlike instances of the previous obligation, statements regarding this command occur more often in Book IV than anywhere else. Again, this should not be surprising, as it is in Book IV that Locke distinguishes the correct from the incorrect measures of evidence. Note that only half of these statements emphasize that the measures of evidence must be correct (E I.i.6, II.xxi.56, IV.vii.7, 9, IV.xviii.1, 6, IV.xix.2), and that none state explicitly what the correct measures of evidence are. In six cases, statements that we are duty-bound to examine and statements that we are duty-bound to measure according to evidence occur

---

59 E I.i.6: “Our Business here is not to know all things, but those which concern Conduct. If we can find out those Measures, whereby a rational Creature put in that State, which Man is in, in this World, may, and ought to govern his Opinions, and Actions depending thereon”; E II.xxi.52: “the same force establishes *suspense, deliberation*, and scrutiny of each successive desire, whether the satisfaction of it, does not interfere with our true happiness, and mislead us from it”; E II.xxi.53: see note 58 above; E II.xxi.56: “Because, by a too hasty choice of his own making, he has imposed on himself wrong measures of good and evil”; E II.xxi.67: “the principle exercise of Freedom is to stand still, open the eyes, look about, and take a view of the consequences of what we are going to do, as much as the weight of the matter requires. How much sloth and negligence, heat and passion, the prevalency of fashion, or acquired indispositions, do severally contribute on occasion, to these *Wrong Judgments*, I shall not here farther enquire”; E IV.xii.7: “We must therefore, if we will proceed, as Reason advises, *adapt our methods of Enquiry to the nature of the Ideas we examine*”; E IV.xii.9: “In our search after Knowledge of *Substances*, our want of *Ideas*, that are suitable to such a way of proceeding, obliges us to a quite different method”; E IV.xv.5: “the Mind if it will proceed rationally, ought to examine *all the grounds of Probability*, and see how they make more or less, for or against any probably Proposition, before it assents to or dissents from it”; E IV.xvi.1: “The grounds of Probability, we have laid down in the foregoing Chapter, as they are the Foundations on which our *Assent* is built; so are they also the measure whereby its several degrees are, or ought to be regulated”; E IV.xvii.24: “*Faith* is nothing but a firm Assent of the Mind: which if it be regulated, as is our Duty, cannot be afforded to any thing, but upon good Reason”; E IV.xviii.6: “Thus far a Man has use of Reason, and ought to hearken to it. . . . Nor can we be obliged, where we have the clear and evident Sentence of Reason, to quit it, for the contrary Opinion, under a Pretence that it is Matter of *Faith*”; E IV.xix.2: “Who does Violence to his own Faculties, Tyrannizes over his own Mind, and usurps the Prerogative that belongs to Truth alone, which is to command Assent by only its own Authority, *i.e.* by and in proportion to that Evidence which it carries with it”; E IV.xix.14: “He therefore that will not give himself up to all the Extravagancies of Delusion and Error must bring this Guide of his *Light within* to the Tryal. . . . *Reason* must be our last Judge and Guide in every Thing. . . . But consult it we must, and by it examine, whether it be a *Revelation* from God or no.”
conjointly. Turning now to the third command, statements that we are to conform our confidence in our beliefs to the evidence for them appear only three times, and all of these are confined to Book IV.\textsuperscript{60} Those occurring at IV.xv.5 and IV.xii.24 (see note 58 above) occur beside statements that we are duty-bound to examine beliefs according to a specific standard of evidence. The statement occurring at IV.xix.1 (see again note 58 above) appears apart from any statement of the other commands. Interestingly, this isolated statement occurs in Book IV, chapter xix, “Of Enthusiasm,” which was a chapter that targeted religiously motivated intemperance and which appeared only in the fourth and fifth editions of \textit{An Essay}. Given the facts that in several instances Locke states these commands conjointly, and that he gives no reason to suppose the contrary, it seems fair to take these three commands as together composing a fundamentally unified epistemic imperative.

It is worth noting that statements of commands other than those commands that concern the regulation of belief also appear in \textit{An Essay}. It seems that we are under the following obligations: to explain proposed moral obligations (E I.iii.4); to be charitable in our interpretations of ancient writings (E III.ix.4); to employ terms according to their customary usage, to explain ourselves when we deviate therefrom, and in general to ensure that we make ourselves understood in language (E III.xi.11,12,14); to conform our desires to what is morally required of us (E II.xi.69); to allow divine revelation to carry our assent (when reason permits) (E IV.xiii.10); to obey God (E

\textsuperscript{60} E IV.xv.5: “and upon a due ballancing the whole, reject, or receive it, with a more or less firm assent, proportionally to the preponderancy of the greater grounds of Probability on one side or the other”; E IV.xvii.24: “For he governs his Assent right, and places it as he should, who in any Case or Matter whatsoever, believes or disbelieves, according as Reason directs him”; E IV.xix.1: “The not entertaining any Proposition with greater assurance than the Proofs it is built upon will warrant. Whoever goes beyond this measure of Assent, ‘tis plain receives not Truth in the Love of it; loves not the Truth for Truths sake, but for some other bye end. For the evidence that any Proposition is true (except such as are self-evident) lying only in the Proofs a Man has of it, whatsoever degree of Assent he affords it beyond the degrees of that Evidence, ‘tis plain all that surplusage of assurance is owing to some other Affection, and not to the Love of Truth.”
IV.xi.13). Locke states that there is an obligation to study theology at C §23. Statements that we are obligated to regulate our belief outnumber these statements of other obligations by more than three to one. If An Essay has any moral, political, or religious purpose, it is indeed to provide measures of belief formation and regulation.

The language with which Locke recommends his rules of rational conduct is not entirely unequivocal. At times Locke writes as if the rules were on par with divine commands (as at E II.xxi.53, II.xxi.56, IV.xvii.24), while at other he seems to attribute the rules to the nature of things (as at E II.xxi.52, II.xxi.56, II.xxi.67). At other times Locke writes as if the rules belongs intrinsically to reason itself (as at E II.xxi.70, IV.xii.7, IV.xii.9, IV.xv.5, IV.xix.14, and IV.xvii.24), while at other times as if they are pragmatic guides to our advantage and happiness (as at E II.xxi.47, 52, 53, and 70). One surmises from the multiple appearances of E II.xxi.52, 56, and 70 that Locke is clearly not disturbed to describe the rules in different ways in the same place. Finally, at two places Locke appears to attribute the rules to an authority belonging to truth itself (E IV.xix.1,2). In all other places (E I.iv.22, I.i.6, IV.xiii.3, IV.xvi.1, IV.xviii.6, IV.xx.16) Locke merely tells us that there are rules that govern the uses of our evaluative and elective powers. But given the variety in Locke’s diction, how are we to understand Locke when he says that we “ought to examine all the grounds of probability,” (E IV.xv.5)? Is he simply recommending to us the tools that unlock for us our happiness? Does he rather mean to tell us what we have to do in order to be reasonable—and does he leave it up to our choice whether or not to be reasonable? Or finally does he denote with ‘ought’ a moral duty to govern our evaluative and elective powers such that we elect the proper measures of evidence, examine our beliefs according to them, and proposition our assent accordingly?
I answer that Locke’s obligations are moral obligations. In the following three subsections I
test the hypotheses that the obligations have a pragmatic ground, that it rather has an epistemic
ground, and that it rather has a moral ground. I argue that the only hypothesis that holds up to
scrutiny is the third of these: we ought to follow Locke’s ethics of belief because it is morally
required of us to do so.

1.3.1.1. That the Grounds of the Epistemic Imperative Are Not Pragmatic

E II.xxi.47, 52, 53, and 70 contain passages that declare that conformity to Locke’s ethics of
belief is hedonically advantageous: conformity to the rules yields happiness. These statements,
however, need not lead us to believe that Locke’s rules of rational conduct have a pragmatic ground.
The reason for this is Locke’s “normative egoism.” According to this doctrine, there are morally
obligatory rules of action, but the reasons, or more precisely, motivations for acting in conformity to
those rules derive from what appears good to one (or in Locke’s terminology, derives from some
present “uneasiness”—see Section 1.2.4 above), rather than from what is morally required.

All statements indicating the pragmatic advantage of conformity to Locke’s rules of rational
conduct appear in Book II, chapter xii, “Of Power.” Here it is argued that the only thing that can
move us to act is some present uneasiness. Locke in fact interprets competing theories of ethics
accordingly:

That Men should keep their Compacts, is certainly a great and undeniable Rule in Morality:
But yet, if a Christian, who has the view of Happiness and Misery in another Life, be asked

---

why a Man must keep his Word, he will *give* this as a *Reason*. Because God, who has the Power of eternal Life and Death, requires it of us. But if an *Hobbist* be asked why; he will answer: Because the Publick requires it, and the *Leviathan* will punish you, if you do not. And if one of the old *Heathen* Philosophers had been asked, he would have answer’d: Because it was dishonest, below the Dignity of a Man, and opposite to Vertue, the highest perfection of humane Nature, to do otherwise. (*E* I.iii.5)

The above text assumes that the keeping of contracts is “a great and undeniable Rule in Morality.”

The purpose of the text is not to compare three competing normative grounds for the rule. It is intended to compare three competing motivating grounds for acting in conformity to the rule. As this text also indicates (at least at the surface level), any of the listed three motivators for acting according to the “great and undeniable Rule in Morality” is consistent with that rule. There is a difference between the moral reasons why one ought to follow the rule and the egoistic, psychological reasons to act in conformity to it. The competition between the pragmatic elements and the seemingly deontological elements in Locke’s various descriptions of his rule of rational conduct parallel the issue between obligation and motivation in Locke’s natural moral theory.

Therefore Locke’s statements that the regulation of belief is conducive to our happiness need not contravene any claim that the regulation of belief is also a moral obligation. The evidence of *E* II.xxi.47, 52, 53, and 70 is not enough to warrant the conclusion that Locke’s ethics of belief has a pragmatic grounding. To warrant that conclusion, it must be shown that there is no evidence that it could have any other grounding.

1.3.1.2. That the Grounds of the Epistemic Imperative Are Not Epistemic

Given Locke’s theory of action, any imperative will have a pragmatic dimension to it. This is because without the pragmatic dimension, one is not motivated to conform one’s behavior to the
imperative. Thus the pertinent question is: Does the imperative have epistemic or moral ground? One can conclude that Locke’s ethics of belief has a pragmatic ground only on the condition that the ethics of belief is shown to have neither an epistemic nor a moral grounding. This and the following subsection examine the hypothesis that the ethics of belief has an epistemic or a moral ground. This subsection moves in three steps. In the first place I review the prima facie reasons for supposing that Locke’s ethics of belief has an epistemic ground and in the second place I review the prima facie reasons for supposing that Locke’s ethics of belief has a moral ground. So long as one judges only by first appearances, Locke’s ethics of belief has an epistemic ground. However in the third part of this subsection I argue that the interpretation of Locke’s ethics of belief as having an epistemic ground simply cannot be borne out. The evidence does not support this view. The crux of my argument is Locke’s own definition of “reason”: he never gives to “reason” the kind of normative weight necessary for providing an epistemic ground to his ethics of belief. In the subsection that follows this one, I argue that beneath the surface there is sufficient evidence to warrant the claim that Locke’s ethics of belief is a moral obligation.

The prima facie reasons for supposing the ground of Locke's ethics of belief is epistemic reason are two. First, one finds passages where Locke distinguishes between moral affairs on the one hand and epistemic affairs on the other. Second, one finds passages where God, who is the author of the law that governs our behavior, seems concerned especially with actions rather than with practices of belief formation. To state the second is slightly different terms: while God’s presence in some of the statements of Locke’s ethics of belief give one the impression that the

62 This is so, if Locke’s moral theory includes a natural law theory. That Locke’s moral theory does indeed include a natural law theory is assumed throughout this study. Much of the doubt of this view has hinged on the promulgation of the natural law in Locke’s system. An interpretation of the promulgation of Locke’s natural law is given in Chapter Three, Section 3.3.
ethics of belief has a moral ground, the language of these statements is not actually enough to warrant that suspicion. Consider first *E* III.iii.13. Here Locke writes that mankind’s “concernment” is “to know Things as they are, and to do what they ought.” Locke thus writes as if moral actions and their attendant norms and epistemic behaviors and their attendant norms were separate affairs. Further, God, appears but once in Book IV in connection to Locke’s statements of the rules of rational conduct, and God appears in such a way as not quite to suggest that God obliges us to govern our belief. Locke writes, “He that believes, without having any Reason for believing . . . neither seeks Truth as he ought, nor pays the Obedience due to his Maker, who would have him use those discerning Faculties he has given him, to keep him out of Mistake and Errour,” (*E* IV.xvii.24). On a strict and literal reading of this text, any epistemic obligation God sets on us terminates in an epistemic end. According to this passage, proper epistemic conduct keeps us out of error and mistake—there is no mention of sin or moral fault. Further, the fact that God has given us our discerning faculties to keep out of mistake and error does not necessarily imply that God has commanded us to keep out of mistake and error, or that the states of being in mistake or error are moral failings. God has given us legs, assuredly, to keep us from immobility, but does it make sense to say that we are for that reason commanded to move? Accordingly it seems a bit of a stretch to infer from God’s presence in *E* IV.xvii.24 that proper rational conduct is a moral obligation rather than only an epistemic desideratum.

God appears in connection to statements of epistemic obligation in two other places: *E* II.xxi.53 and II.xxi.56. The chief concern in these passages, it could be argued, is with action rather

---

63 God cursed man to labor for his sustenance and woman to undergo pain in childbirth, but Locke argues that there is no obligation to endure this curse. It is no affront against God to make the labors of men and women painless. See *TT* I.47.
than with belief. For *E* II.xxi.53 speaks of the “right conduct to true Happiness,” and II.xxi.56 of “measures of good and evil,” which are the primary motivators to action in Locke’s normative egoism. On a strict, literal reading of these passages, it might be argued that these texts show not that the correct practices of belief formation are important or required, but rather that the correct beliefs are important or required. In other words, the texts indicate that one should not form the wrong beliefs; they do not speak to how one should form beliefs. Thus again, the evidence that God commands one to employ the correct practices of belief formation is somewhat thin.

The role that God plays in the statements of the epistemic obligation is not sufficient to rule it out that the obligation in question is simply epistemic, nor is it sufficient to counterbalance *An Essay*’s tendency (as we will see) to lean heavily toward an ethics of belief with epistemic grounds. As for the statements pragmatic in character, these need pose no threat: Locke may well propose an epistemic obligation that, when followed, has an incidental beneficial outcome. So much for the prima facie reasons to suppose that the grounds of Locke’s ethics of belief are epistemic or moral. A finer analysis follows.

With the exception of *E* IV.xvii.24 (which as indicated just above might not be read as any exception), all statements of the rules of rational conduct in Book IV either merely indicate that there are rules of rational conduct (however they happen to be grounded) or associate these rules quite intimately with rationality itself. The passages that make this association are as follows: “We must therefore, if we will proceed, as Reason advises” (*E* IV.xii.7); “the Mind if it will proceed rationally” (*E* IV.xv.5); “in doing his Duty as a rational Creature” (*E* IV.xvii.24); and “and such, as I must come to an Assent to, only by the use of my Reason, which can never require or enable me to believe that,
which is contrary to itself” (E IV.xviii.6).64 Between the marginal role that God plays in the texts recommending Locke’s program and the clear association of the program to reason’s proper operations, one is inclined to interpret Locke’s “ought” to be epistemic rather than moral. According to this interpretation, we ought to follow Locke’s ethics of belief, if we would be rational. Yet on analysis this interpretation does not hold. As a starting point, consider E. I.i.6, which appears to contravene this line of interpretation. At E I.i.6 Locke writes, “If we can find out those Measures, whereby a rational Creature put in that State, which Man is in, in this World, may, and ought to govern his Opinions, and Actions depending thereon…” It appears that to govern our opinion is at the same time to govern our action65. Epistemic obligations appear to be parasitic on moral obligations. Thus the question: can we legitimately construe Locke’s various statements of his ethics of belief to be in fact statements merely of an epistemic desideratum, or do the texts, on the whole, suggest that Locke’s ethics of belief is a pragmatic recommendation or a moral obligation?

The test of the epistemic interpretation hinges on the senses of “reason” E IV.xii.7, IV.xv.5, IV.xvii.24, IV.xviii.6. If “reason” is not said in a normative sense, then the epistemic interpretation folds. I argue that Locke’s An Essay gives us no reason to interpret “reason” in the required normative sense. I begin by partitioning E IV.xii.7, IV.xv.5, IV.xvii.24, IV.xviii.6. I do not detect a difference in sense among the phrases, “proceed, as Reason advises,” (E IV.xii.7), “proceed rationally,” (E IV.xv.5), and “come to an Assent […] only by the use of my Reason,” (E IV.xvii.24). Each passage tells us that reason somehow ought to direct the understanding. The notion that

---

64 See also E II.xxi.70: “and he that will not be so far a rational Creature, as to reflect seriously upon infinite Happiness and Misery, must needs condemn himself, as not making that use of his Understanding as he should.”

65 E II.i.21 could perhaps be read as a full development of this notion.
reason must lead finds expression in several other passages in *An Essay* (as well as in other works of Locke): for instance, Locke says that there is no “readier way” to run into error than “to set up phancy for our supreme and sole Guide” (*E IV*.xix.11), and so “Reason must last Judge and Guide in everything” (*E IV*.xix.14). The fourth passage tells us something else: the obligation to reason well belongs to us because we are rational. Accordingly, let *E IV*.xii.7, *IV*.xv.5, and *IV*.xvii.24 be grouped and set on one side and let *E IV*.xviii.6 be set on the other side. I analyze the first set first.

If we want to know what Locke means when he says that reason must guide, we must know what Locke could mean when he uses the term “reason.” According to his reckoning, “reason” has four significations: “[1] sometimes it is taken for true, and clear Principles: [2] Sometimes for clear, and fair deductions from those Principles: [3] and sometimes for the Cause, and particularly the final Cause,” and also [4] “That faculty, whereby Man is supposed to be distinguished from Beasts, and wherein it is evident he much surpasses them,” (*E IV*.xvii.1). When Locke says that the mind that proceeds rationally examines according to permitted evidence, it seems that he cannot take reason (or rationality) in either the first or third sense. It cannot be the third for obvious reasons. The first could be acceptable, but only on the condition that reason is identified with the correct grounds of probability, which is a move that finds no support in what Locke describes reason and the grounds of probability separately to be—they are in fact so distinct that Locke treats them in separate chapters (*E IV*.xvii and *IV*.xvi respectively).

Thus two options remain: reason in the sense of the power to make deductions (see [4] above), and reason in the sense of the deductions made (see [2] above). Let us consider the former

---

66 Note that the parallel expression in the *First Treatise* does not come in the form of a command: “Nor can it be otherwise in a Creature, whose thoughts are more than the Sands, and wider than the Ocean, where fancy and passion must needs run him into strange courses, if reason, which is his only Star and compass, be not that he steers by,” (*TT I*.58).
first, as it seems the more obviously correct candidate, and let it be termed “inferential reason.” The power of reason to make deductions, Locke tells us, comes in four degrees (E IV.xvii.3). The highest is the discovery of proofs, or in other terms, the discovery of intermediate ideas that show how two remotely related ideas in fact relate to one another. Locke calls this degree of reason “sagacity” (E IV.xvii.2, 3). The next highest degree is the ordering of intermediate ideas such that the perception of agreement or disagreement among them is possible. Locke calls this “illation” (E IV.xvii.2). One observes that “sagacity” and “illation” refer to the different ways in which the mind's power to collect, combine, and examine ideas are activated. Sagacity discovers intermediate ideas and illation orders them. “Sagacity” and “illation” are therefore terms designating particular uses of the power of evaluation. One would expect that in proportion as this power is differently employed among men, there would arise inequalities in the strengths and qualities of reason among men. Locke observes just so much in E IV.xx.5: “one may, without doing injury to Mankind, affirm, that there is a greater distance between some Men, and others, in this respect, than between some Men and some Beasts.” As causes of this difference Locke hypothesizes differences in organs, differences in souls, and “the dullness or untractableness of those Faculties, for want of use” (E IV.xx.5). The next degree of reason is actually to perceive the agreement between the intermediate ideas, and the final degree of reason is to see the agreement between the two ideas for the sake of which the proof was sought; or in other words, the final degree of reason consists in seeing how the conclusion of the argument depends on the premises. In these lowest degrees of reason, the mind is passive, as we saw before: in the case of knowledge, the content of the ideas set into relation with one another infallibly determine the mind to perceive their agreement or disagreement (while in the case of judgment the ideas together with the grounds of probability induce the mind to see the
appearance of an agreement or disagreement). The four degrees of reason correspond to different actions in judging and knowing—collecting and combining ideas, ordering proofs, and perceiving or presuming agreements or disagreements. “Reason” in this sense terms no power other than that of knowing and judging. Now, inferential reason cannot be identified with or include in its definition the correct grounds of probability, first, because “reason” in the sense presently considered is a power, and second because it is not only with respect to the correct grounds of probability that inferential reason evaluates the agreement or disagreement between ideas whose natural relationship is not perspicuous—reason ventures these guesses on the basis of any principles set down as foundational.

So what could Locke mean when he says that we must let reason, in the sense of rational inference, be our guide? He would seem to be saying, “We must be guided by the power of making deductions.” In one way, this is trivially true. The reasoning mind can be guided in no other way than by the deductions it makes, and it makes deductions in no other way than through the perception of perspicuous agreements or disagreements between ideas or the presumptions of agreement or disagreement made on the basis of foundational principles, which no one can avoid having. Locke’s epistemic “ought” would disintegrate into an “is,” and we would arrive at an unsuccessful interpretation of Locke’s meaning at E IV.vii.7, IV.xv.5, and IV.xviii.6. For instance, E IV.xv.5 could be rendered as, “The mind, if it will be guided by inferential reason, will examine the grounds of probability” of propositions proposed for belief. But of course it would!

There is another place in An Essay where Locke uses the phrase “proceed rationally.” It is instructive to look at it. It appears in his discussion of his own proof of the agreement between the propositions “Men shall be punished in another World” and “Men can determine themselves,” Locke writes, “The Question now is to know, whether the Mind has made this Inference right or no; if it has
made it by finding out the intermediate Ideas, and taking a view of the connexion of them, placed in a due order, it has proceeded rationally” (E IV.xii.4). This passage appears in the context of Locke’s attack on the syllogism, where his whole purpose is to show that the use of the syllogism is not necessary for being rational. To be rational, Locke says, it is sufficient to have reason, not to reason according to the rules of a logical system. His use of the phrase “proceed rationally” is descriptive here. This gives further support that it is descriptive also in other contexts.

In yet another way E IV.vii.7, IV.xv.5, and IV.xviii.6 are rendered absurd if we interpret them as commanding compliance with inferential reason. Inferential reason is distinct from that which determines or induces the mind to deduce. If Locke were taken to command that we ought to proportion our assent to what reason deduces, but included no provision regarding those foundational principles by which reason makes its judgments, then Locke’s ethics of belief would in

---

67 E IV.xvii.4: “But in neither Case is it Syllogism that discovered those Ideas, or shewed the connexion of them, for they must be both found out, and the connexion everywhere perceived, before they can rationally be made use of in Syllogism.”

68 E IV.xvii.4: “If Syllogisms must be taken for the only proper instrument of reason and means of Knowledge, it will follow, that before Aristotle there was not one Man that did or could know any thing by Reason; and that since the invention of Syllogisms, there is not one of Ten Thousand that doth.”

69 Yet compare with E II.xxi.66: “But I shall only mention this in general, viz. That it is a very wrong, and irrational way of proceeding, to venture a greater Good, for a less, upon uncertain guesses, and before a due examination be made, proportionable to the weightiness of the matter, and the concernment it is to us not to mistake.” Does Locke say that it is an affront to intrinsic norms of rationality not to judge according to the evidence? Or does Locke tell us something more trivial and obvious, namely, that the person who does not exercise his reason does not proceed rationally? The text at E IV.xx.7 is ambiguous: “There remains yet the last sort, who, even where the real Probabilities appear, and are plainly laid before them, do not admit of the conviction, nor yield unto manifest Reasons, but do either EPICHEIN, suspend their Assent, or give it to the less probable Opinion.”
effect approve all sorts of belief-forming procedures. Locke’s ethics of belief would be rendered pointless. Thus again we arrive at an unsuccessful interpretation of Locke’s meaning.

One signification remains: “reason” in the sense of deductions from principles, or in other words, “reason” in the sense of the conclusions of arguments. By this signification, Locke’s statement at $E$ IV.xv.5 can be rendered as follows: “The mind, if it will proceed according to deductions from principles, will examine the grounds of probability.” More simply and straightforwardly stated this becomes “There are good reasons to examine the grounds of probability.” In effect, Locke is telling us that there are reasons for adopting his program. Quite unlike the other interpretations, this interpretation is actually viable. Yet once we make this move, we have no direct confidence that the epistemic norm derives from reason itself—the epistemic norm derives from whatever principles they are from which the epistemic norm derives. The principles might be internal to reason, but the passage, on this interpretation, can no longer be understood to signal these principles, whatever they are. This interpretation is not in itself problematic (save for the fact we still find ourselves in the dark about what those reasons are), and it has the advantage of agreeing with Locke’s idiom.\footnote{For similar expressions see $E$ II.i.15: “Whatever Ideas the Mind can receive, and contemplate without the help of the Body, it is reasonable to conclude, it can retain without the help of the Body too”; $E$ IV.iv.15: “For it may as rationally be concluded, that the dead Body of a Man, wherein there is to be found no more appearance or action of Life, than there is in a Statue, has yet nevertheless a living Soul in it, because of its shape; as that there is a rational Soul in a Changeling, because he has the outside of a rational Creature, when his Actions carry far less marks of Reason with them, in the whole course of his Life, than what are to be found in many a Beast”; $E$ IV.xii.11: “For ‘tis rational to conclude, that our proper Employment lies in those Enquiries and in that sort of Knowledge, which is most suited to our natural Capacities, and carries in it our greatest interest, \textit{i.e.} the Condition of our eternal Estate”; $E$ IV.xiv.2: “It being highly rational to think, even were Revelation silent in the Case, That as Men employ those Talents, God has given them here, they shall accordingly receive their Rewards at the close of the day, when their Sun shall set, and Night shall put an end to their Labours.” $CU$ §24: “He that wisely conducts his mind in the pursuit of knowledge will gather what lights, and get what helps he can, from either of them, from whom they are best to be had.”}
Therefore I take Locke’s remarks to the effect that the mind that proceeds rationally will conduct itself according to Locke’s ethics of belief to mean that there are good reasons for conducting one’s understanding according to Locke’s ethics of belief.

Let that suffice for an examination of IV.xii.7, IV.xv.5, IV.xvii.24. These passages appeared to suggest that Locke’s ethics of belief amounts to epistemic behavior in conformity with the normative rules the ground of which is reason. However, when one referenced against Locke’s own definitions of reason, one finds no normative sense. Further, interpreting these passages in conformity to Locke’s definitions of reason yielded only one viable interpretation, namely, that there were good reasons for conforming one’s epistemic behavior to Locke’s ethics of belief.

There remains, however, one more passage that appears to suggest that Locke’s ethics of belief has epistemic grounds. It is IV.xvii.24: “in doing his Duty as a rational Creature.” Does this text show that the duty stems from reason itself? I think not. The text would show so much if the obligations that Locke’s ethics of belief named applied to creatures insofar as the creatures are rational. Is this a duty that could apply to a rational creature? Certainly. But is this a duty that must apply to a rational creature? In other words, is this a duty we could reasonably expect to apply to any rational creature? The answer to that question would depend on the nature of the minds of higher intelligences. Locke’s ethics of belief, as stated at IV.xv.5, appears to be tailored to the particular features of the human mind. It fits to the mind’s powers to gather, retain, compound, and compare ideas; to perceive the agreement or disagreement between ideas; to sense the appearance of agreement or disagreement; to take up and reason according to foundational principles; to assent with greater or less degrees of confidence. If there were an intelligence that lacked one of these powers, or had other powers, perhaps the duty would be accordingly different. I note that E
IV.xvii.24 could nonetheless be understood to impose a duty insofar as a creature is rational—this interpretation has not been ruled out. However, more evidence is certainly required in order to bear this interpretation out. I do not know what passages in Locke’s writings could do this.

1.3.1.3. That the Grounds of the Epistemic Imperative Are Moral

The passages that might suggest that Locke’s ethics of belief is in large measure a piece of pragmatic advice do not, in fact, exclude the possibility that the program is also morally required. Those texts that might suggest that the program is merely an epistemic obligation tell us at most, once they are understood in as much conformity as possible to Locke’s idiom, that there exist reasons for adopting the program. There remain, then, the texts that assimilate the obligation to regulate belief to God’s commands (E II.xxi.53; II.xxi.56; IV.xvii.24), and the bulk of texts that merely tell us that we are duty-bound to regulate our belief (E I.iv.22; I.i.6; IV.xiii.3; IV.xvi.1; IV.xviii.6; IV.xx.16). I considered E II.xxi.53, 56, and IV.xvii.24 above in Section 1.3.1: on a strict, literal interpretation of the passages, they do not indicate that the ethics of belief is a moral imperative. We can conclude from this that the evidence that it is a moral imperative will not appear directly on the surface of An Essay, but we cannot close off the possibility that the evidence exists just a few degrees below the surface. If Locke’s language conforms to the customary usage in these places—and Locke affirms that one is obligated to inform readers when one deviates from customary usage, and Locke does not so inform the reader (E III.xi.11)—then belief regulation is a moral obligation. That this is so is plain in what the former set of passages entail: God’s
commandments are morally obligatory. It is also plain in the latter set of passages, but a few steps are required to see that it is so. A full statement of what “duty” means to Locke cannot be given here; a summary statement of Locke’s natural law theory must here suffice. If Locke’s use of the term “duty” in these passages conforms to customary usage (again, Locke does not inform the reader that he deviates from customary usage), then he must have in mind some relation, for from relations “arise the Obligations of several Duties among Men,” (E II.xxviii.2). The particular relation that Locke must have in mind is the relation between a lawgiver and a subject, for “what Duty is, cannot be understood without a Law; nor a Law be known, or supposed without a Law-maker, or without Reward and Punishment,” (E I.iii.12). Locke recognizes three kinds of law. There is, first, the “Divine Law,” (E II.xxviii.8), whose author is God. There is, second, the “Civil law,” (E II.xxviii.9), whose authors are the leaders of political communities. There is, finally, the “Law of Opinion or Reputation,” (E II.xxviii.10), whose author is the crowd. When Locke writes of a duty to regulate belief, he cannot have in mind the crowd. His attitudes toward the crowd cannot bear that interpretation out, and additionally there are no texts that suggest that Locke’s epistemic imperative is actually the imperative of 17th-century England. He also cannot have in mind the political leaders of various political communities. As before, there are no passages in Locke’s writings (to my knowledge) that bear this interpretation out. Moreover, the obligations of Locke’s ethics of belief do not hold for men as English or as American, but rather as “rational Creatures,” as

---

71 Here I follow Wolterstorff’s interpretation. See John Locke and the Ethics of Belief, 64: “On Price’s view we would be well advised, for certain propositions, to try our best to bring it about that we believe them if and only if they are true. Locke speaks instead of obligation. Our Maker, says Locke, would have each of us ‘to the best of his power’ keep ‘out of mistake and error’ (E IV.xvii.24). And our Maker’s command for us is our moral duty (cf. E II.xxviii.7-8,14).”

72 Locke’s attitude towards the crowd is discussed in Chapter Three, Section 2.2.4.
he states at *E IV.xvii.24.* If, therefore, Locke speaks properly when he speaks of a duty to regulate belief, he can only have in mind God: the language he uses commits him to the claim that God is the source of moral obligation. This, of course, means that the obligation to regulate our belief is a *moral* obligation. And so, when all the texts are rightly interpreted and duly weighed, that Locke proposes the epistemic imperative of his ethics of belief as a moral obligation.

1.3.2. The Scope of the Epistemic Imperative

In contemporary jargon, an epistemic imperative is “strict” when it obliges universally—at all times and for all propositions, the epistemic imperative is in effect. By contrast, an epistemic imperative is “moderate” when it obliges only at some times and only for some propositions. I argue in this section that the epistemic imperative of Locke’s ethics of belief is moderate. To begin, Locke’s ethics of belief is in effect only for propositions that are ethically significant. At any rate, Locke is rather indifferent about how the mind should evaluate propositions that are not ethically significant:

> Where the Assent one way or other, is of no Importance to the Interest of any one, no Action, no Concernment of his following, or depending thereon, there ‘tis not strange, that the Mind should give itself up to the common Opinion . . . But where the Mind judges that the Proposition has concernment in it; where the Assent, or not Assenting is thought to draw Consequences of Moment after it, and Good and Evil to depend on chusing, or refusing the right side . . . there, I think, it is not in our Choice, to take which side we please . . . *(E IV.xx.16; see also *CU* §43)*

Locke regards such propositions that concern where Julius Caesar happened to live, or whether Richard III’s back was straight, or what Roger Bacon did for a living (these are Locke’s own

---

73 I take these terms from Andrew Chignell, “The Ethics of Belief.”
examples—see *E* IV.xx.16) as ethically insignificant, and evidently he recognized no obligation to
evaluate and elect them in any one specific way. However, an obligation to evaluate and elect
propositions correctly does indeed obtain for propositions that are ethically significant. These are
the matters that concern God, religion, and morality, and Locke is emphatic that belief in these areas
should be properly regulated: “Nothing can be so dangerous, as Principles thus taken up without questioning
or examination; especially if they be such as concern Morality, which influence Men’s Lives, and give a
bias to all their Actions,” (*E* IV.xii.4).

Locke provides two other moderating rules for the proper conduct of the understanding,
one concerning the intensity and duration of the examination of a proposition, and another
concerning the frequency of examinations of a proposition. One ought to examine a proposition
only “as far forth as the weight of the thing requires” (*E* II.xxi.52). The most significant of the
ethically significant propositions ought to be examined first and most carefully, yet the examination
does not by any means need to be constant, or even especially frequent. “It suffices,” Locke writes,
“that they have once with care and fairness, sifted the Matter as far as they could; and that they have
searched into all the Particulars, that they could imagine to give any light to the Question, and with
the best of their Skill, cast up the account upon the whole Evidence” (*E* IV.xvi.1). Recall Locke’s
views on memory (see Section 1.2.2 above). The conviction, following upon the proof, is stored in
the memory, and one’s confidence is secure even if the proof is forgotten. These two moderating
rules are concessions that Locke makes to the weakness of human nature. He says that to demand

74 See also *E* II.xxi.66: “That it is a very wrong, and irrational way of proceeding, to venture a
greater Good, for a less, upon uncertain guesses, and before a due examination be made,
proportional to the weightiness of the matter”; and *E* II.xxi.67: “the principle exercise of
Freedom is to stand still, open the eyes, look about, and take a view of the consequence of what we
are going to do, as much as the weight of the matter requires.” We will return to this concession in
later chapters.
any more from people would demand the impossible. There is a limit to Locke’s conciliatory spirit, however: no one is so encumbered with life’s burdens to such a degree that one is unable to reflect as one ought to on matters of morality and religion (E IV.xx.3).

The scope of the epistemic imperative of Locke’s ethics of belief amounts to the following. For propositions that are ethically significant, and only for such propositions, one ought to conduct a complete examination of their likeliness to be true at least once. Memory is sufficiently strong to retain the conviction. No one’s life is so burdensome that they are excused from this obligation.

1.3.3. The Evidential Requirement

If one were obligated only to examine one’s beliefs and to conform one’s assent to whatever standard of evidence one chose to employ, then Locke’s ethics of belief would reduce to a command to be as consistent in one’s believings as possible. One would be required to ensure that the foundational principles one elects agree or appear to agree to a satisfactory degree with all subsequent beliefs. If it were not required that the foundational principles, against which one cannot avoid making its judgments, were themselves put to trial, then in effect any belief is capable of being justified and morally acceptable: “Inspiration and Delusion, Truth and Falsehood will have the same Measure, and will not be possible to be distinguished” (E IV.xix.14).

75 “This is all that the greatest part of Men are capable of doing,” (E IV.xvi.2). “I do not expect that by this way the assent should in everyone be proportioned to the grounds and clearness therewith every truth is capable to be made out, or that men should be perfectly kept from error: that is more than human nature can by any means be advanced to,” (CU §34).

76 According to CU §8, the Sabbath provides sufficient time to inform oneself about matters or morality and religion.
Locke’s ethics of belief enjoins procedural obligations rather than content obligations, so it is not quite truth-centered. However it is truth-oriented, and in order for it to be so, it is necessary that the procedural obligation of Locke’s ethics of belief be made with reference to a specific standard of evidence. The center of Locke’s ethics of belief, therefore, are the correct and incorrect grounds of probability. It commands compliance with specific kinds of evidence—I call this command the “evidential requirement.” The present section is intended to explain that requirement, and to that end it does the following. First, it articulates Locke’s notion of probability. Probability is what justifies one’s beliefs. Locke’s conception of probability is varies throughout An Essay, so the articulation that follows must remain on a general level. Second, the present section reviews the correct and the incorrect grounds of probability (i.e., evidence). The correct grounds confer on a proposition the probability of being true.

Where knowledge is concerned, there is no evidence other than the content of the ideas themselves. Section 1.2.2 above should suffice for an account of the evidence that leads to knowledge. The matter is different where judgment is concerned, for here there is no such perspicuity that cannot fail to procure assent to what the mind sees. This is due to the fact that the relation between the ideas does not appear from themselves and their juxtaposition with one another. The “grounds of probability” do the work that the ideas set in relation cannot themselves do to induce judgment.\footnote{CU §3 attributes a fair bit of infallibility to reason itself. Error is attributed to the measures of probability.}

Locke’s presentation of evidence is far from straightforward. In E IV.xv Locke says that there are two grounds of probability: first, “The conformity of any thing with our own Knowledge, Observation, and Experience” (E IV.xv.4) and, second, the testimony of others to their knowledge,
observation, and experience. The principle distinction here is between the knowledge in one’s own possession and the knowledge in the possession of another and the ways in which such knowledge is made known to one. In the first case through direct, irresistible evidence, and in the second through trust. Locke’s explanation of the first ground in E IV.xv is minimal, but striking. He writes, “And as the conformity of our Knowledge, as the certainty of Observations, as the frequency and constancy of Experience…” (E IV.xv.5). Locke was writing at a time when the modern concept of probability was only beginning to be developed, so it may perhaps be too much to describe Locke’s language as prescient, but “conformity [to] our knowledge” and “frequency of experience” appear to fall in line with the logical (or epistemic) and frequentist interpretations of probability respectively.78 That Locke should permit two different interpretations of probability within his standard of evidence gives that standard breadth and robustness. The picture of evidence is slightly yet significantly different in E IV.xvi, however. There are again two grounds of probability, but the principle distinction between the two has changed. On the one side we have “particular matter[s] of fact” (E IV.xvi.5), that is, matters that fall under observation and accordingly can be testified to; and on the other we have matters of speculation, that is, matters that are beyond our observation and so cannot be testified to. “Matters of speculation” refers to the existence and nature of finite immaterial beings, subsensible beings, and the operations of nature (e.g., the “real essence” or


79 The term is mine rather than Locke’s.
internal constitution of things). *Morality* appears to be placed among matters of speculation rather than matters of fact.\(^8^0\)

The listing of evidence in *E IV.xvi* is problematic in three ways. First, classifying evidence according to the divide between matters of fact and matters of speculation has the effect of grouping on the same side one’s own observation together with the observation of another. Grouping one’s own observation with another’s observation obscures what is for Locke the first and ultimate ground of all probability—*one’s own knowledge*. We can have *knowledge*, Locke says, no farther than we have ideas, and we can have ideas no farther than we have experience and observation (be it of the world outside us or the internal operations of our understanding). Locke is emphatic that testimony does not supply ideas (*E IV.xviii.3*). Testimony simply cannot function as evidence in the same way that one’s own observations can. If Locke would have us measure things proposed for belief against what we know, we must maintain a distinction between our own private knowledge and testimony. Second, Locke regards revelation in other places also as a ground of probability in matters of speculation (*E IV.xiii.10*), though he does so with some reservation; but revelation is not mentioned in *E IV.xvi*. Another problematic aspect of Locke’s evidence in *E IV.xvi* is that the anticipation of logical probability has fallen out. Locke now writes in entirely frequentist terms: “The . . . *highest degree of Probability*, is, when the general consent of all Men . . . concurs with a Man’s constant and never-failing Experience . . . and the regular proceedings of Causes and Effects in the ordinary course of Nature,” (*E IV.xvi.6*).\(^8^1\) In effect, Locke restricts himself to an interpretation of

---

\(^8^0\) How and why morality falls under “matters of speculation” rather than “matters of fact” is considered in detail in connection with Grotius’s ethics of belief. See Chapter Two, Section 2.2.4.

\(^8^1\) The language of logical probability returns in *E IV.xx.8*. 
probability that has rather limited application. On account of the reversals and restrictions that happen in the course of Locke’s presentation of evidence, I will stray from the strict letter of *An Essay* and endeavor to present the most coherent and broadest picture of evidence *An Essay* accommodates.

Adjusting Locke’s statements of evidence in *E* IV.xv and IV.xvi to his practice throughout the work, we find that there are four grounds of probability: first, conformity to one’s own observation, experience, and knowledge; second, the testimony of others; third, analogy; and fourth, divine revelation. The “first and firmest ground of Probability, is the conformity any thing has to our own Knowledge,” (*E* IV.xx.8). Knowledge is the perception of the agreement between one’s ideas, and so one can have no knowledge where one does not also have ideas. Accordingly it will be a necessary requirement for the greatest approximation of knowledge, i.e., the highest probability, that one be in possession of ideas that appear to agree with the contents of propositions proposed for belief. The two propositions “Men shall be punished in another world,” and “men can determine themselves” appear more likely to agree with one another in proportion as we gather the intermediate ideas that when exhaustively collected would constitute a proof. If one knows that it is God who punishes, then one knows that the punishment will be just. If one knows that the punishment is just, then one knows that the punished have merited it. The appearance of agreement between the two propositions is not so clear when at one’s disposal is only the idea of God as punisher as it is when at one’s disposal are also the ideas of just punishment and merit. For this reason, one’s own knowledge is the ultimate foundation of all good judgment. As an illustration of the role of one’s own knowledge in probabilistic reasoning, Locke relates the story of a Dutch

---

ambassador’s conversations with the King of Siam: the King believed what the Dutch ambassador
had shared about his native climate until the ambassador claimed that in the Winter the water turned
solid, so solid indeed that it could bear the weight of an elephant: there was nothing in the King’s
experience that could permit him to believe that water could support an elephant’s weight (E
IV.xv.5).

The strength of evidence that testimony delivers depends on several factors: the number of
witnesses, their integrity, their skill, their intentions, the internal consistency of their testimonies, and
the existence (or not) of contrary testimonies. The most promising testimony is the universal consensus
to constant natural occurrences (E IX.xvi.6). As examples Locke mentions fire being hot, heat melting
lead, heat charring wood, iron sinking in water, and iron floating on mercury. This sort of evidence
is so secure that our inferences from them “rise so near to Certainty, that they govern our Thoughts
as absolutely, and influence all our Actions as fully, as the most evident demonstrations” (E
IV.xvi.6). For evidence of this sort, the evaluative and elective powers are coincidental and
simultaneous. Next in strength is the universal consent of regular natural occurrences (E IV.xvi.7). Locke
does not formally explain the difference between “constant” and “regular.”

What could the difference be between a constant natural phenomenon and a regular natural
phenomenon, when both constant natural phenomena and regular natural phenomena, according to
a mechanical corpuscularianism, which Locke by all signs accepted, fully determined to happen?
The distinction must somehow be derived from human ways of knowing, but Locke offers no
explanation.
experience is part of the overall testimony. The third most secure form of testimony is “the concurrent Testimony of unsuspected Witnesses” “in things that happen indifferently” (E IV.xvi.18). This form of evidence does not enjoy universal consent, and this by reason of the fact that the things reported are “indifferent.” That is to say, the things reported neither violate nor instance any readily observable natural tendency, and accordingly cannot find probable ground in one’s own experience and observation. The one who judges is thus not counted among the witnesses (as in the previous two cases), except to the very limited extent that the reported occurrence is something that is neither implausible or impossible on the one hand (as it was for the King of Siam), nor always or for the most part on the other. Locke’s examples are of birds flying one way rather than another and of Pompey’s loss to Caesar. The difference between Emperor Tiberius’s villainy and Pompey’s loss are instructive: it belongs to human nature to use one’s power to one’s advantage, but it does not in the same way belong to human nature to win or lose military victories. Although these three differ in security, they are all secure enough to leave “us little liberty to believe, or disbelieve” (E IV.xvi.9).

Crucial to the three stated forms of testimony is the reliability of the witnesses, for it is not mere testimony, mere report that can qualify as good second-hand evidence. The testimony must be based on the belief that the witness is truthful. As Locke explains, when a layman takes a mathematician’s demonstration to be true, he does not take it on the basis of the proofs that he does not understand. The layman takes it, and indeed can only take it on “the wonted Veracity of the Speaker in other cases, or his supposed Veracity in this,” (E IV.xv.5). Thus the “concurrent

---

84 E IV.xvi.6: “the general consent of all Men, in all Ages, as far as it can be known, concurrs with a Man’s constant and never-failing Experience”; E IV.xvi.7: “when I find by my own Experience, and the Agreement of all others that mention it.”
Testimony” of witnesses can only move one securely on the condition that the witnesses are “unsuspected.” One might wonder what the relationship is between consensus and trustworthiness. Are the witnesses trustworthy if they all report the same thing? Locke does not provide the tools for an answer. As we will see in the discussion of Locke and Grotius in Chapter Three, Locke is rather skeptical about the crowd’s wisdom in moral matters. In matters of fact, Locke is rather unconcerned.

As soon as dissent enters among the witnesses, the strength of testimony diminishes, and rapidly. In these cases, “Diligence, Attention, and Exactness is required” (E IV.xvi.9) to consider the qualities of the individual witnesses, their motives in testifying, as well as their character and practice. The issues are indeed so many and the methods one must employ so varied “that ‘tis impossible to reduce to precise Rules, the various degrees wherein Men give their Assent” (E IV.xvi.9). That said, Locke does recommend two rules. For the first he finds inspiration (or perhaps just confirmation) in the practice of the English courts of law: “any Testimony, the farther off it is from the original Truth, the less force and proof it has. . . . So that in traditional Truths, each remove weakens the force of the proof” (E IV.xix.10). In other words, the strength of testimony diminishes in proportion as the length of a chain of testifiers to some event increases. The second is stated in Book III rather than Book IV, although it does find illustration in Book IV. Locke explains that if we wish to understand ancient testimonies correctly, we should endeavor to understand the meaning of the transmitted words according to the original intentions of their authors (E III.ix.22, 23). He illustrates the rule thus:

All that call themselves Christians, allow the Text, that says, METANOEOITE, to carry in it the Obligation of a very weight Duty. But yet however erroneous will one of their Practices be, who understanding nothing but the French, take this Rule with one Translation to be repentez vous, repent; or with the other, faitez Pénitence, do Penance. (E IV.xx.11)
One is tempted to combine these two rules of thumb to form a critique of revealed religion. As it happened, several of Locke’s contemporaries and immediate successors attempted to calculate by a rule such as the one Locke proposed the precise date when original revelation would appear improbable or altogether unbelievable.  

Not much needs to be said about analogy, other than that it is a “proportion to other parts of our Knowledge and Observation” and that it is “the best conduct of rational Experiments” (E IV.xvi.13). Recall from Locke’s account of ideas that our knowledge of substances is necessarily imprecise: the real essence being altogether inaccessible, our knowledge of substances amounts only to a description of the features of substances. Analogy is the principle means of gaining insight into the real essence. Illustrations are given in E IV.xvi.13 of its usefulness for hypothesizing the nature of heat and refraction, and it underlines all Locke’s statements about the powers of superior intelligences (except, perhaps, God).

Revelation receives a far more extensive treatment than any other ground of probability—it is the theme of E IV.xviii, “Of Faith and Reason,” and IV.xix, “Of Enthusiasm”—but Locke’s assessment of it is rather uninvolved. In a way, revelation is a special case of testimony: we are assured of the truth of the revelation not because of the content of the revelation, but rather because the revealer (God) is wholly trustworthy (E IV.xvi.14, IV.xviii.8). The challenge is only to show that the propositions have in fact been revealed by God (E IV.xviii.18). Yet to do this, Locke holds, we have no other kinds of evidence at our disposal than those named above.

---


86 The description at C §40 is also sparse.
Locke supplements his discussion of the correct measures of evidence in *E IV.xv* and *IV.xvi* with a summary of the incorrect measures of evidence in *E IV.xx*, “Of Wrong Assent, or Errour.” The incorrect measures are four. The first incorrect measure is any proposition that is either false or not plainly known to be true but which is nonetheless *taken up as true* and set down at the foundation of one’s beliefs. When one bottoms one’s reasoning on false or dubious propositions, one cannot but be led into error. This was the error that the King of Siam was prone to: taking his experience of water as the measure of all water’s properties, he could not admit the possibility that water could turn solid and even bear the weight of an elephant.

The second incorrect measure is a “received hypothesis,” which might better be rendered as pet explanation or theory. Unlike those given over to the first error, those given to this error will at least “admit of Matter of Fact, and agree with Dissenters” (*E IV.xx.11*). The disagreements here are at the level of the explanans, rather than at the level of the explanandum as above. Locke does not offer much by way of theory evaluation. He criticizes Aristotelian natural philosophy throughout *An Essay* and throughout boasts of the corpuscular hypothesis’s greater explanatory power. Locke seems to take the view that the superiority of the corpuscular hypothesis is plain to an unbiased understanding.

The third incorrect measure of probability is not so much a measure of probability as it is a nullifier of all measures of probability: strong passions. “Let never so much Probability hang on one side of a covetous Man’s Reasoning,” Locke writes, “and Money on the other; and it is easie to forsee which will out-weigh” (*E IV.xx.12*). It is not clear from Locke’s presentation of this incorrect measure where precisely the issue lies. Does Locke mean that it would be wrong to take passions or

---

87 In *C §3* the first two measures of *E IV.xx* are conflated.
inclinations as measures of the truth of propositions? For instance, would it be wrong to rate the propositions “One ought to care for one's offspring” likely to be true because one has a strong inclination to care for one's offspring? Or is Locke's meaning that passions are liable to lead human beings to take concern for the wrong things, and render assent in ways that do not track truth, as, for instance, the love of dominion prevents one from assenting to the command that “no one ought to harm another in his Life, Health, Liberty, or Possession,” (TT II.6)? In other words, does the problem lie with judgment or assent? As visible in Sections 1.2.3 and 1.2.4, Locke did not carefully distinguish the evaluative and elective powers. Given the distinction I tried to established, it seems that the passions affect assent rather than judgment. That Locke attributes error in judgment to the passions shows how confounded in Locke's mind were the evaluative power of judgment and the elective power of assent.

The fourth and final wrong measure of probability is reliance on the opinion of either friends or party: “And a Man shall never want crooked Paths to walk in, if he thinks that he is in the right way, where-ever he has the Foot-steps of others to follow” (E IV.xx.17). Recall the distinction I introduced above between matters of fact and what I termed “matters of speculation.” We saw that Locke permitted opinion as a ground of probability in matters of fact. Thus he here must mean that opinion is not a permissible ground of probability in at least some matters of speculation. We return to this demarcation in the discussion of Grotius and his permitted grounds of probability. We will see that what Locke excludes in particular is opinion as a ground of probability in moral matters. The demarcation is considered in detail at Chapter Two, Section 2.2.4.
1.3.4. The Minimum Evidential Threshold

In order to be rendered assent, to what degree must an ethically significant proposition be evaluated to be true? In other words, how likely to be true must an ethically significant proposition be judged to be before one can take it up as a guide to action? These questions get at what I am terming the “minimum evidential threshold.” Locke does not address these questions directly, and he is far from expressing his view in quantitative terms. The evidence in *An Essay* and *Conduct of the Understanding* suggest that the minimum evidential threshold is rather high: if one would take up a proposition as a guide to action, then one should have strong reasons for believing it to be true.

Locke is constant in his judgment: one’s assent should be proportional to one’s judgment, which should be proportioned to the evidence. Locke writes in *An Essay* in three places that one should not entertain “any Proposition with greater assurance than the Proofs it is built upon will warrant,” (*E* IV.xix.1; see also *E* I.i.4, IV.xv.5). In the *Conduct of the Understanding*, he says the same with considerable frequency: “[One] must not be in love with any opinion, or wish it to be true until he knows it to be so, and then he will not need to wish it,” (*CU* §11; see also *CU* §§12, 19, 21, 27, 34, 35, and 37). According to my interpretation of assent (see Section 1.2.4 above) this means one should hold a proposition rather feebly for as long as the evidence is not convincing, and tenaciously only when the evidence is compelling. In Locke’s own words, “We should keep a perfect indifferency for all opinions . . . but, being indifferent, receive and embrace them according as evidence, and that alone, gives the attestation of truth,” (*CU* §34). Until the truth is manifest, Locke declares, we should remain in an attitude of “indifferency.” He is adamant about this; it is a recurring theme in the *Conduct of the Understanding* (*CU* §§3, 12, 19, 20, 34-36, 42).
This required attitude of “indifferency” for all but manifest truth or high probability is required even for those “matters of the highest concernment,” that is, for “Discourses of Religion, Law, and Morality,” (E III.ix.21):

The world is apt to cast great blame on those who have an indifferency for opinions, especially in religion. I fear this is the foundation of great error and worse consequences. To be indifferent which of two opinions is true, is the right temper of the mind that preserves it from being imposed on, and disposes it to examine with indifferency, until it has done its best to find the truth, and this is the only direct and safe way to it. (CU §12)

Locke, evidently, is unwavering in this. “The management of our great Concerns, will not bear delay,” so (he seems to acknowledge) we “are forced to determine ourselves” (E IV.xvi.3) on one side or another in matters of religion, law, and morality. Yet until we have “done [our] best to find the truth in these matters”—until, it seems, we have found the manifest truth or probability in the matters of religion, law, and morality—our attitude ought to be one of “indifferency,” (CU §12; compare with §3). Writing in An Essay of the vexed question of the soul’s nature and destiny, Locke declares that we should not meddle “with things exceeding [our] comprehension,” but should instead “sit down in a quiet ignorance,” (E I.i.4).

1.4. Locke’s Epistemological Works
And The Justification of Locke’s Ethics of Belief

Why ought one to follow Locke’s ethics of belief? Why the procedural and threshold requirements? Why that specific conception of evidence? What evidence is there that it is a moral obligation? In order to complete his account of proper epistemic conduct, Locke needs to answer these questions. Locke himself admits to so much, though not so directly. He affirms that he who proposes a moral obligation (and his ethics of belief is a moral obligation) is obligated to “make out
the Truth and Reasonableness of it” (E I.iii.4). Locke needs to justify his ethics of belief. Given, moreover, that Locke amply declares there are good reasons for thinking that it is our moral duty to conform our assent to the evidence (if the interpretation given in Section 1.3.1 is correct), then we have reason to expect Locke to provide us with that justification. Yet as will be seen, Locke’s epistemological works provide strikingly little by way of justification.

Scholars have accounted for Locke’s ethics of belief in two ways. First, Locke’s ethics of belief has been declared simply unjustified. This judgment is not based on the view that the arguments that Locke provides do not work. The judgment is based on the fact that Locke does not bring forward any serious argument in the epistemological works. Second, Locke’s ethics of belief has been judged to be a product of its troubled age, and so to be justified by those troubles. On this view, Locke’s ethics of belief is an antidote to religious mania, “enthusiasm,” and the inspired consciences of Puritan revolutionaries. I agree with the first appraisal of Locke’s ethics of belief to this extent: there is simply no serious argument to be found in An Essay. I disagree, however, to this extent: An Essay does provide clues for what the justification should look like, and indicates further that there is in fact a justification. I agree with the second appraisal to this extent: it is conceived with the purpose of curing social ills. But I disagree to this extent: that view does not justify Locke’s ethics of belief to us, and we do not have reason that Locke himself conceived of its justification in this way. These two points of interpretation are discussed in the following two subsections, respectively. In the third subsection I venture the hypothesis that the promise of the demonstrative morality offers the best hope for a justification for Locke’s ethics of belief.

88 “[T]here cannot any one moral Rule be propos’d, whereof a Man may not justly demand a Reason” (E I.iii.4).
1.4.1. Self-Referential Incoherence: 
Is Locke’s Ethics of Belief Unjustified?

Alvin Plantinga is chiefly responsible for the challenges raised against the tenability of evidentialism.\(^{89}\) Plantinga’s arguments are many and sophisticated. However, much of his effort is directed toward the epistemological framework on which Locke and others have rested their evidentialism. Worthwhile as it may be to assess these arguments and their success in taking down Locke’s epistemology, the focus of this dissertation is the moral justification for Locke’s ethics of belief, rather than its viability from an epistemological point of view. With respect specifically to the justification of Locke’s ethics of belief, Plantinga provides this elegant and powerful criticism: If Locke would have us examine our beliefs, and if we must examine them according to the prescribed standards of evidence, and if we must assent in proportion to the evidence, then in order to be justified in forming a firm belief in Locke’s ethics of belief (that is, in order to be justified in taking Locke’s ethics of belief as a rule for belief formation), then the program must itself be justified by an argument based on the standards of evidence prescribed by the ethics of belief. If Locke’s ethics of belief does not have this justification, it is self-referentially absurd and cannot be held consistently.

In Plantinga’s estimation, “there aren’t any such arguments. As far as I know, no classical

\(^{89}\) Alvin Plantinga, “Reason and Belief in God,” in *Faith and Rationality* ed. by Alvin Plantinga and Nicholas Wolterstorff (South Bend, Indiana: University of Notre Dame Press, 1983) 16-93 began the challenge to evidentialism summarized in this subsection. In Alvin Plantinga, *Warranted Christian Belief*, 61-94 Locke in particular is the subject of discussion.
foundationalist has produced any such arguments or proposed some properly basic propositions that support (CP).”

In point of fact, however, Locke provided two arguments. Both are expressed at E IV.xvii.25, where Locke writes that he who does not conform his assent to the evidence “[1] neither seeks Truth as he ought, nor [2] pays the Obedience due to his Maker, who would have him use those discerning Faculties he has given him, to keep him out of Mistake and Errour.” We are obligated to conform our assent to the evidence, first, because we are obligated to seek the truth, and second, because God commands it that we do. I will refer to these arguments as “the argument from love of truth” and “the argument from divine command” respectively. Plantinga is not to be faulted for scholarly negligence, however. He wrote in the wake of Wolterstorff’s work on Locke’s ethics of belief and assumes the Wolterstorff’s results.

Wolterstorff’s judgment on the argument from divine command is as brief as it is decisive: “To the best of my knowledge Locke never actually defends his view that each of us has, for certain propositions, the alethic obligation.” Wolterstorff is certainly correct: Locke offers no systematic development of the argument from divine command. This should certainly be no surprise, given the effort required even to identify the epistemic imperative as a moral obligation. That said, Locke does provide some materials that could be used to develop an argument. It would be instructive to work through these.

---

90 Alvin Plantinga, Warranted Christian Belief, 2000. “(CP)” is the claim, “A person S is justified in accepting a belief p if and only if either (1) p is properly basic for S, that is, self-evident, incorrigible, or Lockeanly evident to the senses for S, or (2) S believes p on the evidential basis of propositions that are properly basic and that evidentially support p deductively, inductively, or abductively,” (Plantinga, Warranted Christian Belief, 83-84).

91 Wolterstorff, John Locke and the Ethics of Belief, 64. “The alethic obligation” is the name Wolterstorff gave to what I term “the epistemic imperative.”
As the argument lays claim to God’s commands, it seems reasonable to look for an argument in either divine revelation or in natural revelation. Turning first to divine revelation, one finds no scriptural citations anywhere near the argument in *E IV*.xvii.25. Of course, merely to cite scripture would not suffice, at least not according to the standard of evidence that Locke proposes. Locke would also have had to demonstrate that his proposal is in conformity to the original sense of the words of scripture, and he would have had to supply a proof that the scripture is in fact divinely revealed (see Section 1.3.3 above). Even if he did cite scripture, he did neither of these other things. That is all the same, however, as to the best of my knowledge Christian scripture does not lay down doxastic requirements of the sort Locke needs: certain *content* must be believed, but no *procedures* for belief-formation are required (see: Romans 1:20). Whether divine revelation *could* assist Locke, revelation is in fact not put to this use in Locke’s writing.

Locke’s argument from divine command must then rely on support from “natural revelation,” i.e., “reason” (*E IV*.xix.4). Such support would have to be drawn from what we can know about God and our relation to God. Locke’s remarks on this issue are sporadic, incomplete, largely hypothetical in character, and above all few: Locke offers a definition of “*Divine Law*” (*E II*.xxviii.8; see also *E I*.iii.5); remarks that God is capable of making happy those whom he wishes to be made so (*E II*.xxi.65) and that it is rational to believe that God will make happy the just (*E IV*.xiv.2); attempts to make plain God’s existence (*E IV*.x); observes that the idea of duty requires ideas of “God” and “lawgiver” for its intelligibility (*E I*.iii.12) and that the idea of God as punisher entails the ideas of just punishment and human self-determination (*E IV*.xvii.4); declares that our

---

faculties are fit to lead us to a knowledge of God and our duty \(E\) II.xxxii.12); and hazards that when the ideas we have of ourselves, of God as maker, and of fear and obedience are rightly reckoned, it becomes clear to reason that we ought to obey God \(E\) IV.xi.13, IV.xiii.3; see also IV.xii.8,11) and then hypothesizes that such considerations provide the foundation of a demonstrative morality \(E\) IV.iii.18). These remarks and quasi-asides hint in various, scanty ways at how the moral law is possible, knowable, and binding, but they both individually and collectively fall short of actually stating the content of that law. They are strewn throughout An Essay and never consolidated into a single argument, so it must be conceded to Wolterstorff that Locke does not substantiate the argument from divine command.

That said, above-cited remarks can be viewed as several brief remarks on the divine law:

First, The Divine Law, whereby I mean, that Law which God has set to the actions of Men, whether promulgated to them by the light of Nature, or the voice of Revelation. That God has given a Rule whereby Men should govern themselves, I think there is no body so brutish as to deny. He has a Right to do it, we are his Creatures: He has Goodness and Wisdom to direct our Actions to that which is best: and he has Power to enforce it by Rewards and Punishments, of infinite weight and duration, in another Life: for no body can take us out of his hands. \(E\) II.xxviii.8

\(E\) IV.x explains that God exists; \(E\) II.xxxii.12 explains that we can come to know what we owe God; \(E\) I.iii.12, IV.iii.18, xi.13, xii.8, 11, and xiii.3 explain how we can come to know what we owe God; and \(E\) II.xxi.65, IV.xiv.2, xvii.4 explain what the probable consequences of obeying or disobeying God are. What is more, Locke by all appearances believed that these materials would furnish us with knowledge of morality as clear and as certain as the demonstrations of mathematics \(E\) IV.iii.18, IV.ii.8). This is a controversial point. I discuss it in Chapter Three, Section 3.2. Therefore one must seriously wonder where in Locke’s thought the developed demonstrative morality is. For if Locke is correct about its possibility, and if he is further correct that one must and indeed can build it
with the materials listed above, then Locke’s ethics of belief should appear as a theorem in the demonstrated system of morals. If we can find this system, perhaps we can find the argument from divine command.

One searches in vain to find in *An Essay* the demonstrative morality Locke promised, however. Locke rebuffed the entreaties of his friends, notably James Tyrrell and William Molyneux, to produce the demonstrative morality.\(^93\) What is more, Locke’s *Reasonableness of Christianity*, published four years after the first edition of *An Essay*, is still widely interpreted as Locke’s concession that the demonstrative morality was a failure.\(^94\) I conclude, then, that when one’s view is constrained to *An Essay* and the *Conduct* the argument from divine command finds support neither in divine revelation nor in demonstrative reason. I stress that demonstrative reason fails to support Locke’s ethics of belief *only* so long as one holds that Locke never produced the demonstrative morality.\(^95\) Whether Locke’s interpretation of Christianity in the *Reasonableness of Christianity* supports his ethics of belief is a separate question, and one which falls outside the purview of this study.

What about the argument from the love of truth? This argument appears three times in *An Essay* (once at *E* IV.xviii.24, which was cited above, once at *E* IV.xix.1, where it plays a lengthy and

---


94 John Dunn and Leo Strauss each in their own way understood the *Reasonableness* as such, but whereas Strauss made the inference that Locke could not “have recognized any law of nature in the proper sense of the term,” Dunn maintained that Locke did recognize such a law, but from the perspective of “a religious faith rather than an achieved philosophical position.” Strauss, *Natural Right and History*, 220 and Dunn, *Political Thought*, 195. With few exceptions Strauss and Dunn divide the scholarship on Locke, but both camps agree that Locke’s demonstrative morality was a failure.

95 I return to this issue in Chapter Four and argue that Locke did indeed provide at least a portion of his demonstrative morality—the *Second Treatise*. 
central role, and once again at \(E \text{ IV.xix.2}\)\(^{96}\), and once in \textit{Conduct} (\(CU \S\S 10-12\), which is essentially a repetition \(E \text{ IV.xix.1}\)\(^{97}\)). If frequency of occurrence is at all a sign, Locke places more stock in this argument than the argument from divine command. This argument is also slightly more intricate than the argument from divine command. Whereas only one main premise needs to be shown for the argument from divine command, namely, that God commands one to conform one’s assent to the evidence, two main premises need to be shown for the argument from love of truth: it must be shown that we are obligated to love the truth, and then it must be shown that “love of truth” takes the form of Locke’s ethics of belief.

\(^{96}\) \(E \text{ IV.xix.1, 2: “He that would seriously set upon the search of Truth, ought in the first Place to prepare his Mind with a Love of it. For he that Loves it not, will not take much Pains to get it; not be much concerned when he misses it…And I think there is this one unerring mark of it, \textit{viz}. The not entertaining any Proposition with greater assurance than the Proofs it is built upon will warrant. Whoever goes beyond this measure of Assent, ‘tis plain receives not Truth in the Love of it; loves not Truth for Truth’s sake, but for some other bye end…[W]hatsoever degrees of Assent he affords it beyond the degrees of that Evidence, ‘tis plain all that surplusage of assurance is owing to some other Affection, and not to the Love of Truth: It being impossible, that the Love of Truth should carry my Assent above the Evidence, that there is to me, that it is true, As that the Love of Truth should make me assent to any Proposition, for the sake of that Evidence, which it has not, that it is true: which is in effect to Love it as a Truth, because it is possible or probable that It may not be true… Who does violence to his own Faculties, Tyrannizes over his own Mind, and usurps the Prerogative that belongs to Truth alone, which is to command Assent by only its own Authority, \textit{i.e.} by and in proportion to that Evidence which it carries with it.”

\(^{97}\) “I shall offer this one mark whereby prejudice may be known. He that is strongly of any opinion, must suppose (unless he be self-condemned) that his persuasion is built upon good grounds, and that his assent is no greater than what the evidence of the truth he holds forces him to, and that they are arguments and not inclination or fancy that make him so confident and positive in his tenets… He whose assent goes beyond his evidence owes this excess of his adherence only to prejudice, and does, in effect, own it, when he refuses to hear what is offered against it; declaring thereby that it is not evidence he seeks, but the quiet enjoyment of the opinion he is fond of…He that would acquit himself in this case as a lover of truth, not giving way to any preoccupation or bias that may mislead him, must do two things that are not very common nor very easy. First, he must not be in love with any opinion, or wish it to be true, until he knows it to be so, and then he will not need to wish it: for nothing that is false can deserve our good wishes, nor a desire that it should have the place and force of truth,” (\(CU \S\S 10-11\)).
Wolterstorff’s remark on the first of these required premises is brief. He simply notes that Locke “assumes” that we are obligated to be lovers of truth for truth’s sake,\(^98\) and moves on to the second premise to be proved. As Locke no more justifies the first premise than he justifies the claim that we are divinely commanded to proportion assent to the evidence, Wolterstorff’s remark is appropriate. Yet one can ask whether Locke might have had his reasons for hazarding an obligation to love the truth. A fair guess is that his confidence in the demonstrative morality enabled Locke to advance the argument from divine command and the argument from the love of truth. Of course, without the worked out demonstrative morality, this must remain a guess.

Still, *prior to knowing* that we are obligated to seek the truth, there needs to be independent reasons to be moved to seek the truth. Locke denies that there are innate ideas, so if we were in the course of life moved to learn that there is an obligation to seek the truth, then we could not have been originally moved by the obligation to seek the truth, for we learned of the obligation only after we were at first moved to seek it. Locke appears to have his reasons for believing that there are motivations to seek the truth. I wonder, then, whether the argument from the love of truth is designed to motivate rather than to obligate. In what follows I argue that it plays a motivational role, though I also consider some ways in which it might be interpreted as an argument establishing obligation.

I begin with speculations about why Locke might have supposed that we *should*, if not that we *ought*, to seek the truth. Locke writes at *CU* §24, “Truth, whether in or out of fashion, is the measure of knowledge, and the business of the understanding” and at *CU* §42 “From whence it is evident that the right use and conduct of the understanding, whose business is purely truth and

\(^98\) Wolterstorff, *John Locke and the Ethics of Belief*, 80.
nothing else.” Truth is the business of the understanding perhaps like sight is the business of the eyes. A parallel claim is made in *An Essay*. At E IV.xii.11, Locke writes, “Morality is the proper Science, and Business of Mankind in general” (E IV.xii.11). He stakes the claim that morality is the business of humankind on what he is able to discern about the faculties of the understanding:

> From when it is obvious to conclude, that since our Faculties are not fitted to penetrate into the internal Fabrick and real Essences of Bodies; but yet plainly to discover to us the Being of a GOD, and the Knowledge of our selves, enough to lead us into a full and clear discovery of our Duty, and great Concernment, it will become us, as rational Creatures, to imploy those Faculties we have about what they are most adapted to, and follow the direction of Natur[e], where it seems to point us out the way. For ‘tis rational to conclude, that our proper Impoyment lies in those Enquiries, and in that sort of Knowledge, which is most suited to our natural Capacities… (E IV.xii.11)

Morality is the business of humankind and truth the business of the understanding, there is a natural aptitude to those things. One finds another parallel passage at E II.xxxii.6, where Locke writes, “For the natural tendency of the Mind being towards Knowledge.” But why should the mind tend naturally toward knowledge? That nature leads one to knowledge might have been evident to Locke from the observation that with respect to some items of consciousness (namely, the perception of simples) the mind is utterly arrested and determined by what it perceives, while with respect to other items the mind to some degree “float[s] at liberty,” (E IV.xx.16). The proper or natural operations of the understanding might have been surmised from the experiences of being utterly determined on the one hand and afloat or only partially determined on the other. He might also have surmised it from the observations that when the mind perceives, it is felt to be existent, while when it does not it is as good as non-existent, and that as the mind is most of all determined when it is confronted with something plainly true (i.e., perceives simples), the mind is most of all itself and exists in the fullest sense when it is in contact with the truth. If the natural tendency of the mind is toward knowledge, then one might find also a natural motivation to conform one’s practice of belief
formation to Locke’s ethics of belief. But there is also a suggestion of obligation here as well, for Locke speaks of the drive to society and the care for offspring as both natural tendencies and moral obligations.  

So there are a couple routes available whereby Locke could have arrived at the obligation to love the truth. One route is to argue that it is evident upon introspection that the mind by its own nature, as it were, seeks to be determined and so seeks the truth. This route agrees a fair bit with other aspects of Locke’s thought, for Locke says that it belongs to the nature of a rational being to think about and pursue its happiness, and also that it is “not a fault, but a perfection of our nature” to be determined to act by our last judgment rather than be afloat and free to act or not to act on reason’s advice (E II.xxi.47). Another route is to argue that it is absurd or self-contradictory to wish to be inactive and undetermined, and so absurd or self-contradictory not to see the truth. Another is to suppose that natural tendencies are also obligations, as suggested just above. Whatever the case may be, these must remain speculations. Yet if there are good reasons to believe that our nature desires to know, then we are moved closer to believing that we are obligated to know, and so we need not be entirely dissatisfied that Locke only assumes the first premise in his

---

99 For the drive to society, see E III.i.1 and TT II.77. For the care for offspring, see E I.iii.12 and TT II.63.

100 E IV.xx.6: “I will not here mention how unreasonable this is for Men that ever think of a future state, and their concernment in it, which no rational Man can avoid to do sometimes.” See also E II.xxvii.17, 18, 26.

101 This thought comes out more clearly in respect to God: “If we look upon those superior Beings above us, who enjoy perfect Happiness, we shall have reason to judge that they are more steadily determined in their choice of Good than we; and yet we have no reason to think they are less happy, or less free, than we are. And if it were fit for such poor finite Creatures as we are, to pronounce what infinite Wisdom and Goodness could do, I think, we might say, That God himself cannot choose what is not good; the Freedom of the Almighty hinders not his being determined by what is best,” (E II.xxi.49).
argument from love of truth. Locke may assume this premise, as Wolterstorff says, but the assumption seems a fair one to make.

The second premise, namely, that the love of truth takes the form of Locke’s ethics of belief, has received more attention. In fact it is a matter of some contention between Passmore and Ayers. In his study of Locke’s ethics of belief, Passmore set out with the express intention of determining the conditions under which one could be praised or blamed for one’s beliefs, and attention was given to the psychological mechanism that led to belief. The end effect was that the issues discussed above (e.g., ground and scope of the obligation, evidence type, etc.) received no attention. Passmore used the text of *E* IV.xix.1 to argue that Locke held to an emotivist theory of belief formation, according to which passion determines the mind to assent or not to assent, rather than an intellectualist theory in which the evidence before the mind’s eye alone moves the mind’s assent. Accordingly Passmore judged that in Locke’s view the lover of truth is upright and the otherwise passionate is at fault. Ayers found this “rather startling interpretation” “difficult to see,” and adamantly opposed Passmore’s interpretation with an intellectualist reading of his own. Far from evidencing an emotivist theory, Ayers argued, Locke’s “love of truth” is to be understood as “a respect for reason for its own sake, not itself one of our ‘inclinations’ or ‘passions or interests’, but explicitly opposed to them.” The upshot of their dispute is that the “love of truth” of *E* IV.xix.1

---


103 Passmore, “Locke and the Ethics of Belief,” 204-08.


ceased to function as a premise in an *argument* for correct belief-formation, and became instead a literal (in Passmore’s case) or figurative (in Ayers’s) *description* of belief formation.

As my concern is with the love of truth as *an argument*, I comment only briefly on the controversy between Ayers and Passmore. Both err in supposing that the intellectualist elements and the emotivist elements of Locke’s account of belief formation must utterly exclude one another. In fact, Locke’s account of belief formation is simultaneously intellectualist and emotivist. (In this one sees a parallels to his natural law doctrine.) Recall from Section 1.2.4 that the evaluative powers and the elective powers do not always track one another. When, for instance, the issue is not one of “concernment,” i.e., is not determined to be of ethical significance, assent does not track judgment. For instance, one’s commitment to a pet hypothesis can prevent one from rendering assent to what otherwise appears to be probable. Similarly, assenting to truth must be a matter of concernment—in other words, one must love the truth. A few points may be made in addition here. Locke writes in *E IV.xix.1*, that the one who would search for the truth ought to prepare the mind with a love for it, for “he that Loves it not, will not *take much Pains* to get it; nor be *much concerned* when he misses it,” (my emphasis). As examination—taking the time in one’s day to sit still and think (rather than engage in other activities) and to collect evidence (by reading or conversing or writing) in an engaged way—is an activity as any other, we must, on Locke’s theory of action, be *moved* to take up that activity. Examination requires motivation. It is clear that both the language and the content of *E IV.xix.1* agree with Locke’s theory of action. It is just the same with the *Conduct* (which, incidentally, neither Passmore nor Ayers made use of): “And yet it must nevertheless be confessed to be a wrong use of our understanding to build our tenets (in things where we are *concerned to hold the truth*) upon principles that may lead us into error” (*CU* §12, my emphasis). The judgment of a proposition’s
likelihood to be true and the judgment that it serves our happiness are separate judgments, but
together they combine in assent. There thus are intellectualist and emotivist elements to Locke's
theory of belief formation.

Unlike Passmore and Ayers Wolterstorff takes Locke’s “love of truth” as a premise in an
argument, but (and again unlike Passmore and Ayers) he is not confident about what it should
mean. ¹⁰⁷ His understanding of this premise runs thus:

But presumably love of truth (and aversion to falsehood) is to be thought of in some way as
this: If one loves truth and abhors falsehood with equal intensity, and has no other loves
and aversions which inhibit or distort that love and aversion, then, for any proposition
which comes within one’s ken, one will do what one can, given one’s other obligations, to
bring it about that one believes it if and only if it is true. ¹⁰⁸

There are several problems with this interpretation. To begin, it is not quite true to Locke to say
that the lover of truth (i.e., the conformity to Locke’s ethics of belief) will believe a given
proposition if and only if it is true. Locke’s lover of truth does not so much want to believe true
things as much as he wants to know that and to know how what he believes is true. It would have been
truer to say that Locke’s lover of truth believes some proposition (more precisely, will hold some
proposition as true) only so far as it appears true. Locke’s lover of truth does indeed believe if and only
if something appears to be true. Locke’s condition that belief be formed only upon the sight of
truth ensures that the lucky or impetuous believers have not discharged their responsibility simply by

¹⁰⁷ Wolterstorff, John Locke and the Ethics of Belief, 81: “What is he taking love of truth to be? He
doesn’t say.”

¹⁰⁸ Wolterstorff, Ethics of Belief, 81.
believing the truth. Wolterstorff’s interpretation cannot guarantee this, and Locke clearly wishes to avoid it.

Next, Wolterstorff’s interpretation of the second premise of the argument from love of truth leads him to view it as unsupported, and so he conjectures, “Or perhaps, in the passage just quoted, Locke was confusing firmness of belief with tenacity of belief.” I believe that this suggestion is correct. As I argued above (see Section 1.2.4) Locke distinguishes one’s evaluation of a proposition’s likeliness to be a true and the concernment one has that that proposition is true, and accounts for the one with a judgment of how likely the proposition in question is true, and for the other with a judgment about how likely the proposition serves our happiness. As the mind’s judgment of likeliness and the mind’s judgment of concernment do not necessarily match, “it seems entirely possible,” as Wolterstorff writes immediately after concluding that the argument from love of truth fails, “to be exceedingly tenacious in hanging onto beliefs in propositions about which one is not very confident, and to be entirely non-tenacious with regard to beliefs in propositions in which one has a high level of confidence.” But this is exactly the sort of possibility Locke

---

109 Wolterstorff, *John Locke and the Ethics of Belief*, 81: “But notice, now, that they have been requited no matter what level of confidence one places in what one believes. If one believes only what is true, then, no matter what the confidence with which one believes it, one’s love of truth is required; so too, if one never believes what is false, then, no matter what level of confidence one places in them, one’s abhorrence of falsehood is required. Love of truth, at least if understood along the lines suggested, gives no support at all to Locke’s principles.”

110 *E* IV.xvii.24: “He that does not this to the best of his Power, however he sometimes lights on Truth, is in the right but by chance; and I know not whether he luckiness of the Accident will excuse the irregularity of his proceeding.”

111 Wolterstorff, *John Locke and the Ethics of Belief*, 81. Unfortunately, Wolterstorff does not reexamine the argument in light of this suggested correction.

acknowledged. As I believe is clear from *An Essay*, IV.xix.1, and indeed the whole of *An Essay* IV.xix, Locke’s concern is to conform assent (or Wolterstorff’s “tenacity”) to the evidence.

I find therefore that the love of truth takes the form Locke needs it to take in order to function in his argument from love of truth: it must be understood to contain emotivist elements. The love of truth is indeed, as Passmore suspected, a passion of sorts: it is a concernment to possess the truth. If “to love truth” means “to be in a state of uneasiness by not having the truth,” and if “to have the truth” means “to see the truth,” then it seems that the lover of truth will try to hold his assent as far as possible to the evidence. When greater assent is awarded to a proposition than the evidence shows true, the lover of truth is pained, and so moves to a state of lesser assent. When lesser assent is awarded to a proposition than the evidence shows true, then lover of truth is again pained, and so moves to a state of greater assent. I judge, then, that the second premise of Locke’s argument from the love of truth is appropriate for Locke’s ethics of belief, and that the first premise can at least possibly be justified. As noted above, there were a few routes whereby Locke could move from the mind’s natural tendency toward knowledge to motivations and perhaps even obligations to love the truth. What is more, the demonstrative morality might provide some reason for believing that there is an obligation to love the truth.

To return to the beginning of this subsection: If we take Plantinga’s judgment to mean that Locke put forward no compelling justification for his ethics of belief, then Plantinga is certainly correct. However, if we take his judgment to mean that Locke made no attempt to justify his ethics of belief, then he is mistaken. If Locke cannot be said to provide a justification, he can at least be said to provide the materials for a justification. The question of how far those materials take us toward the justification of Locke’s ethics of belief is reserved for a later chapter.
Finding no defensible argument in *An Essay*, Wolterstorff turns to an instrumental justification for Locke’s ethics of belief: “I think it was especially the desirable *consequences* of embracing the principle of proportionality [i.e., render assent in proportion to the evidence]…that made Locke and his cohorts in the Royal Society embrace the principle…[for] accepting the principle would remove the bitterness from the controversies between Catholics and Protestants.”

In doing so Wolterstorff retreats to an historical or cultural motivation for Locke’s ethics of belief. This shift in justificatory strategy recalls the preface of Wolterstorff’s study. Prior to Locke’s time, Wolterstorff points out, the moral and religious disputes were settled with an appeal to tradition, but in Locke’s time that tradition had fractured and so offered no acceptable criteria of judgment. The solution that Locke opted for was a criterion of individual judgment independent from the claims of tradition. In short, Locke’s ethics of belief was a response to the needs of the day.

Wolterstorff’s study thus lays out two distinct, yet, given the historical condition, nearly inseparable ways of accounting for Locke’s ethics of belief: (1) the collapse of tradition and the attendant need for a new criterion of judgment, and (2) the need for a cure for religious extremism, or “enthusiasm.” Locke’s ethics of belief, Wolterstorff contends, addresses both difficulties.

It is nearly a commonplace that the moral and religious revolutions of the sixteenth centuries and crises of the seventeenth centuries account for a great deal of early modern philosophy.

---

113 Wolterstorff, *John Locke and the Ethics of Belief*, 82.

114 Wolterstorff, *John Locke and the Ethics of Belief*, 1-3.

115 Wolterstorff, *John Locke and the Ethics of Belief*, x, xvi-xvii.
Dissatisfaction with scholasticism prompted new philosophies and competing claims to moral, religious, and political authority necessitated them. And so it is prima facie quite reasonable to suppose that Locke’s ethics of belief has its motivation in the needs of the day. After all, we do know that the event that gave rise to An Essay was a frustrated conversation about morality and religion.

But while the problems of the early modern period might motivate Locke, while they might give a causal account of his writings, they do not justify—especially to us today—his ethics of belief. Locke himself seems to be of this view. He acknowledges that a night of troubled conversation with friends gave birth to An Essay, but he deliberately omitted the fact that the conversation concerned religion and morality. Perhaps he did so because he was afraid of causing controversy (he did after all publish the Two Treatises anonymously), but perhaps Locke made the omission because he thought An Essay and its contents should stand on their own. Whatever the case may be, it must be admitted that Locke deliberately distanced An Essay’s purpose from the troubles of his time—it is Tyrrell that informs us of the subject of conversation that prompted An Essay, not Locke himself. Accordingly we must resign ourselves to the fact that An Essay does not, by the author’s own declaration, account for itself by reference to the day’s troubles. Tempting though it may be, we cannot take the moral and religious crisis to provide Locke’s justification for Locke’s ethics of belief.

---


That said, the possibility that Locke did not intend for his ethics of belief to serve any function other than to still religious disquiet is far from closed. In fact, there is some evidence for this possibility, although it is marginal. First, whereas statements of an epistemic duty pepper An Essay, the clearest, most sustained statement of the duty to conform assent to the evidence occurs in E IV.xix, “Of Enthusiasm,” a chapter which, according to received wisdom, targets the justified conscience of the inspired Puritan. Second, the argument for the love of truth is articulated mostly in this chapter, and reappears in the Conduct; the arguments from divine command do not. Evidently, Locke was quite concerned to bring the passions into the proper order. As Passmore argues, one of the distinctive feature of Locke’s ethics of belief, namely, it emotivism, derives from the need to be able to blame the religious zealot for believing irresponsibly.

For all that, however, the attention Locke does give to the enthusiast is given for the first time only in the fourth edition of An Essay, which means that it was given at a time when Puritanical troublemaking had already died down. Indeed the term “enthusiasm” appeared only twice before E IV.xix, and its meaning is somewhat inconstant. While E IV.xix.3 defines “enthusiasm” with

\[\text{E IV.xix.3: “Enthusiasm. Which laying by Reason would set up Revelation without it. Whereby in effect it takes away both Reason and Revelation, and substitutes in the room of it, the ungrounded Fancies of a Man’s own Brain, and assumes them for a Foundation both of Opinion and Conduct.” For the shadow that the Puritan conscience cast on Locke’s moral and political thought, see John Colman, John Locke’s Moral Philosophy (Edinburgh: Edinburgh University Press, 1983).}\]

\[\text{E IV.iv.1: “If it be true, that all Knowledge lies only in the perception of the agreement or disagreement of our own Ideas, the Visions of an Enthusiast, and the Reasonings of a sober Man, will be equally certain”; E IV.xvi.14: “So that Faith is a settled and sure Principle of Assent and Assurance, and leaves no manner of room for Doubt or Hesitation. Only we must be sure, that it}\]
reference to revelation, and so to religious belief, the character of enthusiasm requires no religious component. The readiest way to run into “the most extravagant Errors and Miscarriages” is “to believe any Proposition to be true, any Action to be right, only because we believe it to be so,” (E IV.xix.11). On this view, the party loyalist is just as much an enthusiast as the justified Puritan. The character of enthusiasm allows for such a wide application that Malebranche and other Platonists were given the title. Furthermore, the enthusiast, be he a Platonist philosopher, confirmed royalist, or zealous Puritan, does not account for the emotivist element of Locke’s ethics of belief. That element, I contend contra Passmore, derives not from the need to blame the irresponsible religious believer, but rather follows from Locke’s theory of action. In total, then, there seems little reason to believe that Locke’s ethics of belief was somehow tailor-suited to the problems of religious extremism in his time. It no doubt applied to religious extremism, but it applied as a general solution applies to particular cases. Just as particular cases do not prove the validity of the general rule, Locke’s criticisms of enthusiasm cannot justify his ethics of belief.

While it is true that the seventeenth-century was a century characterized in large measure by intense, often violent religious disputes, and while it is therefore tempting to interpret Locke’s efforts in light of that history, Locke puts a fair amount of distance between himself and these issues in his epistemological works. I therefore conclude that the usefulness of the seventeenth-century’s conflict for explaining Locke’s ethics of belief is chimerical.

1.4.3. Locke’s Hope for a Justification: The Demonstrative Morality

The argument from divine command and the argument from the love of truth are the two obvious choices for a justification for Locke’s ethics of belief. However, neither argument is developed enough actually to serve as a justification. Locke’s theological statements are scattered; they are not brought into any coherent picture. In their present state they certainly do not, and possibly cannot, provide the argument. The argument from the love of truth has more substance, but if it provides a genuine obligation, and if Locke is sincere when he says that all genuine obligations stem from the divine law, then the argument from the love of truth relies on the undeveloped argument from divine command. Neither argument, therefore, justifies Locke’s ethics of belief.

Are there other justificatory routes available to Locke? A virtue-ethical argument is not available to him, despite occasional remarks to such an effect, because virtue either is the sort of behavior that happens at a given time to be esteemed, or, if true virtue is intended, it is conformity to God’s law (E II.xviii.10). An argument from virtue must necessarily either be the argument from divine command, or be political rhetoric designed to move one to be virtuous, i.e., move one (hopefully) to conform to God’s command. Moreover, the latter sort of argument does not tell one why we ought to be virtuous, only that one ought to be so. But it is the justification that we are currently looking for.

122 For example, E IV.xvii.16: “The great Excellency and Use of the Judgment, is to observe Right, and take a true estimate of the force and weight of each Probability; and then casting them up all right together, chuse that side, which has the over-balance.”
Another problem for Locke comes from the fact that the sort of ethics of belief he proposes commits him to a specific sort of justification. The obligation to conduct our understanding according to his program cannot be justified by the advantages that accrue to one for following it. For Locke, there are two reasons for this. First, Locke’s ethics of belief is a moral obligation, rather than an instrumental one. A belief in a proposition is justified when the belief is seen to be true or probably true; whether the proposition has apparent good effects is irrelevant. It is relevant for assent, to be sure, as concernment is a component of assent. But Locke’s ethics of belief holds that one ought to believe a proposition because it is seen to be true, not because it is beneficial. This fact alone would rule out an argument from the political consequences (e.g., use of Locke’s program entails curtailment of the problems of enthusiasm), had Locke not already officially distanced his ethics of belief from the political troubles of seventeenth-century Europe.

Any advantage Locke’s ethics of belief might have for gaining or holding truth and avoiding error also fails to justify. If one attempts to justify Locke’s ethics of belief with the argument that it is the best policy for acquiring and adhering to the truth, if, in other words, one claims that Locke’s ethics of belief is the best method for gaining truth, then one’s efforts are undercut by the fact that Locke values careful belief formation more than he values possession of truth.\(^{123}\) If one attempts to justify Locke’s ethics of belief with the argument that it is the best policy for avoiding error, then one’s efforts are undercut by the fact that Locke finds the association of ideas a greater problem than assent that is disproportionate to evidence—which, besides, is not strictly the same thing as

\(^{123}\) *E* IV.xvii.24: “Whereas he that makes use of the Light and Faculties GOD has given him, and seeks sincerely to discover Truth, by those Helps and Abilities he has, may have this satisfaction in doing his Duty as a rational Creature, that though he should miss Truth, he will not miss the Reward of it.”
error. Both attempts are frustrated by the fact that the method for finding truths and eliminating errors is necessarily distinct from the ethics by which we hold to what the method delivers.

Virtue-ethical arguments, pragmatic arguments, and methodological arguments all fail—and fail at the outset. The interpreter of Locke is thus forced to a dilemma: either Locke’s ethics of belief is simply unjustified, or the justification comes from the argument from divine command. If the interpreter elects to seize the latter horn, then he incurs several interpretative burdens. To begin, it would be necessary to combine Locke’s scattered theological remarks together and draw out their consequences. However, when one collects and combines those remarks, one finds at most the starting point of an argument: we are told that we can know that God exists (and do, if the argument from E IV.x persuades) and that we can know our obligations by considering the ideas of ourselves and the idea of God. Does Locke, then, force the interpreter to speculate about what those obligations that actually follow from the reckoning of the idea of ourselves and the idea of God could be? Perhaps not. According to E IV.ii.8 and IV.iii.18, the reckoning of the ideas of ourselves and the idea of God is the starting point for the demonstrative morality. It appears, then, that if one would seek the justification for Locke’s ethics of belief by pursuing the argument from divine command, then one should seek the demonstrative morality. This is perhaps a promising clue. However, the demonstrative morality is not in An Essay. Therefore, if one would seek the

\[ \text{124 E II.xxxiii.17: “Some independent Ideas, of no alliance to one another, are by Education, Custom, and the constant din of their Party, so coupled in their Minds, that they always appear there together, and they can no more separate them in their Thoughts, than if they were but on Idea, and they operate as if they were so. This gives Sense to Jargon, Demonstration to Absurdities, and Consistency to Nonsense, and is the foundation of the greatest, I had almost said, of all the Errors of the World; or if it does not reach so far, it is at least the most dangerous one, since so far as it obtains, it hinders Men from seeing and examining.”} \]

\[ \text{125 On Locke’s own scheme, proper method is a function of the nature of the ideas that fall under a given inquiry (E IV.xii.7), whereas proper belief is a function of probabilities and assent.} \]
justification for Locke’s ethics of belief, one must first discover where the demonstrative morality might be.
Chapter Two  

Locke’s Ethics of Belief in Its Historical Context:  
Grotius, Descartes, and Pascal  

The previous chapter sought the justification for Locke’s ethics of belief in his epistemological works *An Essay concerning Human Understanding* and *Conduct of the Understanding*. The search ended in partial disappointment. While a justification was not found, uncovered was the hope that the justification for the evidentialist imperative of Locke’s ethics of belief would appear as part of his promised demonstrative morality. As he affirms several times in *An Essay*, all moral imperatives belong to the divine law, which can be made out by deduction from the ideas of oneself as a created thinking being and of God as wise, good, and powerful creator. But so far as the epistemological works do not provide this deduction, Locke’s ethics of belief is left without a philosophical justification.

Yet having only examined these epistemological works, one is not quite permitted to say that Locke’s ethics of belief is in fact without philosophical justification. We can trust that Locke had, at least in his own mind, good reasons for proposing the ethics of belief that he did. Until one has performed an all around investigation, the possibility remains open that there is to be found somewhere in Locke’s complete writings the philosophical justification that did not find expression in the epistemological works. Let it, then, be assumed that the justification does indeed find expression somewhere. The challenge now is to find where that might be. To be avoided is a haphazard search, that is, a random digging into Locke’s various writings, finding or maybe only conjecturing connections to his ethics of belief, and seeing whether they can serve in a justification
of it. An orderly search is obviously better, but it is not obvious where one should start the search. In order to prepare the way for an orderly search, I will not search for the “theoretical justification,” but rather the “practical justification.” By “theoretical justification,” I mean the demonstrative morality, or whatever could provide the argument from divine command. By “practical justification,” I do not mean either “pragmatic justification” or “instrumental justification,” for there is no room in Locke’s thought for such justifications. By “practical justification,” I mean those reasons whereby Locke’s ethics of belief is practicable, appropriate for belief formation in the ethical order, or can be seriously proposed for use without being dismissed as an unreasonable ideal. The practical justification amounts to the answer to the following question: How does Locke conceive of the human condition, such that accepting and practicing his ethics of belief makes sense? The answer to this question yields the presuppositions on which Locke’s ethics of belief rests. With these presuppositions in hand, we may be in a position to direct the search for the justification of the ethics of belief to one or another specific work of Locke. With the relevant works identified, the presuppositions might also serve as a guide to the interpretation of those works. The present chapter uncovers these presuppositions. The next chapter will consider how the present results direct the search for the justification of Locke’s ethics of belief to and then within the Second Treatise of Government.

To dig out the presuppositions of Locke’s ethics of belief, I will do two things. First, I will problematize the ethics of belief. A basic reflection on human life suggests that human beings cannot avoid making decisions of momentous importance oftentimes in a state of ignorance. If such (crudely stated as it is) is the human condition, then is Locke’s ethics of belief suitable to it? At what degree of ignorance does it become unreasonable not to suspend in one way or another the
moral evidentialist imperative Locke advances? How momentous must the decisions be? The answers to these questions delimit the applicability of an ethics of belief.

Locke did not explicitly raise and answer these questions. To help bring Locke’s thought more directly to bear on these questions, I will in the second place contrast Locke’s thought with three of his predecessors: Hugo Grotius (1583-1645), René Descartes (1595-1650), and Blaise Pascal (1623-1662). These three are selected, because Locke was well acquainted with their work, because they visibly influenced Locke’s thinking, and because they recommended practices of belief formation other than what Locke would. Grotius did not articulate the moral evidentialist principle that would sit at the center of Locke’s ethics of belief. However, he advances a kind of proto-moral evidentialism. He is at the brink of holding that there is a moral obligation binding each individual to conduct his or her understanding well with respect to issues of ultimate concern, and that the good conduct of the understanding consists in assenting only on the basis of strong evidence. Locke would evidently follow Grotius in holding that there is an epistemic obligation, but he would permit to the individual fewer types of evidence for ethical deliberation than Grotius would. Descartes and Pascal both articulated the evidentialist imperative, yet each refrains from becoming a full-fledged evidentialist like Locke. Whereas Descartes suspended the evidentialist imperative (and seemingly only temporarily or provisionally), Pascal outright rejected it, or at least rejected its application to the question of God’s existence and the moral law. Each of these thinkers came to a point where they found evidentialism inappropriate, and retreated to an alternative position. Locke, however, did not. If it can be discerned what prevented these thinkers from becoming evidentialists, then one is in a position to discern what enabled Locke to become one, for the denial of their reservations is partly
constitutive of Locke’s ethics of belief, or at any rate is constitutive of the mind that conceived that ethics of belief.

This chapter has four sections and a conclusion. In the first, Locke’s ethics of belief is problematized. The remaining three sections consider Grotius, Descartes, and Pascal in turn. In each, a relevant text is selected, the recommended practices of belief formation are analyzed (and as necessary reconstructed), and the motives for Locke’s deviation from them are hypothesized. It is not in all cases possible to put Locke and one of his predecessors into direct dialogue, so a precise statement of the presuppositions of Locke’s ethics of belief cannot in all cases be generated from the encounter detailed below. Nonetheless, the comparison of Locke with his predecessors reveals more or less the same presupposition: presupposed in Locke’s ethics of belief is the view that the content of the moral law is somehow or other clear or readily accessible to the unaided reason of each individual. William James argued that the fear of error sat at the foundation of W. K. Clifford’s evidentialism. ¹ The present comparison of Locke with his predecessors suggests that a supreme confidence in the power of reason sits at the foundation of Locke’s.

2.1. Problematizing Locke’s Ethics of Belief

The problematization of Locke’s ethics of belief requires no great effort. It suffices to draw attention to two dimensions of human life, which together generate a moral and epistemic difficulty, and then ask whether Locke’s ethics of belief exacerbates the difficulty, neutrally affects the difficulty, or offers a solution to it. In setting up the difficulty, I appeal to pre-philosophical intuition—duly noting that as the theoretical justification of Locke’s ethics of belief is (yet) unknown, it cannot (yet) overrule intuitive suspicions about his program and cannot correct any intuitional prejudices, should there be any. The two dimensions are these: First, humans are finite, needy, and mortal beings, who are born into a condition of ignorance, who are capable of making decisions that bear on the quality and duration of their life, and who are capable of taking responsibility for their decisions. As finite, needy, mortal, and responsible beings, their condition requires them to make momentous decisions about how to live, and given the condition into which they were born, many of these decisions are made in states of ignorance that vary in degrees of intensity and corrigibility. Second, humans are thinking, reasoning beings, who are capable of learning, and who are capable acquiring truth (of some sort) and in some areas even certainty. Their thinking nature is such as to be capable of reflecting on their condition and on previous actions, to be capable of identifying available courses of action or ways of life, to be capable of distinguishing epistemic states and qualities of evidence, and to be capable using evidence to determine the quality of the options available for choice. They would like to make decisions on the basis of certain knowledge, but their condition does not permit that this be done in all cases. Thus the difficulty: when one cannot have certain knowledge of what one ought to do, what ought one to do? My
intuition tells me that a viable ethics of belief should be able to counsel one through this difficulty. Locke believed that his ethics of belief was viable. Thus the question: Can we reasonably expect Locke’s ethics of belief to counsel one through this problem?

Locke clearly recognized these dimensions of life. The human condition is one of “mediocrity and probationership,” (E IV.xiv.2), wherein we “are forced to determine ourselves on the one side or other. The conduct of our Lives, and the management of our great Concerns, will not bear delay,” (E IV.xvi.3). The occupant of this state of mediocrity—us—is a “person,” that is, “a thinking intelligent Being, that has reason and reflection and can consider it self as it self, the same thinking thing in different times and places,” (E II.xxvii.9) and is a “thinking thing . . . conscious of Pleasure and Pain, capable of Happiness or Misery, and so is concern’d for it self,” (E II.xxvii.17). The moral-epistemological problem, generated by the clash of penurious nature and human self-discovery, is more or less severe, depending on whether (a) the discovery of what one ought to do is more or less difficult, (b) the range of evidence types that one has for discovering what one ought to do is more or less broad, or (c) the evidential threshold for responsible assent is more or less high.

In the previous chapter I argued that Locke’s minimal evidential threshold for belief formation in the ethical order is high (see Section 1.3.4). Even in the matters of the highest concernment, if the truth is not made manifest, one ought to adopt an attitude of indifference (CU §12) and “sit down in a quiet ignorance,” (E I.i.4). Now, there is a correlation between assent and action. For to assent to a proposition is one and the same as to declare that the proposition is some matter of concernment, i.e., is a proposition bearing on pleasure and pain in such a way as to stir in one an uneasiness, which on Locke’s view is the spring of action. If one ought not to render assent
to those propositions for which the evidence is lacking, then one also ought not to act on those propositions for which the evidence is lacking. In other words, if indifference is the correct attitude to take for propositions not evidentially justified, then inaction is the correct stance to take for propositions not evidentially justified. Locke is aware there are times when one has no choice but to decide about matters of ultimate importance, whether or not the truth of the matter is manifest. Yet he at the same commands that one does not decide about matters of ultimate importance, and hence that one does not act about matters of ultimate importance, unless the truth of the matter is plain to one.

What ought one to do when one does not know what one ought to do? Evidently, one ought to “sit down in quiet Ignorance,” (E I.i.4). For the sake of bringing Locke clearly into view, I contrast it with a view expressed in Plato’s Phaedo:

I believe, as perhaps you do, that precise knowledge on that subject [the nature of the soul] is impossible or extremely difficult in our present life, but that it surely shows a very poor spirit not to examine thoroughly what is said about it, and to desist before one is exhausted by an all-around investigation. One should achieve one of these things: learn the truth about these things or find it for oneself, or, if that is impossible, adopt the best and most irrefutable of men’s theories, and, borne upon this, sail through the dangers of life as upon a raft, unless someone should make that journey safer and less risky upon a firmer vessel of some divine doctrine.²

Simmias, who speaks these lines, does not consider quiet ignorance a viable option.

If Locke’s ethics of belief is at all intended as a guide to action in states of ignorance, then it can do so only (a) on the assumption that one with some ease can discover the knowledge of what one ought to do, or (b) by permitting a wide range of evidence types for the discovery of what one ought to do. Yet it appears that Locke elected a narrow range of evidence types. Below in Section 2.3.3 it will be argued that “The conformity of any thing with [one’s] own Knowledge, Observation, and Experience,” is the only ground of probability Locke permits for moral matters. By contrast the

² Plato, Phaedo, 85c-d. Translated by G.M.A. Grube.
grounds of probability for matters of fact are the conformity of anything to one’s own knowledge, observation, and experience, as well as “the Testimony of others, vouching their Observation and Experience,” (E IV.xv.4). In the previous chapter it was said that Locke admits as evidence only those propositions (or the equivalent in his epistemology) that can show another proposition to be true. Locke’s decision to admit only such evidence is examined in detail in the present chapter. The upshot, it seems, is that there arises an entire class of issues where one must remain neutral if one is not able to make out the truth of the matter for oneself.

It appears that Locke’s ethics of belief exacerbates the dilemma, and for a couple of reasons. First, it excludes any ethics of belief that permits an inverse relation between the evidence for the truth of some proposition and the possible outcomes of acting on that proposition. In other words, no room is left for some naive forms of Pascal’s wager as a (perhaps only sometimes) legitimate means of belief formation. Locke gives no place to pragmatic considerations in his ethics of belief. Second, Locke’s ethics of belief seems unreasonably to command or require indecision and inaction even about matters of life and death. To take an example that will have much relevance for later chapters, suppose I have to decide whether my neighbor has declared war on me. If the issue or concern is of such great moment that my preservation requires that I “destroy that which threatens me with Destruction,” (TT II.16), then might “[doing my] best to find the truth,” (CU §12) and not acting on any proposition “until [I know] it to be [true],” (CU §11) be to my ruin? Does the inaction that Locke’s ethics of belief appears to require “threaten me with [my own] destruction”? Let the difficulty be made more poignant. Suppose that I must not only decide whether my neighbor has declared war on me. Suppose I must also decide whether or not it is lawful for me to make war. For as long as I am ignorant of whether it is lawful for me to “destroy what threatens me with
destruction,” must I yield to every attempt to enslave me? My intuition tells me that it is necessary to act in such cases as these, even if I must act in ignorance. Yet Locke’s ethics of belief, quite to my discomfort, appears to deny this very necessity. To make the matter more unpleasant, Locke denies this necessity without compensation in the form of either a less stringent evidential threshold for assent or in the permission of a greater range of evidence types. Does Locke believe that one can with ease discover what one ought to do?

It seems that I am not alone in being so discomforted. Grotius, Descartes, and Pascal all felt that at a point the necessity to act outweighed any need for certainty or even the confidence of strong evidence: “[Princes] can hardly afford Time enough to learn and examine by themselves the most subtle Points of Arts and Sciences;”3 “Lest I should remain indecisive in my actions while my reason obliged me to be so in my judgments, and in order to live as happily as I could during this time, I formed for myself a provisional moral code;”4 “mais il faut parier; cela n’est pas volontaire; vous êtes embarque.”5 The remainder of the chapter attempts to account for the differences between Locke on the one hand, and his predecessors on the other. A direct comparison of Locke, Grotius, Descartes, and Pascal on this point is not possible; for an explicit and sustained discussion of the issue outlined in this section does not appear in their works. Instead, the comparison will largely have to be constructed from materials relating more or less closely to the issue. In Section 2.2 Grotius’s moral epistemology is contrasted with Locke’s. The ways in which Grotius’s natural law is known gives an outline of licit and illicit manners of belief formation in the ethical order.

3 *RWP* II.xxiii.4.

4 CSM I.22.

5 *P 31.*
Section 2.3 on Descartes, the subjects of scrutiny are the proto-evidentialist ideals of *Meditation* Four and the “provisional morality” of *Discourse* Part Three. Section 3.4 examines Pascal's wager, in which Pascal holds that there are times when evidentialist manners of belief formation are absurd, and which Locke knew and even (it seems) incorporated into *An Essay*.

The above cursory problematization of Locke’s ethics of belief pointed to the view that the moral law is clear or readily accessible to the unaided human intellect. Locke’s ethics of belief is practicable, because moral knowledge can gained with ease. The comparison of Locke to his predecessors will point to the same view.

### 2.2. Grotius’s Ethics of Belief:
A Cautious Precursor to Locke’s

No seventeenth-century political philosopher could avoid Grotius’s thought. His *De iure belli ac pacis*, the 1625 publication of which launched Grotius to international fame from an already considerable reputation among the leading courts of Europe, went through twenty-six editions in Latin and three editions in English in his own lifetime. Locke certainly encountered him. The evidence available shows that he also directly engaged him. Locke possessed more than a dozen of Grotius’s works, including *Mari liberum, De veritate religionis Christianae*, and two editions of *De iure belli*.\(^6\) In *Some Thoughts concerning Education*, Locke recommends *De iure belli* to round off the pupil’s education in civil law (though he recommended Pufendorf’s *De iure naturali & gentium* as well, adding

that Pufendorf’s work was the superior of the two). He discusses (though quite briefly) Grotius in the First Treatise of Government (see TT I.50-51), and he even seems to have modelled the rhetoric of his early Essays concerning the Law of Nature on Grotius’s De iure belli: the defense of natural law in both works comes in the form of a response to the natural law skeptic Carneades.

It is certainly also beyond dispute, then, that the dialogue between Locke and Grotius with respect to the natural law can be reconstructed. The pertinent issue for the present study, however, is the dialogue between Locke and Grotius with respect to the ethics of belief. Although Grotius does not, as Locke does, appear in contemporary discussions among the historical sources of either evidentialism or anti-evidentialism, and although Grotius did not, as Locke did, critically examine doxastic states, doxastic attitudes, and other objects of the ethics of belief debate, there is sufficient reason to put Grotius and Locke in dialogue with respect to the ethics of belief. Several reasons fall on the strictly epistemological side. First, Grotius is grouped among those seventeenth-century thinkers, now commonly referred to as the “moderate skeptics,” who tried neither to yield, like Montaigne, to skepticism, nor to settle for nothing less than certainty, like Descartes. Mersenne, Gassendi, Chillingworth, Boyle, and also Locke are listed among these thinkers. Second, and more relevantly, the Prolegomena of De iure belli is a refutation of Carneades, the skeptic of the natural law. As such, the Prolegomena is a work of moral epistemology. As we will see, Grotius’s refutations of Carneades constitute the ways in which the natural law can be known, and hence provide an at least partial account of the appropriate manners of belief formation in the ethical order. Finally, the

---

7 ST §186. For the argument that Locke’s political philosophy is nearer to Pufendorf’s than it is to Grotius’s, see Steven Forde, Locke, Science, and Politics (Cambridge: Cambridge University Press, 2013) 104-116.

8 See Loraine Dattson, “Probability and Evidence,” 1117
above problematization of Locke’s ethics of belief assumes that the crucial test of his ethics of belief is its appropriateness in the domains of greatest urgency and difficulty. *De iure belli ac pacis* is plainly a work for one such domain.

There also a compelling reason on the moral and political side for the contrast. Grotius argues that each soldier is under a moral obligation to examine the justice of the cause for which their commanders order them to fight. In doing this, Grotius broke with tradition, according to which the primary obligation that fell on soldiers was one of obedience, rather than conscientious examination. Blame for unjust warring fell on the commanders rather than the soldiers themselves.9 Once Grotius reversed this, and set the blame on soldiers, it was only a small step to what would be Locke’s view: *each individual* is under an obligation to conduct their understanding well. Given the prominence that the “state of war” plays in Locke’s political thought, one is free to wonder how far Locke took inspiration from Grotius’s innovations in the ethics of belief of war.

2.2.1. *De iure belli*’s Grounds of Probability

In the Prolegomena to *De iure belli* Grotius undertakes to refute moral skepticism and to show that the natural law can be known. My interest in this refutation extends to the kinds of evidence Grotius uses to refute moral skepticism. I offer in this introductory section a brief summary of Grotius’s efforts. The details are given in the subsections immediately below. Grotius’s undertaking takes the form of a refutation of the ancient Academic skeptic Carneades. Against Carneades’ natural law skepticism, Grotius puts forward two kinds of conceptual arguments and a

---

The arguments that Grotius makes in the Prolegomena are not as important for the present purpose as the premises of the arguments and how the premises are acquired and verified. The premises of the conceptual arguments are acquired and verified either through a naive sort of Aristotelian cognition or through a nascent resolutive-compositive method. Testimony and inherited opinion provide the premises of the *consensus gentium* argument. These premises are verified by the number and quality of testimonies to them, and presumably also by the assumption that transmitted opinions were formed through a more or less properly functioning Aristotelian sort of cognition or even the correct application of the resolutive-compositive method.

There are, then, three ways in which the natural law can be known: through simple cognition, a resolutive-compositive method, and inherited opinion. These three ways of knowing the natural law delimit the three kinds of evidence that can be used for forming belief in ethically significant propositions. Already the kind of ethics of belief that can be constructed from Grotius’s *De iure belli* is less stringent than what one finds in Locke’s *An Essay*, because it admits of more types of evidence use for assent in moral matters.

Before proceeding I wish to introduce a technical term. Throughout this section and the sections on Descartes and Pascal, I will use the term “inherited opinion” to refer broadly to any opinion (a) which one did not discover or invent for oneself, and (b) to which one has ready access. In other words, it refers to that set of propositions *that one can hear others say*. The types of inherited opinion Grotius, Descartes, and Pascal will allow and the conditions under which its allowance is acceptable will crucially distinguish Locke’s ethics of belief from theirs.
2.2.1.1. Conceptual Ways of Knowing the Law of Nature

The first means whereby the natural law can be known is deduction from “such certain Notions, as none can deny, without doing Violence to his Judgment.”\(^\text{10}\) It is because the natural law is known by deduction from “notions” that I term these ways of knowing the natural law “conceptual.” I frame the discussion of Grotius with the following questions. First, how does one move from “such certain notions” to knowledge of the moral law? Second, how does one acquire those notions, from which one comes to knowledge of the natural law? Locke’s *An Essay* gave considerable attention to each question. To the first of these questions, Locke answers that the mind moves through proofs by the perception of the agreement or disagreement of ideas. Understandably, Grotius’s *De iure belli*, which is no work of critical epistemology, gives no attention to the first question. In fact, statements of method of any sort are few and far between in *De iure belli*. Grotius, however, is not entirely neglectful of this methodological point, for he writes that the method of inference in the conceptual proofs “is here almost as it is in Mathematicks, where some Things are first Notions, or next to first Notions; some are Demonstrations, which are immediately both understood and assented to.”\(^\text{11}\) This remark is certainly of historical interest,\(^\text{12}\) but given Grotius’s silence otherwise (particularly about what the method of the mathematicians actually is) we press on to the second, and more pertinent question.

\(^\text{10}\) Prol §40.

\(^\text{11}\) RWP II.xx.43.i.

\(^\text{12}\) In fact, several claims have been put forward concerning the intricate web of influence concerning the mathematization of morality among Grotius, Descartes, Weigel, Pufendorf, Locke, and assuredly others.
Though more pertinent, and though a question to which Grotius gives considerable space, he does not expressly articulate the methods he employs. They are only displayed through use. It is necessary therefore to extract from the arguments Grotius makes the method whereby he acquires the correct first notions from which the natural law is derived. To do this, one may confine oneself to the arguments that Grotius uses to refute moral skepticism in the Prolegomena, but in order to understand these arguments one must understand their dialectical context: the arguments for moral skepticism that Grotius attributes to Carneades. Grotius attributes to Carneades two arguments for moral skepticism, and he expresses them fragmentarily and tersely: “Laws (he [Carneades] says) were instituted by Men for the sake of Interest; and hence it is that they are different, not only in different Countries, according to the diversity of their Manners, but often in the same Country, according to the Times.”

The “hence” is misleading. It suggests that only one argument is being made, with the conclusion (no natural law) following from the premise of anti-social self-interest. As one works through Grotius’s response, one sees that there are in fact two arguments, both concluding in moral relativism. As his first argument (which appears second in the above quote), Carneades points to the phenomenon that laws and morals vary from place to place and from time to time, and as his second argument points to human nature, which he says excludes the possibility of a natural law. The principle at work in both arguments appears to be that nature is what is always or for the most part, is what regularly and of itself occurs. For as Carneades is made to say, “Nature prompts all Men, and in general all Animals.”

Rephrasing Carneades’ argument in light of this view of nature,

---

13 Prol §5.

14 Prol §5, my italics.
Carneades alleges that always or for the most part there is irreducible moral plurality, and that humans always or for the most part pursue self-interest. The concept of natural law that Carneades attacks follows from this conception of nature. The natural law should belong to or follow upon a species’ nature, and what is always or for the most part testifies to a thing’s nature. Thus the natural law belongs to or arises from the essence of the human species, and the consequences that flow from that nature (one of them being the precepts of the law of nature) should be visible always or for the most part. All this said, the first argument Grotius makes can be reconstructed as follows: if there exists a natural law, then the same moral precepts should appear across time and place; but no such thing is to be seen; therefore there is no natural law. In the second argument, Carneades does not point to some phenomenon which must be said to flow from nature; Carneades instead points directly at nature itself: “Nature prompts all Men, and in general all Animals, to seek their own particular Advantage: So that either there is no Justice at all, or if there is any, it is extreme Folly, because it engages us to procure the Good of others, to our own Prejudice.”15 The second argument Carneades makes can be reconstructed as follows. If there is a natural law that belongs to or issues from human nature, then it should have the characteristic features of law, specifically, it should be a measure of conduct for a society. Yet is there is no natural society among humans, because human nature is not sociable. Hence there cannot be a natural law. There is no natural law, because there is no natural society that it could be said to govern. Carneades’ two arguments can be summary stated as follows: first, that said to be the natural law cannot exist, because it does not have the characteristic features of nature (always in effect); and second, it cannot exist because it does not have the characteristic features of law (regulates society).

15 Prol §5.
Grotius makes two responses to the first argument, and one response to the second. One of the responses that Grotius makes to the first is his own *consensus gentium* argument, which is considered below (see Section 2.2.1.2 below). To each of Carneades’ arguments, then, Grotius answers with one conceptual argument, and each states a way in which those “certain notions” can be known and from which the natural law can be known. Thus the conceptual arguments for the natural law are two in kind. I begin with Grotius’s conceptual response to the first argument: the claimed natural law does not have the characteristic feature of nature. Grotius’s Carneades holds that “Laws (he says) were *instituted* by Men” and “are different . . . in different Countries,” (my italics). Grotius responds by analyzing the phenomenon of the act of instituting law. In every instance of instituted law, whether individuals “incorporated themselves into any Society, or subject themselves to any one Man, or number of Men,” these individuals have “expressly” or “tacitly promised, that they would submit to whatever either the greater part of the Society, or those on whom the Sovereign Power had been conferred, had ordained.”  

Carneades held that the natural law should have the characteristic of nature—it should appear everywhere and always, or at least for the most part. Grotius claims to have found exactly such a characteristic. Universally common to all laws instituted among men is this, namely, that all laws are *instituted*. All laws are set up on the basis of *contract*, all laws presume shared agreement among members of the civil society. The evident universal, i.e., *natural* feature amid all instituted laws is the “fulfilling of Covenants,” which Grotius later says “belongs to the Law of Nature.”  

When one analyzes the plurality of instituted laws, one finds not irreducible moral plurality, but a common, universal ground of justice.

---

16 *Prol* §16.

17 *Prol* §16.
Grotius uses a reductive-composite method in this response to Carneades: a given phenomenon is analyzed, and extracted via a reduction are the ultimate, irreducible constituents without which the phenomenon would not exist. An irreducible constituent of all laws across all times and places is the social contract, and from this ultimate constituent part, political reality is constructed. Grotius employs the same method in his argument that the power of the state derives from the power of the individuals that are subject to the state.\textsuperscript{18} We see, then, that Grotius arrives at those “certain notions” from which one comes to knowledge of the natural law through a reductive-composite method. Therefore the reductive-composite method is viable as a means of belief formation in the ethical order.

The second argument Carneades makes is that the natural law does not exist because that thing claimed to be the natural law does not have the characteristic features of law. Human nature, Carneades claimed, was not sociable, so there could be no rule flowing from human nature that guided the social life of humans. Grotius responds to this argument simply by affirming against Carneades that human nature is indeed sociable.\textsuperscript{19} Grotius does not arrive at a conception of human sociability by the resolutive-composite method, however. How, then, does he arrive at this conception of human nature? Grotius is not forthcoming. One detects in Grotius’s thought a kind of holdover of Aristotle’s theory of cognition. Two main pieces of evidence suggest this: the first is the manner in which Grotius defines human sociability, and the second is a remark at the end of the \textit{Prolegomena}. There are also two supplementary pieces of evidence.

\textsuperscript{18} \textit{RWP} I.iii.7. For a discussion of this argument and the method used, see Peter A. Schouls, \textit{The Imposition of Method: A Study of Descartes and Locke} (Oxford: Clarendon Press, 1980), 11-12.

\textsuperscript{19} \textit{Prol} §6-8.
Grotius defines human sociability as the “Care of maintaining Society in a Manner conformable to the Light of human understanding.” Grotius arrives at this definition by contrasting the sociability he takes to be visible in human behavior from the kinds of sociability he takes to be visible in the behavior of other animals. He draws three distinctions. The first addresses the nature of the sociability humans display on the one hand and the sociability animals display on the other. Some animals display a kind of sociability when they sacrifice their individual interest for another animal of the same species, such as when the mother forsakes her own private good for that of her brood. However, these instances of sociability appear in highly specific times, for instance, during the lifecycle of the mother and her offspring. The sociability that animals show is simply not universalized, and not universalizable. This leads Grotius to conclude that animal sociability derives “from some extrinsick intelligent Principle” rather than from an internal principle of intelligence capable of commanding sociability at any time. The first distinction, then, is between particularized sociability and universalizable sociability. It leads seamlessly to the second distinction that Grotius draws: humans uniquely possess “a Faculty of knowing and acting, according to some general Principles.” The human ability to act on general principles enables universalizable sociability. The third distinction is the human capacity to communicate general principles. This capacity is speech, and man “alone of all Animals has received [it].” Grotius observes that humans and other animals alike will help one another in different forms of society, but he observes that human sociability is

---

20 Prol §8.

21 Prol §7.

22 Prol §7.

23 Prol §7.
unique in that it is universalizable, related to the ability to understand general principles, and related
to the ability to communicate in speech general principles. Each dimension of human
distinctiveness is traced back to an intelligence that is capable of recognizing, articulating, and acting
on general rules. This kind of intelligence is used to specify human sociability and to differentiate
humans from other social animals. Grotius’s definition of human sociability thus follows a
fundamentally Aristotelian paradigm of genus (social animal) and specific difference (rational social
animal). This gives some ground to suppose that Grotius arrives at his conception of human nature
via a naive sort of Aristotelian cognition. This supposition is strengthened by a remark made later in
the Prolegomena.

Grotius appears to take it for granted that human beings are social and that their rationality
leads them to display their sociability in distinctive ways. He does not consider the possibility
(which one finds in Hobbes) that humans are social because they are rational. Grotius does not
consider the possibility that it is rational self-interest that leads humans to display social behavior.
One may rightly wonder how Grotius arrived at his conception of human sociability. The following
remark, which appears in the later parts of the Prolegomena, answers this question and gives evidence
of a sort of Aristotelian cognition at work in Grotius’s response to Carneades: “For the Principles
[e.g., as human sociability] of that Law, if you rightly consider, are manifest and self-evident, almost
after the same Manner as those Things are that we perceive with our outward Senses, which do not
deceive us, if the Organs are rightly disposed, and if other Things necessary are not wanting.”24
Human sociability is simply seen. Our pre-philosophical vision of the world reliably delivers the
natures of things to our understanding (if still dimly). Natures are readily disclosed to the

24 Prol §40.
understanding; the understanding is cognitively open to natures. There are plain echoes of Aristotle in all of this.

Two further facts suggest that there is a kind of holdover Aristotelianism in Grotius’s moral epistemology. The first is that the natural law inheres in nature: “the Mother of Natural Law is human Nature itself, which, though even the Necessity of our Circumstances should not require it, would of itself create in us a mutual Desire for Society.” As seen above, Grotius’s Carneades presupposes that the natural law must relate to nature in this way. Indeed Grotius is so committed to this basic view of the natural law that he affirmed that “all we have now said would take place, though we should even grant, what without the greatest Wickedness cannot be granted, that there is no God, or that he takes no Care of human Affairs.” This makes for a striking contrast with Locke (or Pufendorf), for whom the source of the natural law is not human nature, but rather the relationship between humans as created and God as creator. Between Grotius and Locke (and Pufendorf), the conception of nature at work in Grotius—some variant of the Aristotelian conception—had disintegrated, and a new ground of the natural law had to be sought. Locke and Pufendorf bypassed nature completely and moved directly to human createdness.

The second fact is that the skepticism that Grotius attributes to Carneades is of the existence of the natural law rather than of the knowability of the natural law. Each of Carneades’ two arguments hold that there simply do not exist the things that the natural law requires to exist.

25 Prol §17.

26 Prol §11.

27 This point is extensively detailed in Steven Forde, *Locke, Science, and Politics*, 72-135.
Grotius responds by saying that such things do exist. Thus Grotius’s *De iure belli* is so sparse on statements of method. Grotius does not, as Locke would do, investigate the understanding in order to ascertain its limits and show how the understanding can come to knowledge of the natural law given a new, non-Aristotelian science or nature concept (which Grotius might not even have been in a position to do). As Brian Tierney observes, “Grotius never addressed the epistemological skepticism that so concerned his contemporary, Descartes.”

It seems that Grotius simply took for granted that human nature is disclosed to the human understanding.

So much, then, for Grotius’s cognitive arguments against Carneades. They indicate that knowledge of the moral law can be acquired through a mathematical deduction from fundamental concepts acquired either through a properly functioning human understanding (Aristotelian cognition) or through a reductive-compositional method.

### 2.2.1.2. The Consensus Gentium

Carneades’ first argument against the existence of the natural law was that the natural law that has been claimed to exist did not bear the characteristic feature of nature, because its precepts

---


29 At Prol §63 Grotius harshly rejects Aristotle’s syllogism as a method of discovery, a fashionable act for the seventeenth century. This appears to have less to do with frustration with Aristotelian philosophy than with frustration with the schoolmen. The curious blend of deathbed Aristotelianism and ascendant resolutive-compositional method one finds in Grotius’s thought partly accounts for why Grotius is sometimes considered the last of the classically minded political theorists and sometimes the first of the moderns.
are not everywhere and always in effect. Grotius made two responses to this argument. The first was an analysis of the act of instituting laws: What is everywhere and always the case is that laws are instituted by consent. The second response Grotius makes involves an empirical survey of the content the laws instituted among men. If there is broad, near universal agreement across time and place as to what is lawful and unlawful then the natural law claimed to exist does indeed have the characteristic feature of nature: its precepts appear everywhere and always, or at least for the most part. Grotius insists against Carneades that there are such precepts. To refute Carneades, Grotius must draw from tradition, transmitted opinion, and the like. In effect, inherited opinion—the *consensus gentium*—becomes a way of knowing the natural law. The principle informing this argument is expressed at *Prol* 41: “when many Men of different Times and Places unanimously affirm the same Truth for Truth, this ought to be ascribed to a general cause; which in the Questions treated of by us, can be no other than . . . a just inference drawn from Principles of Nature.” He defends his appeal to inherited opinion with thoroughgoing consistency: he appeals to the practices inherited from the Church Fathers and Aristotle.\(^{30}\) Inherited opinion is thus one way in which the natural law can be known. As before, since it is a way in which the natural law can be known, it functions also as a kind of evidence for belief formation in the ethical order.

But how exactly is inherited opinion to be used as a guide to assent in the ethical order? Grotius avoids two extremes. At one extreme is the view that *any* received opinion provides adequate grounds for belief, even if it is controverted by the opinions of numerous authorities of great repute. Such was the doctrine of “probabilism.”\(^{31}\) At the opposite extreme is the view that

\(^{30}\) See *Prol* §43.
only those propositions that find *universal consensus* can be used as grounds for belief. The bare fact that Grotius prefaces his account of the natural law with Carneades’ denial of it is sufficient proof that Grotius did not require universal consensus. The kind of consensus he has in mind is the following. Inherited opinions serve as grounds for belief, “when all the World agree to them, or the Generality of the World, or the Majority of them, or however the most Eminent agree to them.”

This basic rule for the use of testimony in belief formation play out like this: If all the testimony that a would-be believer has at his disposal is what a single, homogenous cultural tradition delivers (i.e., a tradition in which the inherited opinions diverge either not at all or only marginally), then the believer is within his moral-epistemic rights to believe what this tradition has passed down, even when what he believes on the basis of testimony turns out to be inconsistent with the natural law, or the inherited opinions prove to have poor or questionable sources. If the opinions within a tradition diverge, or there are multiple traditions that are available to one then the believer ought to assent to that about which the testimonies agree, and if the disagreement is greater than the agreement, then the believer is within his rights to give assent to the most esteemed sources. As one draws more broadly from inherited opinion and as the number of traditions increases, the consensus found is made the more probable. I will use the term “overlapping consensus” to refer to the kind of consensus that Grotius considers sufficient as a guide to belief.

---


32 RFP II.xxiii.4. Barbeyrac directs the reader to Aristotle *Topics* I.1. See page 1118 of Tuck’s edition *De iure belli*.

Grotius’s admittance of inherited opinion as a guide to belief leads to one of the most conspicuous features of Grotius’s *De iure belli*: the extensive use to which he himself puts inherited opinion. All told he draws from historical sources 5,951 times in the work, a fact which alone radically distinguishes him from his successors. His appeal was to “Philosophers, Historians, Poets, and in the last Place, Orators” as well as legal traditions. Note, however, that revealed texts, and therewith the testimony of church councils, saints, and theologians are not said to testify to the natural law. They instead testify to divine positive laws that bind not universally, but Christians in particular.

Grotius’s confidence in inherited opinion appears to derive from his confidence in the powers of human cognition. As he says in formulating the principle at the foundation of his admittance of overlapping consensus, consensus derives from a general cause, and the general cause is a “just inference drawn from Principles of Nature.” As he says elsewhere, the principles of the

---

34 The term is originally Rawls’s, but it seems quite fitting. In using it I intend neither to suggest nor deny parallels between the liberalism of Grotius and the liberalism of Rawls; I remain neutral on that question. I note, however, that parallels have been drawn. Timothy Samuel Shah, for instance, argues that Rawls stands in “the tradition of ‘Grotian’ liberalism.” “Making the Christian World Safe for Liberalism: From Groitus to Rawls,” *The Political Quarterly* 71 (Summer 2000): 123. For Rawls’s original use of the term “overlapping consensus,” see *A Theory of Justice*, 340.


36 Hans W. Blom, “Styles of Heterodoxy and Intellectual Achievement: Grotius and Arminianism,” in *The Intellectual Consequences of Religious Heterodoxy 1600-1750*, 66. This is another reason to regard Grotius as a classical political philosopher.

37 *Prol* §41.

38 *Prol* §50-53.
natural law are as “manifest and self-evident” as “those Things that we perceive with our outward Senses, which do not deceive us, if the Organs are rightly disposed, and if other Things necessary are not wanting,” and the natural law can be known from “such certain Notions, as none can deny, without doing Violence to his Judgment.” Simple human cognition, it appears, cannot fail to arrive at some knowledge or another of the natural law. Hence inherited opinion should contain the seeds, if not also the fruits, of moral knowledge.

2.2.2. Grotius’s Epistemic Imperative

Grotius writes in the Christian intellectual tradition, and the ethics of belief has been a part of the Christian intellectual tradition from the beginning: Romans 1:20 makes it clear that the failure to know God is inexcusable. Yet the ethics of belief generated from this text appears only to have made it obligatory to conduct the understanding well with respect to God; the obligation to conduct the understanding well with respect to any ethically significant proposition—the kind of ethics of belief we find in Locke—appears only quite late in the Christian tradition. Grotius appears to have played a decisive role in extending the scope of the obligation in this way. The development began with the military conscience.

According to a long tradition stretching from Roman and Germanic law to Vitoria and Suarez, obedience was the virtue of the soldier. This means that it was not the soldier’s primary
obligation to judge of the justice of some cause to which his commander ordered him; his obligation was primarily to obey. Generally speaking, the case remained that the soldier was not primarily obligated to exercise his judgment well. In the generation immediately before Grotius, Vitoria and Suarez held that the soldier was bound to obey his commanders, unless the command was manifestly unjust. In those cases where it was doubtful whether the command was unjust or not the soldiers were required to obey. The qualification of manifest injustice simply underlines the fact that the obligation to judge well could be practically nonexistent. This changed with Grotius:

But this we are first to take notice of, that tho’ an Action be in itself lawful, yet if upon weighing all its Circumstances, he who performs it is of Opinion that it is unlawful, that Action is vicious and bad; and this is what St. Paul means in asserting, Rom xiv.23. that whatsoever is not of Faith is Sin; in which Passage Faith is taken for the Judgment which a Man passes upon a Thing: for GOD has given us a distinguishing Power, called Conscience, conformable to whose Dictates we are to square our Actions, and whenever we neglect and contemn its Suggestions, our Minds degenerate and become brutish.

But it often comes to pass, that the Judgment can afford no Certainty, but hangs in Suspence and Doubt, which if, upon thorough Consideration, we cannot be satisfied in, Cicero’s Direction will not be amiss, who forbids us to do any Thing, whilst we are in doubt whether we shall do well or ill.43

Grotius still affirms that the soldier must not commit actions that are manifestly unjust,44 but he now reorders the evils of insubordination on the one hand and of the perpetration of unjust acts not known to be so on the other: “Disobedience is in its own Nature a less Evil than Homocide.”45 In matters of doubt, one is required to disobey the commands of one’s superiors. The decision to resolve

---


43 RWP II.xxiii.2.

44 RWP I.iii.9: “Our Duty to our Sovereign does not oblige us to do any Thing manifest unjust.” See also

45 RWP II.xxvi.4.
doubt in favor of disobedience rather than obedience appears at the same time that conscience is
given a more prominent role than that it played in previous thinkers. A settled conscience, rather
than the actual truth of the matter decides: “tho’ an Action be in itself lawful, yet if upon weighing
all its Circumstances, he who performs it is of Opinion that it is unlawful, that Action is vicious and
bad.” The reordering of disobedience and unjust actions, and the elevation of subjective judgment
over objective legality has the effect that soldiers are now individually obligated to determine the
justice of the causes of war.46 The virtue of the soldier is no longer simply to obey those things not
manifestly unjust. Under Grotius it belongs to the virtue of the soldier to conscientiously examine
the orders of his commanders.

At the same time that individual soldiers ought to examine the justice of the cause to which
they have been commanded, their commanders now ought to make the cause for the justice of the
cause public so that “all Mankind, as it were, might judge of the Justice of it.”47 The reasons for war
ought to be made public, and the public, “as it were,” ought to judge the case, rather than only the
commanders. With this remark we come close to a universal obligation to judge the causes of war;
the mere words “as it were” alone prevent Grotius from extending the obligation beyond soldiers
and commanders. What is more, given that the causes of war should be made public (at least to the
soldiers), we come close to the views that one must have reasons for war and that there must be some
impartial, independent criterion by which the reasons can be judged as good or bad. Locke’s epistemic

46 Vermeulen, “Grotius on Conscience and Military Orders,” 14: “[S]oldiers are [now]
regarded as full-fledged moral and legal subjects. As a consequence, the fact that they acted on
superior orders cannot in itself provide them with impunity for war crimes. . . . The important place
conscience occupies in his system leads Grotius to the conception of individual moral autonomy.”

47 RWP II.xxvi.4.vii.
imperative thus appears to be a natural extension of what one finds in Grotius: all must have reasons for assenting to ethically significant propositions based on evidence accessible to all.

2.2.3. Grotius’s Ethics of Belief

When the remarks of Section 2.2.1 and 2.2.2 are combined, we arrive at a fairly sophisticated ethics of belief. An obligation falls on each soldier (and potentially all individuals) to judge of the justice of claims to war and, corresponding to this, an obligation falls on each commander to make the reasons public, and hence also to have reasons. When an individual soldier (or individual simply) is in doubt as to whether a given claim is just or not, he is required to abstain from judgment and to adopt a neutral stance. If this means he must disobey his superior, then he must disobey his superior.

In the discussion of Locke’s ethics of belief, I identified the ground and scope of the obligation, and the specific requirements of the obligation (procedural, evidential, evidential threshold). I can do the same for Grotius, though the evidence for these in Grotius is thinner.

The obligation appears to be moral—as evidenced in the claim, “Disobedience is in its own Nature a less Evil than Homicide.”48 The obligation is moderate in the extreme: the obligation appears only when the use of force is on the table, and only those who could use that force are required to conduct the understanding in this way. It should be remembered, however, that Grotius is on the verge of opening the requirement up to mankind in general. Next, the obligation is procedural. One’s settled conscience is one’s guide, not necessarily the actual truth of the matter. It

48 RWP II.xxvi.4.
is not clear how high the evidential threshold needs to be. The limit is set at “doubtful.” This, to my knowledge, receives no specification. Whether doubtful means the same as the locutions “as likely to be false as true” or “more likely to be true than false, but not assuredly true,” is not clear. What Grotius regards as “grounds of probability” deserves special attention. His epistemic imperative permits the use of three kinds of evidence. First, it allows for a kind of naive Aristotelian cognition, and second, there is his reductive-compositive method. Third, his epistemic imperative admits overlapping consensus as a guide to assent, notably in moral matters. Either of the three provides knowledge of natural law against which propositions leading to the use of violent force must be measured.

This chapter began with a problematization of Locke’s ethics of belief and the concern as to whether it was appropriate for belief formation in the ethical order. The same dilemma used to problematize Locke’s ethics of belief can be used to problematize this reconstructed picture of Grotius’s ethics of belief. We want to act on certainty, but our condition does not always permit us so to act. Does Grotius’s ethics of belief exacerbate this dilemma or work to resolve it? It is not clear what the threshold requirement is for assent, so it may be stringent or not. Grotius’s assumption of a kind of Aristotelian cognition gives some confidence to the view that the basic precepts of the natural law are not hidden in obscurity. So knowledge of the moral law may be enough within one’s reach that his ethics of belief is not onerous. Whatever the case, Grotius’s broad class of evidence types—reductive-compositive method, naive Aristotelian cognition, inherited opinion—works particularly to his advantage. There are two conceptual ways in which we can come to knowledge of the principles of natural law, and when these fail there is inherited
opinion as a crutch. If Grotius is correct in his evaluation of inherited opinion, then the crutch is rather secure.

Interestingly, Grotius permits inherited opinion not just on the grounds that it stems from a “just inference drawn from Principles of Nature.” He also grants it on pragmatic grounds. *De iure belli* readily testifies to two reasons why such a concession ought to be made. First, acquisition of the knowledge of the natural law is sometimes challenging. At *RIWP* II.xx.43 he observes that some precepts of the natural law, e.g., “That we ought to live honestly” or “We ought not to take that which belongs to another” can be grasped with relative ease, but others, e.g., “That Revenge is criminal which has nothing in View but another’s Sufferings” only with some difficulty. Accordingly, “it is reasonable that they [those ignorant of such precepts] be excused, who either through the Weakness of their Judgment, or their ill Education, violate those Laws.” Second, knowledge of the natural law is sometimes urgently needed and will not allow one the time to study the law. Grotius explains at *RIWP*, II.xxiii.4 that belief formation by way of inherited opinion, “is what Princes chiefly make use of, who can hardly afford Time enough to learn and examine by themselves the most subtle Points of Arts and Sciences.” Importantly, the latter concession to practical necessity occurs in a chapter whose title is “Of the Dubious Causes of War.”

These two reasons appear in the content of *De iure belli*. When one takes a broader view of Grotius’s, and takes into view Grotius’s political philosophical aims, one surmises other reasons for admitting these grounds of probability. First Benjamin Straumann observes that the certainty and the universality of Grotius’s conceptual proofs for the natural law are unrivaled, but they are sophisticated theoretical achievements that have only a faint grip on the human imagination. The

---

49 *Prol* §41.
empirical arguments from inherited opinion are more likely to capture the mind. Second, it was a persistent and powerful ambition in Grotius’s career to reunite the divided Christian Europe. Timothy Shah suggests that Grotius’s admittance of inherited opinion was part of a strategy to accomplish this end. Shah explains that Grotius’ emphasis on inherited opinion as a viable source of knowledge of the natural law might have been part of an effort to find common ground among the various Christian sects across Europe. Grotius sought to show that the moral agreement among Christians was of greater significance than the theological disagreements that were leading to so much division. “Grotius—anticipating Rawls, as it were,” Shah writes, “thus introduced what became a characteristically liberal response to the challenge of pluralism: that of an ‘overlapping consensus’ of diverse world-views around a minimal, non-metaphysical morality.”

There are in total five possible reasons for why Grotius would allow inherited opinion as a guide to belief in matters of moral significance. First is his confidence that the properly functioning human cognition could not fail to arrive at some precepts of the natural law (this is the Aristotelian holdover). Second, knowledge of the natural law by rational proof is a demanding task, and inherited opinion provides support. Third, the conditions of life will not always allow time for a proof to be made, and inherited opinion provides assistance. Fourth, rational proof is perhaps too weak to move human imagination. Fifth, proper use of inherited opinion can serve a much-needed ecumenical purpose. To conclude: Grotius’s grounds of probability find theoretical and also pragmatic support.

---

50 Straumann, *Roman Law in the State of Nature*, 70.

2.2.4. Locke against Grotius

There is a striking overlap between Locke’s and Grotius’s ethics of belief. In each case there is a moral obligation to judge well. In each case the obligation is to judge well the propositions that inform the use of violent force in war. In both cases the obligation is satisfied when one thinks the matter through and judges on the evidence. In other words, the obligation in each case is procedural. Finally and depending on what Grotius means by “doubt,” the evidential threshold in both cases is rather high.

There are two areas of disagreement, however. The first concerns the scope of the obligation. For Grotius the epistemic imperative falls only on those for whom the use of violent force in war was a live option—soldiers and commanders. True, Grotius comes close to extending the obligation to all mankind; but he only comes close. Locke extends the obligation to everyone. Given the prominence Locke gives to the individual right to execute the law of nature, it seems that Locke’s expansion of the scope of the obligation follows directly from the fact that his liberalism is premised on the view that all individuals are potential commanders and soldiers.52

52 But perhaps Grotius’s flirtation with the extension of the obligation from soldiers and commanders to all individuals is due to his own doctrine of individual executive power: “Not only did Grotius concede to natural man a natural right of (a kind of) dominium, he also conceded to him a natural right of punishment. This was of course to play an important part in his developed political theory, and he adumbrated it in full consciousness of his originality. . . . [It] is of course identical to John Locke’s ‘very strange doctrine’ of punishment which he presented as highly original in the Second Treatise.” Richard Tuck, Natural Rights Theories (Cambridge: Cambridge University Press, 1979), 62-63. Locke, however, must have been ignorant of some aspects of Grotius’s doctrine: “[Locke] would not have found it in De Iure Belli ac Pacis, and it appears in that part of De Indis which was not known until 1864. This must count as one of the most striking examples of intellectual convergence.” Richard Tuck, The Rights of War and Peace (Oxford: Oxford University Press, 1999), 82.
The most significant divergence concerns the grounds of probability. Locke permits considerably fewer types of evidence than Grotius does. Locke’s grounds are “The conformity of any thing with our own Knowledge, Observation, and Experience,” and “The Testimony of others, vouching their Observations and Experience,” (E IV.xv.4). A superficial comparison would lead one to conclude that we find a parallel with Grotius, for both permit deductive arguments (Grotius’s conceptual arguments) and testimony; but this is false. Locke’s first ground takes its bearing from the resolutive-compositive method exclusively. Locke rejects Grotius’s naive kind of Aristotelian cognition. As for Locke’s second ground, the testimony of others is permitted only for judgments about matters of fact. Grotius, however, admitted it for moral matters.

The following three subsections grapple with the difference between Locke and Grotius on the grounds of probability. The first two treat respectively, Locke’s departure from Grotius’s conceptual ways of knowing the natural law and Locke’s rejection of inherited opinion as a guide to moral assent. The third subsection takes a pragmatic turn and conjectures why Locke could confidently part ways from Grotius.

2.2.4.1. The Demise of Aristotelianism and the Ascendancy of the Resolutive-Compositive Method

Locke rejects Grotius’s Aristotelian cognition, because he rejects all forms of Aristotelian epistemology and natural philosophy. It is well known that Locke advocated the corpuscular hypothesis; his rejection of Aristotelian natural philosophy and Aristotelian “natures” needs no rehearsing. Not Aristotelian natural philosophy, but Aristotelian epistemology is pertinent to this study. On Locke’s view, the human understanding is incapable of apprehending ‘natures’ or ‘forms’
(even were they to exist) in the way Grotius seems to hold. What the understanding apprehends, whether directed internally or externally, is rather a sensory manifold of colors, sounds, textures, motions, actions, etc.\textsuperscript{53} The sensory manifold is the product of the ways that internal and external objects act on the sense organs. The internal structures of those objects—their real essence—are wholly beyond the grasp of the senses. The internal structure of the objects we perceive—our thinking selves included—is wholly beyond the senses. Prior to any experimentation, the most what bare sensory apprehension permits one to say of an object presently pressed upon the senses is only that the object has such a nature (whatever it is) as to cause in one the ideas perceived when the object was presented to the senses in the manner it was presented to the senses. There is apprehension of colors, textures, temperatures, and so forth, but never natures. Analogy alone offers any sort of access of an object’s internal structure. The upshot of this position is that Grotius’s first type of evidence is wholly inadmissible for no other reason than that such evidence simply does not exist.

Interestingly, Locke appears to share with Grotius the same specific conception of the rationality found in humans. Grotius described human rationality as “a Faculty of knowing and acting, according to some general Principles.”\textsuperscript{54} Locke makes this very notion ingredient to his concept of moral personhood. “Moral Man” is an “immovable unchangeable Idea, a corporeal rational Being.” An individual man may be so called when he has “the use of Reason, to such a degree, as to be able to understand general Signs, and to deduce Consequences about general Ideas,” (E

\textsuperscript{53} Here I follow Schouls, \textit{Imposition of Method}, chapter 6.

\textsuperscript{54} Prol §7.
If Locke can employ a notion of rationality that is so similar to that of Grotius, despite rejecting the epistemology whereby Grotius explained the acquisition of this notion, then it will be asked how Locke acquires this notion. On Grotius’s view, this kind of rationality is apprehended at the same time that human nature is apprehended. Doubting both the existence of Aristotelian/Grotian natures and the apprehendability of such natures (were they even to exist), Locke cannot come to recognize such human rationality through any act of simple apprehension. Instead, Locke acquires this notion through the method of resolution and composition. The understanding does not immediately grasp from particulars the idea of moral man, or for that matter any other complex idea. The complex idea of moral man is constructed out of the simpler ideas of corporeality and rationality, and these complex ideas are themselves constructed out of still simpler ideas. Yet not only are complex ideas not grasped immediately from particulars; the simple ideas out of which are built complex ideas (and complexes of complex ideas) need not be delivered to the understanding concurrently in a single sensory manifold. Experience delivers to the understanding sensory manifolds. From these manifolds simple ideas are extracted by acts of separation. From whatever manifold the ingredient ideas are attained, once they are attained the understanding sets the ideas into relation, perceives the agreement or disagreement between the ideas, and thereby begins to build sets of complex ideas. “Deduction,” “relation,” and “general idea” are not repugnant to one another, and so can be combined together. A human being—or more precisely

---

55 Locke’s idea of moral man is a mixed mode. The quality of moral personhood is an affection that an individual human substance can take on. Thus moral man is an “immovable unchangeable Idea.”

stated, a living being having the outward appearance of a human being—can be said to be rational when the cognitive activities perceived to take place within the human being are perceived to agree with the complex idea of rationality given above. In this way Locke can jettison whatever form of Aristotelian natural philosophy and epistemology appeared in Grotius’s *De iure belli* without losing Grotius’s idea of human rationality. However, once Locke jettisons Aristotelian natural philosophy and epistemology, Grotius’s idea of human rationality undergoes a highly significant transformation: rationality, understood as the ability to understand, reason from, and act according to general ideas, is no longer bound to human beings in particular. If there were “a Monkey, or any other Creature to be found” that was capable of knowing general principles, “he would no doubt be subject to Law, and, in that Sense, be a Man, how much soever he differ’d in Shape from others of that Name” (*E II.xi.16*). This possibility shows just how far Locke has deviated from the epistemology of *De iure belli*.

We see, then, that the demise of Aristotelian epistemology is matched by an ascendency of the resolutive-compositive method. In the space between Grotius and Locke, the resolutive-compositive method had been transformed from one method of limited application among other methods (if Aristotelian cognition can be called a method) to a “general method through which, it was held, any kind of subject-matter must be approached, if knowledge of that subject was to be attained.”\(^{57}\) In this way, the resolutive-compositive method rudely employed by Grotius comes to account exclusively for Locke’s first “measure of probability,” the “conformity of any thing with our own Knowledge, Observation, and Experience” (*E IV.xv.4*). As we will see, the results of the

\(^{57}\) Schouls, *Imposition of Method*, 5.
resolutive-compositive method will alone provide the evidence for deliberation and belief formation in the ethical order.

2.2.4.2. Locke's Rejection of Inherited Opinion

Grotius and Locke differ significantly on the role inherited opinion is permitted to play in belief formation in moral matters. To see the disagreement, a few distinctions need to be made at the outset. The first distinction I draw is between moral notions and moral rules. I take a moral notion to be the idea that represents an action that can fall under moral evaluation. The idea of taking a piece of land, for instance, is a moral notion. A moral rule is an idea that commands, permits, or prohibits certain actions. The idea that one should not take more land than one can use is a moral rule. I next distinguish between moral rules and the correctness of moral rules. With “correctness of moral rules” I mean the grounds that permit one to believe a rule to be correct without incurring blame. I stress that the distinction here is not between moral rules and correct moral rules; it is between the rule and that which confers correctness on the rules. On Grotius’s view, inherited opinion provides moral notions and moral rules, and the overlapping consensus of inherited opinion supplies also the correctness of moral rules, or at least permits one to presume that a moral rule is correct and binding. In this way, overlapping consensus can function as a guide to knowledge of the natural law. Locke freely admits that inherited opinion supplies moral notions and moral rules, but Locke rejects the view that inherited opinion supplies also the correctness of moral rules. Locke’s reasons for this are obscure, however. One finds in An Essay a puzzling ambivalence regarding the security of inherited opinion as a guide to assent in moral matters.
Although some passages come close to affirming that inherited opinion supplies the correctness of moral rules, Locke resolutely omits inherited opinion from his grounds of probability in moral matters. The present section examines Locke’s reasons for doing so.

Locke’s second ground of probability is the “The Testimony of others, vouching their Observation and Experience” (Essay, IV.xv.4), and at first glance it would seem to supply evidence for deliberation and belief formation in the ethical order and seem also to coincide more or less with Grotius’s rule of admittance concerning inherited opinion. Indeed it would appear to be identical with Grotius’s third ground of probability. But this is not so. On Locke’s view, inherited opinion does not function as a guide to moral belief. It cannot be marshaled as evidence showing why a moral rule ought to be followed. It might provide illustrations of moral rules, it might help to illuminate the content of moral rules, but it should not be used to move the person to take up some moral rule as a guide to life. This can be shown in a couple ways—or perhaps to say it better, one and a half ways—and both ways rely on the distinction Locke draws between moral notions and moral rules. The distinction that Locke draws between moral notions and moral rules itself hints at inherited opinion’s inability to bring us to “the only true touchstone of moral Rectitude,” (E II.xxviii.8). Its inability is quite visibly declared in Locke’s statement of the grounds of probability.

Moral notions are complex ideas of voluntary actions. For instance, “Gratitude” is “a readiness to acknowledge and return Kindness received,” and “Polygamy” is “the having more Wives than one at once,” (E II.xxviii.4). However these ideas only genuinely become moral notions when they are joined to “a Rule, to which they are referred, and by which they are judged of,” (E II.xxviii.4). The moral rules are three in number: there is the “Divine Law,” which is “the only true touchstone of moral Rectitude,” (E II.xxviii.8), the “Civil Law,” which “no body over-looks,” (E
II.xxviii.9), and the “Law of Opinion or Reputation,” (E II.xxviii.10), by which mankind “govern[s itself] chiefly, if not solely,” (E II.xxviii.12). For purposes of his consensus gentium argument, Grotius conflated the second and third of these laws, and so in the discussion that I will conflate them as well: there is, on the one hand, God’s laws, and there are, on the other hand, the human laws. Accordingly, I amend Locke to say that there are two kinds of moral rules, God’s law and human laws.

From Locke’s discussion of the difference between these two laws, one gets a sense of why Locke would discredit inherited opinion as a guide to assent in moral matters. Locke sharply distinguishes God’s law and human laws. The former alone is the “true touchstone” of morality, though nothing prevents the content of the human law to overlap with the content of God’s law. When the two laws diverge in content, the human law assuredly is false and only leads one into error. However, when they converge, then their convergence is mere coincidence—the human law does not become a touchstone to morality simply because it agrees in content with God’s law. There is nothing intrinsic to inherited opinion that guarantees the truth of what it delivers (E II.xxvii.10). Even if the transmitted opinion is the divine law, the bare transmission of that opinion weakens the veracity of the doctrine: “any Testimony, the farther off it is from the original truth, the less force and proof it has,” (E IV.xvi.10). Inherited opinion can certainly transmit moral notions, and it can even transmit some moral rules, but it is doubtful whether it can transmit the correctness of those rules. The distinction Locke draws between the divine law and the law of reputation appears to resist conflation.

In E IV.xv, xvi, and xx Locke discusses the grounds of probability explicitly. His reasons for excluding inherited opinion as a guide to assent in moral matters is not explicit, however. Across
all three chapters, Locke appears to make only two arguments against inherited opinion. The first of these arguments is better described as a **tacit assumption**, which must be teased out of *Essay* IV.xvi.4, 5, and xv.6. It appears to work from the nature of testimony and the nature of moral belief: per definition, testimony is evidence only of matters of fact. The second argument is this: even were inherited opinion to be admitted as evidence for moral duty, it is too inconstant and too full of contradictions ever to be considered good evidence for the moral law.

I begin with the first argument (if it can be so called). In *E* IV.xvi.4, Locke distinguishes the two grounds of probability. The first ground is conformity of a proposition to “our own Knowledge, Observation, and Experience,” and the second is the conformity of a proposition to the “Testimony of others, vouching their Observation and Experience.” In stating the second ground, Locke omits “Knowledge.” What can be made of Locke’s two grounds of probability, and in particular his stance on testimony, hinges entirely on the significance of the inclusion of “knowledge” in the first and the omission of it in the second. To begin, the omission appears to be deliberate: the two grounds are stated in immediate succession, so the omission could hardly have escaped his notice, and since “observation and experience” is repeated in the statement of both grounds, it seems that Locke’s intention was to write precisely. One notices that the two grounds appear to be distinguished by what can only be privately perceived (“the conformity of any thing with *our own...*”) and what can be publicly perceived (“the testimony of *others*”). Therefore Locke may have intended “knowledge” in the first ground of probability to refer to the perception one has of internal objects (in other words, what is incapable of being perceived commonly), while “observation and experience” seems intended to refer to the perception of external objects (what is capable of being perceived commonly). Understanding the two grounds in this way coheres with
Locke’s remarks in *E IV.xviii.3:* “For whatsoever Impressions he himself may have from the immediate hand of GOD, this Revelation, if it be of new simple Ideas, cannot be conveyed to another either by Words, or any other signs. Because Words, but their immediate Operation on us, cause no other Ideas, but of their natural Sounds.” 58 Another person’s knowledge is not a ground for one’s own belief.

What does this interpretation hold for the evidential status of inherited opinion? The rightness or wrongness of some action is a function of that action’s conformity to a moral rule (*E II.xxvii.5,6*). More precisely stated, rightness and wrongness is determined by the perception of the agreement or disagreement between the idea of an action—which contains in itself no indication of rightness or wrongness—and the idea of a moral rule forbidding such an action. It appears that since knowledge (or even probable judgment) of the rightness or wrongness of an action depends on the individual mind’s perceiving (or judging) that there is agreement between the idea of the act and the idea of the rule, the judgment of right and wrong belongs to what is privately possessed and

58 This interpretation, which I take to be the soundest way of understanding the distinction between the two grounds of probability, does not sit well with other remarks made by Locke, nor does it appear to be philosophically sound. On the interpretative level, Locke’s empiricism enables one to subsume knowledge to observation and experience, for knowledge is an *internal perception* of the agreement or disagreement between ideas, which we want to say is a kind of observation or experience. Locke himself seems to have indeed subsumed knowledge to observation and experience when he writes that the test of *An Essay* will be “every one’s own Observation and Experience” (*E II.i.1*). Does, then, the term “knowledge” add no content to the first ground that was not already signified by the terms “observation” and “experience”? For reasons stated above, I believe new content *is* added. In any case, imprecision abounds in Locke’s writings, so we cannot always hold him too much to the letter (which is a concession that does weaken the interpretation I put forward). On the philosophical level, it is not clear how Locke’s philosophy can sustain the distinction he wants to draw in *E IV.xv.4*. He makes clear that our experience of external objects is mediated through ideas. If observation and experience is, like knowledge, of one’s own ideas, what enables “observation and experience” to be made public but prevents “knowledge” from also being made public? This problem is famous, yet it need not hinder us in this study. Perhaps it is sufficient for us to assume, as Locke himself seems to have assumed, that distinction of long philosophical pedigree between public opinion and private knowledge.
cannot be publicly shared as knowledge. It can be publicly shared as opinion only, or perhaps as the fact that someone or other opines something or other. Accordingly, testimony is simply not the sort of thing that can function as evidence for assent in moral matters.

This same view is also found (albeit tacitly) in the articulation that Locke makes of the second ground for probability in \(E\ IV.xvi.5\). He writes,

The Propositions we receive upon Inducements of Probability, are of two sorts; either concerning some particular Existence, or, as it is usually termed, matters of fact, which falling under Observation, is capable of humane Testimony, or else concerning Things, which being beyond the discovery of our Senses, are not capable of any such Testimony.

An action can be a matter of fact. It is a matter of fact that, for instance, John acquired through a concealed change of possession, property of Michael without Michael's consent. But is it a matter of fact that the theft perpetrated by John is wrong? To be a matter of fact it would seem that moral actions and moral rules would need to have the same ontological status. On Locke's view, they do not. The ideas of actions and moral rules are both mixed modes, and as such graft on to nature rather than inhere in them, but they do not graft onto reality in the same way that other mixed modes do. An action is said to be, e.g., an act of theft, when it fits the definition of theft, when, in other words, the complex idea of the given action is perceived to agree with the complex idea of theft. But the action is said to be right or wrong so far as the idea that describes the action is perceived to agree or disagree with a given moral rule. Moral notions are thus one step removed from reality, whereas moral rules are two steps removed. If the moral notion cannot be experienced as a fact, then so much less can a moral rule.\(^{59}\)

The final text that expresses (with a still minimum visibility) the view that testimony cannot function as evidence for assent in moral matters is found in \(E\ IV.xv.6\). Locke notes that beside the

\(^{59}\) For discussion see Forde, *Locke, Science, and Politics*, 96-116
two stated measures of probability, a third measure is often made use of, “though by it self it be no true ground of Probability.” It is “the Opinion of others.” “Opinion” designates some thing quite different from the “testimony” of E IV.xv.4. Locke makes only one illustration of his meaning: “opinion” refers to that which makes “Heathens in Japan, Mahumetans in Turkey, Papists in Spain, Protestants in England, and Lutherans in Sweden” (E IV.xv.6). No mention is made of those opinions that lead one in one place to believe that the earth is flat, round, at center of the universe, or resting on a turtle. The opinions at issue here appear to be only those that make normative claims rather than merely factual claims. These are the opinions that state some moral rule is correct and that conformity to it is required. These opinions, and whatever testimony is made to them, are rejected as grounds for probabilities, and hence inadmissible as evidence for the moral law.

I turn now to the second argument Locke makes against inherited opinion as a guide to assent in moral matters: inherited opinion is an unreliable indicator of correct moral belief. This argument finds expression in two places. We encountered the first just above: if inherited opinion were an admissible ground of assent, then we would have reason to be “Heathens in Japan, Mahumetans in Turkey” and so on (E IV.xv.6). Since inherited opinion points in so many different directions, it is not likely to point us to true morality and religion. The second expression of the argument appears in E IV.xx.17, and it is explicit, clear, and straightforward. It is worth quoting in full:

How many Men have no other ground for their Tenets, than the supposed Honesty, or Learning, or Number of those of the same Profession? As if honest, or bookish Men could not err; or Truth were to be established by the Vote of the Multitude: yet this with most Men serves the Turn. The Tenet has had the attestation of reverent Aniquity, it comes to me with the Pass-port of former Ages, and therefore I am secure in the Reception I give it: other Men have been, and are of the same Opinion, (for that is all is said,) and therefore it is reasonable for me to embrace it. A man may more justifiably throw up Cross and Pile for his Opinions, than take them up by such Measures. All Men are liable to Error, and most
Men are in many Points, by Passion or Interest, under Temptation to it. If we could but see
the secret motives, that influenced the Men of Name and Learning in the World, and the
Leaders of Parties, we should not always find, that it was the embracing of Truth for its own
sake, that made them espouse the Doctrines, they owned and maintained. This at least is
certain, there is not an Opinion so absurd, which a Man may not receive upon this ground.
There is no Error to be named, which has not had its Professors: And a Man shall never
want crooked Paths to walk in, if he thinks that he is in the right way, where-ever he has the
Foot-steps of others to follow.

There are, then, two reasons why inherited opinion cannot be admitted as evidence for
moral beliefs, the first being that by its nature testimony cannot communicate perception of
agreement or disagreement, which is prerequisite for moral knowledge or probable belief, and the
second being that inherited opinion is so unreliable an indicator of right and wrong that it will
sooner lead one to error than to truth.

As the arguments stand, they are not especially strong, and the chief difficulty for both is
that they appear to run contrary to other statements by Locke. Let us start with the first argument
and the difficulties this gets Locke into. Locke opened $E$ IV.xv—the chapter that would contain his
statements of the grounds of probability—with several illustrations of probable belief. In the first of
these illustrations, he declares that it is reasonable to give assent to a mathematician’s claim that the
interior angles of a triangle sum to 180°. The assent is permissible, Locke explains, because the
mathematician of his example is a man who is not “wont to affirm any thing contrary to, or besides
his Knowledge, especially in matters of this kind” ($E$ IV.xx.1). This leads Locke into incoherence
for two reasons. First, the illustration of $E$ IV.xv.1 shows how one may rightly take for the “ground
of [one’s] Tenets . . . the supposed Honesty, or Learning,” which, as we just saw, he rejects at $E$
IV.xx.17. The second trouble is possibly more embarrassing. Locke had argued repeatedly that
morality could be made out with the same demonstrative certainty as mathematics. His confidence
stemmed from the fact that the mental actions applied in mathematics are identical to those applied
in morality when (rightly considered). If one may be allowed to form beliefs on the testimony of the mathematician, then in principle one should be allowed to form beliefs on the testimony of the moral philosopher. This difficulty evidently never occurred to Locke, for, to my knowledge, he nowhere explains why the “supposed” honest mathematician can be taken at his word, but the supposed honest moral philosopher cannot. How can Locke permit assent on the basis of inherited mathematical opinions yet deny assent on the basis of inherited moral opinions?

To my mind Locke could respond to the accusation of incoherence in at least four different ways, none of which is convincing. As a preface to these responses, note that I take the incoherence brought on by Locke’s example of the honest mathematician to suggest that the testimony of others, be it the testimony of a trusted individual or of trusted tradition, could function as a guide to assent in moral matters. The testimony not just of individuals but of groups as well seems admissible by Locke’s example. The following four responses are attempts to exclude the moral philosopher or the testimony of wise ages from the grounds of probability.

As a first response, perhaps Locke can introduce his three categories of moral rules. All laws (the divine law, this civil law, that law of opinion, and so on) are mixed modes, and hence all are capable of being ordered into a demonstrative system that is in principle capable of the same precision, clarity, and certainty as those of mathematics.\textsuperscript{60} The relations among the ideas of a given law of opinion just as well as the relations among the ideas of the divine law can each be made out with equal precision, clarity, and certainty. Several (innumerable) demonstrative systems of morals can be developed. Because there can be many types of demonstrative systems of morality, we ought not to trust the testimony of the moral philosopher simply because he is honest. Honesty is not

\textsuperscript{60} Capable of demonstrative systemization are only the moral rules. Moral notions can also be so ordered, but it would amount only to a heap of definitions.
enough to warrant belief. The honest moral philosophers who states what act is licit or illicit, \textit{given a supposed law}, can perhaps be trusted in the same way that the honest mathematician is trusted when he reports some theorem whose demonstration he knows. He can be trusted as stating something true when he declares that, \textit{given a supposed law}, some moral action is right or wrong. However, whether what he reports is \textit{truly} right or wrong is another question. It is the same with the mathematician: \textit{supposing a Euclidean geometric space}, the honest mathematician who declares that the interior angles of a triangle sum to 180° can be trusted, but \textit{supposing a non-Euclidean geometric space}, then not. As with the honest mathematician, whether what he reports is \textit{true} is a question not just of his ability—it is a question also of what we are trying to measure and at what scale. The plurality of possible systems of morals (or geometries) introduces a kind of conditional-trust. The testimony of the honest moral philosopher ought not to be accepted unreservedly simply because he is honest, and likewise for the mathematician. Honesty is not enough to warrant belief—one must be sure that the honest moral philosopher testifies to the \textit{true} moral law also.

Yet this way of trying to wrest Locke out of incoherence is not satisfying. Locke makes no mention of a plurality of mathematical or moral systems, and the conditional-trust it introduces runs contrary to the ideal of mathematical certainty that runs throughout his work (and seventeenth century thought altogether). Locke might have sooner given up his rejection of inherited opinion than revised his stance on mathematics. But more importantly, we know very well which system of morals we want—we want to know the divine law, the “true touchstone of moral rectitude.” When we make human scale measurements we want the Euclidean geometer, but when we make global scale measurements we want the Riemannian geometer. If it is part of the honest geometer’s honesty to tell one what his competences are, why cannot one trust the testimony of the likewise
honest moral philosopher, who tells one that he testifies to the true moral law? Perhaps Locke can respond to this by arguing the following: To accept the testimony of the honest moral philosopher, one must also know in advance and not on the philosopher’s say-so that the honest moral philosopher is stating a precept of the true divine law. Yet if it is known in advance and not on the philosopher’s say-so that the honest mathematician is stating a precept of the true divine law, of what use is the honest moral philosopher? Such a response would render the mathematician and moral philosopher alike useless, or imply that the divine law can be known with the same clarity as it can be known that we are working in a Euclidean or Riemannian space. I judge, then, that the invocation of the difference between moral rules and the correctness of the moral rules does not get Locke out of incoherence.

Second, Locke might make the claim that prior to his own work (or perhaps that of Grotius or Pufendorf), the correct moral rules were either entirely unknown or were so intermixed with error that the tradition that transmitted them could not safely be regarded as legitimate sources for moral belief. The morals that were transmitted, and the systems that could be built out of them, simply did not hit reliably enough upon the true touchstone, in the same way that Euclidean geometry, though in its own way useful, simply could not reliably provide useful global measurements. Locke did recommend his own Second Treatise as the first work truly to understand property, which suggests in its own way that humankind needed to wait for Locke before the correct moral rules regarding property could be made plain.61 But this strategy clashes with the facts that at ST §186 he recommends Cicero for ethical instruction and that at RC 158 he claims that the Gospel fully instructs in the natural law. If Locke is sincere in his recommendations, then he seems to admit that

---

61 See Peter Laslett, introduction Two Treatises of Government, by John Locke, 3.
the correct moral rules had been made out and had been transmitted to us. Another difficulty with this response is that this response only shows that the given tradition of transmitted and inherited opinion that one may happen to have is inadequate. Locke takes the view, instead, that all inherited opinion in principle is inadequate.

As a third response, Locke might claim that it is not enough that the correct moral rules be made out; the correct reason for the rule has to be made out as well. Perhaps tradition supplies the correct moral rules, but tradition cannot be regarded as the source of normativity. For that reason, tradition ought to be accepted with circumspection. This response recalls the speculative reasons mentioned above for why inherited opinion could not be used as a guide to assent in moral matters. Perhaps it is possible that all the precepts of the divine law are discovered and their relations are established, but no mention whatsoever is made of God or creation. Perhaps the reasons for the correctness of moral beliefs were once made out but now lost to history. Perhaps, alternatively, the correct reasons were never made out. Locke might insist on the rule of E IV.xvi.10 that the further removed a transmitted opinion is from its source, the less credence it ought to be given (although that rule was introduced with regard to matters of fact). In support of the latter, Locke could refer to RC 148, where he does indeed say that morality was not placed on its proper foundations.

Further, given that moral epistemology is the subject of large portions of An Essay, Locke could hold that prior to his An Essay the true reasons for the correctness of the moral rules were unknown, although the correct rules were known. While this response can explain his appeals to Cicero and the Gospels, it does not do enough to quite get Locke out of trouble. If one had to wait for Locke’s critical epistemology before one could trust the declarations of ancient moral authorities, would one have to wait for Locke before we could trust the declarations of the mathematicians? Further, if
knowledge of the ground of the moral rules is necessary for knowledge of moral rules, and both are in turn required before inherited opinion can function as evidence for knowledge of moral duty, then what is to be made of E I.iii.6, where Locke declares, “several Moral Rules, may receive, from Mankind, a very general Approbation, without either knowing, or admitting the true ground of Morality; which can only be the Will and Law of a God”? (This is not the only problem this text poses for Locke. We will encounter another below.)

The fourth response Locke appears at first to provide some hope, and requires careful consideration. Locke can perhaps be saved by introducing a distinction between epistemic conditions of clarity (original to the species, and perhaps recoverable) and conditions of confusion (which are acquired and perhaps corrigible). I arrive at this distinction by first working through a much more obvious response and the criticisms of this response.

This more obvious response can be built out of his explicit criticisms of inherited opinion (recall E IV.xx.17 quoted above): while it may be true that among the inherited opinions are the testimonies of the careful and honest moral philosopher, there are also the precepts of lovers of dominion, and since inherited opinion itself provides no means of distinguishing the one from the other, inherited opinion will just as likely lead to moral goodness as to moral wickedness; nay, as there are far fewer lovers of truth than lovers of dominion, the chances that inherited opinion leads to wickedness is much greater than the chances it leads to goodness. Mathematics is not liable to be infected with party and prejudice, but morals, which controls behavior, is. The dangers of the love of dominion is the decisive asymmetry between the honest mathematicians and the transmitted

---

62 This possibility is explored in some detail in Chapter Four below.

63 The preference of one’s own self-interest to the common good is a regular natural occurrence (E IV.xvi.7).
opinions of honest mathematicians and the honest moral philosopher and the transmitted opinions of honest moral philosophers. This asymmetry is the reason assent may be given to the testimony of the one but not to the other.

This response is not impervious to criticism, however. Locke still leaves entirely unaddressed two of Grotius’s views. The first is that an overlapping consensus can be found in inherited opinion and that this consensus reliably leads to correct moral beliefs. The second is that the urgency and difficulty of moral matters permits reliance on inherited opinion even about the weightiest matters, such as whether to make war on another. Locke’s rejection of Aristotelianism does weaken one of Grotius’s supports for permissibility of reliance on inherited opinion—on Locke’s epistemology, common agreement cannot so easily be traced back to a common cause as it could for Grotius. Yet the difficulty of moral knowledge and the urgent need for it are evident to most or to all, regardless of epistemology. Assuming Locke’s new epistemology, Grotius might lose the support of philosophy, but he retains the support of common sense. Locke could not have failed to encounter these views, not simply because he possessed and read Grotius’s works, but because he also possessed the moral and political works of Grotius’s inspiration, Aristotle.64

Locke nowhere engaged Grotius’s views on moral epistemology, perhaps because Grotius’s views were so scantily expressed. Nonetheless, a Lockean response might be constructed from Locke’s criticisms of the doctrine of innate ideas. Broadly conceived, this doctrine has it that there exists some class of ideas that rational minds, such as those human beings possess, could not fail to

64 In fact, Locke had in his library only the moral and political works of Aristotle. Locke had Latin translations of the Politics and Nichomachean Ethics, and a Greek-Latin edition of the Rhetoric. He also possessed a commentary on the first five books of the Nichomachean Ethics by Tarquinius Gallutius and a paraphrase of the Rhetoric by Antonio Riccoboni. Harrison, Locke’s Library, 74-75, 221. It is of course another question whether and how closely Locke read Aristotle.
The particulars of this doctrine differ according to whether the ideas are speculative or practical, immanent or dispositional. As we saw in Chapter One (see Section 1.2.1) Locke does not think that the dispositional versions of this doctrine actually qualify as articulations of the doctrine. According to Locke’s understanding of the doctrine, all supposed innate ideas are everywhere known and assented to. There is, in other words, a strict, universal consensus regarding these ideas. To refute this doctrine, which Locke intends to do in *E I*, it suffices to show that there exists no universal consensus regarding the supposed innate ideas, and to do this it suffices to provide one exception. Locke provides several. Against the view that there is a class of innate moral rules, Locke brings forward cases of exposure of the elderly or ill in parts of Asia; live burial of children among the Mingrelians; cannibalism among the Caribs, Peruvians, and Brazilians; utter atheism among the Brazilian Tupi; and unutterable debauchery among the so-called saints of Turkey (*E I*.iii.9). He further assures his reader that barbarities, cruelties, and savageries of every imaginable sort are to be found not only in non-Western nations, but also in those claimed exemplars of virtue, sobriety, and civility, Greece and Rome. Anyone “moderately conversant about the History of Mankind,” indeed anyone who “look[s] abroad beyond the Smoak of their own Chimneys” (*E I*.iii.2) readily finds that no moral rule enjoys universal consensus. One might suppose, then, that any collection of transmitted opinions is bound to contain even trace amounts of poisonous love of dominion.

This criticism of innate moral rules does not defeat Grotius’s position, however. Grotius’s view requires only overlapping consensus, and difficult though it may be to imagine, there may perhaps be some overlapping consensus between Locke’s Englishman and the Peruvian cannibal on the question of morally appropriate meals. That is an awfully desperate “may perhaps be,” however:
Locke does not bring forward examples where a people feel compelled by dire circumstances to commit an evil act; his examples appear to be of thoroughgoing and un compelled wickedness. So let it be assumed that, as far as Locke was concerned, there is no hope of finding an overlapping consensus between the Englishman and the Peruvian. Accordingly, there is no hope of finding an overlapping consensus between the inherited opinions Grotius drew from and the inherited opinions Locke drew from. Is Locke’s pessimism more or less worthy of endorsement than Grotius’s optimism? Here it should be noted that Grotius drew from tradition 5,951 times. However, 5210 references were to Greco-Roman antiquity, and to my knowledge, no significant number of the sources was non-Western. In the tradition that Grotius drew from there might well have been an overlapping consensus, yet if one extends one’s gaze out far enough and pools broadly enough, as Locke appears to have done, the overlapping consensus fades utterly away. Locke might well have held that when consensus is sought across the complete range of transmitted opinions, not universal but only pockets of “local” consensus is found. At this point, if Grotius wishes to maintain his position, he will have to make the case that one local consensus is more authoritative than others. But Grotius seems simply to have assumed that the tradition he drew from was authoritative.

Let Locke’s survey of human depravity infect the reader with pessimism about the possibility of any kind of universal, basic human goodness, in light of which Grotius’s efforts look like fantasy. If Locke had made this explicit and said no more than this, then he would have had a compelling case against Grotius, and a more impressive reason to banish inherited opinion from the admissible

---

65 See Straumann, Roman Law in the State of Nature, 6 for the figures.

grounds of evidence for moral beliefs than the first we encountered. However Locke said much more than this. He said so much, in fact, that with a remark in *E II.xxviii.11* completely he undercut the above effort against Grotius:

And though, perhaps, by the different Temper, Education, Fashion, Maxims, or Interest of different sorts of Men it fell out, that what was thought Praiseworthy in one Place, escaped not censure in another; and so in different Societies, *Vertues* and *Vices* were changed: Yet, as to the Main, they for the most part kept the same every where. For since nothing can be more natural, than to encourage with Esteem and Reputation that, wherein every one finds his Advantage; and to blame and discountenance the contrary: ‘tis no wonder, that Esteem and Discrredit, Vertue and Vice, should in a great measure every-where correspond with the unchangeable Rule of Right and Wrong, which the Law of God hath established; there being nothing, that so directly, and visibly secures and advances the general Good of Mankind in this World, as Obedience to the Laws, he has set them, and nothing breeds such Mischiefs and Confusion, as the neglect of them. And therefore Men, without renouncing all Sense and Reason, and their own Interest, which they are so constantly true to, could not generally mistake, in placing their Commendation and Blame on that side, that really deserved it not. Nay, even those Men, whose Practice was otherwise, failed not to give their Approbation right, few being depraved to that Degree, as not to condemn, at least in others, the Faults they themselves were guilty of: whereby even in the Corruption of Manners, the true Boundaries of the Law of Nature, which ought to be the Rule of Vertue and Vice, were pretty well preserved.

Just a few paragraphs prior Locke had said that moral actions and moral notions are judged right or wrong according to whether they agree or disagree with moral rules (*E II.xxviii.6*). The moral rules against which moral actions and notions are judged are three in kind: the divine law, the civil law, and the law of opinion (*E II.xxviii.7*). The divine law is established by God and is “the only true touchstone of *moral Rectitude*” (*E II.xxviii.8*). The civil law is established by the commonwealth (*E II.xxviii.9*), and the law of opinion is established by a tacit consent, specifically, a consent to the day’s fashion (*E II.xxviii.10*). The terms “virtue” and “vice,” Locke argued at *Essay E II.xxviii.10*, do not universally refer to the true measure of moral rightness and wrongness (the divine decree), although such reference is possible. “Virtue” and “vice” first and foremost refer to what a given society at a given time happens to approve or disapprove of (a view highly reminiscent of
Carneades). “Virtue” and “vice” are terms of moral fashion. Yet as Locke argues at *E* II.xxviii.11, moral fashion, although it is not securely rooted in the will of God, is not completely arbitrary and is not full of error. Rather, it hovers around the touchstone of moral rectitude and reliably approximates it. In other words, inherited opinion—even all inherited opinions taken together at once—supply overlapping consensus about basic rights and wrongs. So much appears to be said also at *E* I.iii.6:

I grant the existence of God, is so many ways manifest, and that a great part of Mankind give Testimony to the Law of Nature: But yet I think it must be allowed, That several Moral Rules, may receive, from Mankind, a very general Approbation, without either knowing, or admitting the true ground of Morality; which can only be the Will and Law of a God, who sees Men in the dark, has in his Hand Rewards and Punishments, and Power enough to call to account the Proudest Offender. For God, having, by an inseparable connexion, joined *Virtue* and publick Happiness together; and made the Practice thereof, necessary to the preservation of Society, and visibly *beneficial* to all, with whom the Virtuous Man has to do; it is no wonder, that every one should, not only allow, but recommend, and magnifie those Rules to others, from whose observance of them, he is sure to reap Advantage to himself.

Locke appears, then, to be committed to two contrary theses. On the one hand, transmitted moral opinions are too likely to lead one into moral error, so one cannot assent to the testimony of the honest moral philosopher (or the testimony of wise ages) with the same readiness that one assents to the testimony of the honest mathematician (or the tradition of honest mathematicians). Yet on the other hand, transmitted moral opinions are likely to lead one to the correct moral rule. So why can one not assent to the testimony of the honest moral philosopher with the same readiness that one assents to the testimony of the honest mathematician?

By all appearances Locke refuses to admit inherited opinion as evidence in the ethical order (*E* IV.xv.4,6, IV.xx.17), but when we examine his reasons why inherited opinion is not to be admitted we encounter a knotty and puzzling ambivalence. It is not at all easy to reconcile Locke’s statements to the effect that inherited opinion is more often the product of the love of dominion
than the love of truth (E IV.xx.17) and authorizes the worst savageries (E I.iii.9) with his statements to the effect that inherited opinion more often than not reveals the content of natural law (E II.xxviii.11). Locke’s claim that virtue is “nothing else but that, which has the allowance of publick Esteem,” (E II.xxviii.11) was among the most controversial of his claims and led to careful revision of E II.xxviii.10 and a lengthy explanatory note for the second through fifth editions. But E II.xxviii.11 appeared in the first edition of An Essay and received only cosmetic corrections in the fourth and fifth. E I.iii.6 also appeared in the first edition of An Essay, and the changes made altered the meaning in only the most negligible way. What last efforts could Locke make to reconcile this tension? It seems that he could either insist that inherited opinion is simply too dangerous to be admitted, or insist that it is wrong to believe some rule to be a correct moral rule simply because it has been believed to be a correct moral rule by others, contravening reasons notwithstanding (perhaps E IV.xvi.10 can be interpreted to say so much). To the first concern Grotius and Aristotle could respond with their rules of caution: what is universally believed may be reasonably believed, or, failing universal acceptance, what is generally believed or believed by the wise may be reasonably believed. Does an immoderate anti-authoritarianism motivate Locke? Is it becoming of a man renowned for his caution to argue against reliance on inherited opinion because “most Men are in many Points, by Passion or Interest, under Temptation to [error]” (E IV.xx.17), and then at the same time entrust these very same men to navigate their own course?

This apparent contradiction in Locke’s thinking about inherited opinion calls for an account. The answer will lead one finally to the fourth and only promising response that can save Locke from charges of incoherence. A first explanation is that this apparent contradiction is indeed a contradiction and announces an esoteric teaching. Presumably, because the contradiction bears a
relation to the divine law, it could be read as signaling that Locke does not seriously believe that the
divine law exists, which would serve the chief proponents of the esoteric reading of Locke.
Summarily stated, the Straussian reading is that Locke’s teaching is essentially that of Hobbes, but
packaged as a traditional natural law teaching for purposes of political persuasion.\textsuperscript{67} A more
palatable hypothesis is that Locke simply walked into a contradiction. He might even have been
aware of it. Perhaps one can take the title of Locke’s \textit{An Essay} literally, and accordingly understand
its contents to be many attempts—some successful, others not—to arrive at clarity at various issues,
rather than a systematically and consistently presented philosophical doctrine.\textsuperscript{68} This interpretation
would fit with Locke’s far from clear and consistent presentation of judgment, assent, belief, and the
measures of probability, his continual reworking of the hedonism of \textit{Essay} II.xxi, and his failure to
keep his account of knowledge clear from the relativistic threat that the association of ideas posed.

Yet another resolution of the problem is to suppose that Locke does not quite contradict
himself. One might suppose that Locke incorporated (and transformed) key elements of The Fall
into his philosophical thought. Man’s \textit{original} epistemic condition was one of clarity: the moral law
was clear or readily accessible to the unaided intellect. Man’s \textit{acquired} epistemic condition is one of
confusion: fashion—the law of opinion and reputation, even the civil law—continually blur and

\textsuperscript{67} The Straussian reading of Locke is examined sporadically in Chapter Four, but directly in
Appendix B.

\textsuperscript{68} For such an interpretation of Locke’s \textit{An Essay}, see Rosalie Colie, “The Essayist in his
distort the moral law. The original clarity, however, is still recoverable, even in this “fallen” state.69

Such a view is expressed at E III.ix.23:

The Volumes of Interpreters, and Commentators on the Old and New Testament, are too manifest proofs of this. Though every thing said in the Text be infallibly true, yet the Reader may be, nay cannot chuse but to be very fallible in the understanding of it. Nor is it to be wondred, that the Will of GOD, when cloathed in Words, should be liable to that doubt and uncertainty, which unavoidably attends that sort of Conveyance, when even his Son, whilst cloathed in Flesh, was subject to all the Frailties and Inconveniences of human Nature, Sin excepted. And we ought to magnify his Goodness, that he hath spread before all the World such legible Characters of his Works and Providence, and given all Mankind so sufficient a light of Reason, that they to whom this written Word never came, could not (when-ever they set themselves to search) either doubt of the Being of a GOD, or of the Obedience due to Him. Since then the Precepts of Natural Religion are plain, and very intelligible to all Mankind, and seldom come to be controverted; and other revealed Truths, which are conveyed to us by Books and Languages, are liable to the common and natural obscurities and difficulties incident to Words, methinks it would become us to be more careful and diligent in observing the former, and less magisterial, positive, and imperious, in imposing our own sense and interpretations of the latter.

Here we have intimations of two juxtaposed epistemic conditions: one is of clarity (“the Precepts of Natural Religion are plain, and very intelligible to all Mankind”), and one is of confusion (“other revealed Truths, which are conveyed to us by Books and Languages, are liable to the common and natural obscurities and difficulties incident to Words”). Accordingly, inherited opinion can at one time bring us moral insight, but at another time moral confusion. If this resolution holds,70 then Locke is perhaps spared the charge of incoherence.

---

69 Harris, for example, finds that “a rational morality, an account of the human condition and a remedy for it in a covenant of grace,” are typical of both “the style of Christian explanation favoured in Locke’s locality,” and also “all apparent in his own mature works.” Yet at the same time, Locke viewed error “as the product of an intellectual confusion personal to the individual rather than a defect engrained in the species,” and his “educational works suggest that he felt able to discuss human nature without reference to the Fall.” Mind of John Locke, 38, 294, and 299.

70 We will encounter this possibility again in the next chapter (and another suggestion of it immediately below), where it will be defended as the proper way of resolving Locke.
2.2.4.3. *The Price of Locke’s Grounds of Probability*

1For lack of clear and cogent reasons for altogether dismissing inherited opinion (rather than admitting it but assigning it a low evidential weight), the question of the pragmatic cost of Locke’s rejection of inherited opinion comes to the fore. The evidence inherited opinion could provide has considerable advantage over the reductive-composite alternative proposed by Grotius and employed to the exclusion of other methods by Locke. Inherited opinion, especially when cautiously accepted in the manner that Grotius proposed, provides a crutch for challenging deliberations on matters of ultimate and urgent significance. Are the reasons Locke provides for the outright rejection—not just the depreciation—of inherited opinion compelling enough to outweigh the assistance that inherited opinion can provide? It seems not. The difficulty of trying to fit Locke’s troubling reasons for rejecting inherited opinion to his evident confidence that inherited opinion can be safely rejected prompts the suspicion that something other than Locke’s stated reasons moved him to reject inherited opinion, or at least enabled him to be so moved by such flimsy reasons. Simple anti-authoritarianism cannot be ruled out, especially given the time in which Locke wrote, though for reasons to be stated below this seems unlikely. Twice we encountered the possibility that moral knowledge is in some way clear or readily accessible. In the first place, if knowledge of the moral law is clear or readily accessible, then the work of the honest moral philosopher is unnecessary, and assent to the testimony of the honest moral philosopher can harmlessly be denied. In the second, the presumed original (and recoverable?) condition of epistemic clarity offers a way to resolve the apparent contradiction in Locke’s views on inherited opinion. However other possible motivations are easier to see when Grotius’s reasons for permitting inherited opinion are brought into consideration. For at least five reasons Grotius found
inherited opinion admissible as a guide to moral belief: (1) its consistency with Aristotelian epistemology, which Grotius evidently accepted; (2) the difficulty of moral deliberation; (3) the urgency of moral decision and action; (4) the relative persuasive weakness of conceptual proofs to empirical proofs; and (5) the ecumenical service to which it can be employed. Locke plainly rejects the first. There are no obvious reasons for supposing that Locke rejected either the second or the fourth. Locke undoubtedly accepted the third: “The conduct of our Lives, and the management of our great Concerns, will not bear delay,” (E IV.xvi.3). Locke appears to have rejected the fifth, or at least he adopted a liberalizing strategy different from that of Grotius. Grotius’s strategy does not appear in the Reasonableness of Christianity, and the main effort of his Letter concerning Toleration was to carefully delimit the scope of political power. So Locke clearly holds that moral deliberation will not bear delay, but it is not clear whether he also held that moral knowledge was difficult to acquire or that conceptual (deductive) arguments were too weak to reliably guide assent. The suggestion that there is an original (and recoverable?) epistemic condition of clarity would in turn suggest that deductive proofs are neither so demanding nor so weak that it would be inappropriate to require that moral beliefs be formed and held solely on the basis of deductive proofs. The ease of acquisition of moral knowledge would suggest that there is little pragmatic need to turn to inherited opinion as a guide to assent in moral matters, but the urgency of moral deliberation might suggest otherwise. Yet Locke adamantly refused to turn to it as a guide to assent, despite occasionally speaking of it as a storehouse of moral truths. It seems that the ease of acquisition of moral knowledge needs to overbalance the urgency of moral knowledge, if no crutches are to be admitted. I therefore form the hypothesis that Locke’s ethics of belief has build into it one or both of the following two presuppositions: Either moral deliberation is not as difficult as Grotius thought, or
conceptual arguments are more powerful than Grotius thought. Either will reduce to the assumption that moral knowledge is somehow or other clear or readily accessible to human reason.

2.3. Descartes’ Pragmatic Suspensions of the Evidentialist Imperative

Lady Damaris Masham, Locke's most intimate friend, related in a letter to Jean le Clerc, “the first Books (as Mr Locke himself has told me) which gave him a relish of Philosophical Studys were those of Descartes.”

By the end of his life, Locke possessed twenty volumes relating to Descartes, nine of which were scholarly treatments of Descartes’ thought (including one by Bayle and another by Spinoza), and eleven of which were editions of Descartes’ works and letters. Of these eleven, three were editions of the Discourse on Method, and of these three, two were English translations. Locke further possessed two editions of the Meditations on First Philosophy, one in a stand-alone volume and another that was included in an edition of Descartes’ Opera philosophica. The latter volume bore what Peter Laslett calls the “secret sign,” a sign, he conjectures, that Locke used to mark a work of especial importance.

Finally, Locke owned copies of Descartes’ letters to Princess Elizabeth of Bohemia, which would later be worked into the Passions of the Soul, of which Locke had two editions. Therefore a comparison of Locke to Descartes is most abundantly warranted. That

71 Quoted in Paul Schuurman, Ideas, Mental Faculties and Method (Leiden and Boston: Brill, 2004), 16.


73 See Harrison, Library of John Locke, 41 and 63 for an explanation of this mark, and Appendix II for a listing of works that bear the mark. Of the 870 volumes Harrison and Laslett examined (Locke possessed about 3,000), 36 featured this marking, including Pascal’s Provincial Letters, and the French translation of Locke’s own Second Treatise of Government.
does not mean, however, that the comparison is straightforward. In what follows, the *Meditations*, *Discourse*, and letters to Princes Elizabeth will occupy us chiefly.\(^{74}\)

Lady Masham continued in her letter, “He was rejoiced in reading of these because tho’ he very often differ’d in Opinion from this Writer, he yet found that what he said was very intelligible.”\(^{75}\) It is easy to exaggerate the differences between Descartes and Locke (not inappropriately the *An Essay* is often read as a direct challenge to Descartes), but such exaggeration comes at the price of diminishing the significance of their substantial agreement. In terms of methodology and epistemic ideals, for instance, the distance between them is rather small.\(^{76}\) There is large agreement between Descartes and Locke with respect to the ethics of belief, which accounts for the fact that while many historical sketches of evidentialism locate its beginnings in Locke, some give the honor to Descartes.\(^{77}\) The attribution of the invention of evidentialism to Descartes is only

---

\(^{74}\) The reason that I restrict my view to only these works is the following. The fact that Locke read the *Meditations* is undeniable, and there is weighty evidence that Locke also read the *Discourse*. Locke recommended the *Discourse* to beginner readers of Descartes. See John Locke, *An Early Draft of Locke’s Essay, together with Excerpts from his Journals*, ed. Richard I. Aaron and Jocelyn Gibb (Oxford: Clarendon Press, 1936), 105-11. There is, however, to be found in Locke’s thought nothing that corresponds to the provisional morality of the *Discourse*. (A possible exception is the *Reasonableness of Christianity*. The concession Locke makes to revelation and religious belief in *Reasonableness of Christianity* falls well beyond the scope of the present study, however.) The aim of this chapter is to understand why this is so. In his letters to Princess Elizabeth, Descartes seems to drop one of the maxims of the *Discourse*’s provisional morality. We must consider the possibility that Locke followed Descartes’ cue here, and did not qualify his ethics of belief in the way that Descartes appears to have qualified—but only provisionally—in the *Discourse*.

\(^{75}\) Quoted in Schuurman, *Ideas, Mental Faculties and Method*, 16.

\(^{76}\) On this point, see Peter A. Schouls, *The Imposition of Method* and Schuurman, *Ideas, Faculties and Method*.

\(^{77}\) See Introduction, note 5 above for those who attribute the beginning to Locke. For the attribution of evidentialism’s originals to Descartes, see Brand Blanshard, *Reason and Belief* (London:
partly correct, however. One finds in Descartes’ scientific project only the building blocks of Locke’s evidentialist project. The construction of that project is all Locke’s own. Nonetheless if, as the transference of ideas suggests, Locke’s ethics of belief would not have acquired its shape and character without Descartes, the comparison of Descartes and Locke allows one more directly to enter into Locke’s thinking about evidence and belief formation than in the case of Grotius (or even Pascal below). More directly, but not necessarily for that reason more clearly: The building blocks of Locke’s ethics of belief are found in Meditation Four, and when the results of this Meditation are placed in their larger context, not of the *Meditations*, but of Descartes’ thought between the *Discourse on Method* and the *Passions of the Soul*, it becomes apparent that in order to produce the ethics of belief of *E IV* more decisions were involved than just those concerning how to tweak the ethics of belief of Meditation Four. Given, however, that the unity of Descartes’ moral thought between the *Discourse* and the *Passions* is so elusive, it is rather difficult to state precisely what the disagreement between Descartes and Locke could have been that rendered the highly specialized efforts of Meditation Four’s solitary meditator into *E IV*’s universally commanded practices of cognitive conduct.


78 Andrea Christofidou, *Self, Reason, and Freedom: A New Light on Descartes’ Metaphysics* (London and New York: Routledge, 2013), 143 suggests that the link between contemporary concerns for epistemic responsibility and Descartes’ concern for the same is exaggerated, for Descartes was concerned with knowledge whereas the contemporary debate concerns justification, which is tolerant of error in a way that knowledge cannot be. This is certainly correct. Christofidou overstates her case, however, for she overlooks the fact that between Descartes and contemporary epistemologists stands Locke, who adjusted Descartes’ policy of epistemic responsibility to accommodate probable judgments, which opened up the possibility of erring responsibly. For a detailed study of how Locke builds on Descartes, see Nicholas Wolterstorff, *John Locke and the Ethics of Belief*, 180-218.
This section on Descartes has three subsections. The evidentialist imperative of Meditation Four is explained in the first. In the second subsection, the provisional moralities of the *Discourse on Method* and the letters to Princess Elizabeth of Bohemia are examined. Here I make a case that the provisional moralities could in effect amount to suspensions of the evidentialist imperative of Meditation Four. I make the case, neither with the purpose of reproducing the thought of Descartes as he conceived it, nor with the purpose of producing the strongest possible version of Descartes’ thought. I am presently concerned with how Locke understood Descartes’ thought. As a precise reconstruction of Locke’s thought about Descartes’ thought is most likely impossible (for reasons stated below), my purpose will be to construct the interpretation(s) of Descartes’ thought that, I judge, Locke would most likely recognize. The third subsection compares Locke’s thought with the constructed interpretation(s) of Descartes’ thought.

Before this can commence, a word must be given to the method of interpretation. Descartes is a slippery writer, so an exposition of Descartes’ thought cannot by itself warrant any conclusion about how Locke understood Descartes or what he took from him. Further Locke is an infamously discreet writer, so even with an exhaustive study of Locke’s journals it may remain impossible to discern what Locke believed Descartes was trying to do, and therefore impossible to discern how Locke thought of himself in relation to Descartes and what he took Descartes’ efforts to be on this specific issue. In order to avoid depicting a Descartes that Locke would not have recognized, I will try to stay close to the surface of the texts that are relevant for Locke’s ethics of belief, to explore to the necessary extent the logic of that surface, and to avoid as far as possible speculations as to Descartes’ motives and intentions not readily discerned in the texts themselves.

---

79 Already in Locke’s day Descartes’ sincerity had been questioned by Henry More (who translated the *Discourse* into English), Leibniz, and d’Holbach. Casson, *Liberating Judgment*, 73.
Thus the portrait of Descartes that I paint has indefinite lines. I intend to capture an image of several possible Descartes', the hope being that I have captured one that Locke could have recognized.

2.3.1. The Evidentialism of Meditation Four

The declared effort of the Meditations is to find a secure metaphysical foundation to the sciences. Prior to the fourth meditation Descartes had discovered that his knowledge of his own existence could not be assailed by even the strongest skeptical attacks and had discovered also, using this knowledge as a starting point, that there exists a God on whom Descartes depends for his existence. His knowledge of himself as an imperfect being combined with the idea of perfection enabled him to move from knowledge of his own existence to God's. This proof presents him with a puzzle, however: It belongs to the imperfection of his being to err, and it belongs to the perfection of God’s being not to deceive, so if Descartes exists in virtue of the action of a non-deceiving God, how does it happen that Descartes errs?

Descartes solves the puzzle by locating the cause of his error and sin in actions for which he alone can be held responsible. The solution runs thus: Descartes finds in himself a faculty of knowledge (the intellect), and a faculty of choice (the will). The intellect’s responsibility is simply to “perceive the ideas which are subjects for possible judgments.”\(^{80}\) The intellect does not make the judgments, but simply beholds materials that could be used to make judgments. Since error, “in the

\(^{80}\) CSM II.39.
proper sense of the term,” requires affirmation or denial, the intellect cannot properly be said to be the source of error. In what it does, the intellect does not err, for the intellect sees ideas in just the way that they are to be seen. For that reason the intellect can be said to be perfect in its own way. The fact that some actions, e.g., affirmation and denial, are beyond the powers of the intellect renders it in no way imperfect. As for the will, it “simply consists in the ability to do or not to do (that is, to affirm or deny, to pursue or avoid).” Like the intellect, the power of the will is in a way limited: just as the action of the eye is outside the power of the ear, and the action of the ear outside the power of the eye, the action of the will (which is affirmation or denial), is outside the power of the intellect, and the action of the intellect (which is perception), is outside the power of the will. Further like the intellect, the will is perfect in its own way: the power to choose “is not restricted in any way.” Indeed it is in willing—not in perceiving or thinking—that Descartes is most like God. And finally, just as the intellect taken by itself cannot be regarded as a cause of error, the will taken by itself cannot be regarded as a cause of error. The intellect and will are thus separate faculties with separate regions of authority, and each is perfect in its own way. The cause of error, therefore, cannot be either one of the faculties taken on its own. Now, the intellect and the will are separate powers, but that fact does not rule out the possibility that the powers can be coordinated: the intellect perceives the content of possible judgments, and the will makes the possible judgments actual

81 CSM II.39.
82 CSM II.40.
83 CSM II.39.
84 CSM II.40.
by affirming or denying what “the intellect puts forward for affirmation or denial.”

Because their actions can be coordinated but because powers of the intellect and the will are not coextensive, error can occur whenever the will affirms or denies what the intellect does not put forward for affirmation or denial. The cause of error, therefore, is not either the intellect or the will, but is rather the mismanagement of their combined actions. In this way Descartes ensures that God does not cause error when Descartes errs and sins.

Descartes does more in Meditation Four than just save God from the imputation of evil. Just as soon as he does this, he also lays down the rudiments of a program of intellectual and apparently moral conduct:

So what then is the source of my mistakes? It must simply be this: the scope of the will is wider than that of the intellect; but instead of restricting it within the same limits, I extend its use to matters which I do not understand. Since the will is indifferent in such cases, it easily turns from what is true and good, and this is the source of my error and sin.

When Descartes makes judgments about those things he sees with the intellect, i.e., those things he perceives clearly and distinctly, then he unfailingly arrives at the truth and uses his faculties well. Accordingly, he uses his faculties well when he refrains from making judgments about things he does not perceive clearly and distinctly, and uses his faculties poorly when he does not refrain from making judgments about things he does not perceive clearly and distinctly. While it is true that he may judge correctly in those places where he does not first perceive by the intellect, the judgment is true only by chance—which makes for no good policy. He reduces these inferences to a rule: “the

---

85 CSM II.40.

86 This is not to say that error does occur whenever the will acts without the intellect. The will can “by pure chance . . . arrive at the truth” (CSM II.41). For discussion of this possibility, see Christofidou, Self, Reason, and Freedom, 142ff.

87 CSM II.40-41, my emphasis.
perception of the intellect should always precede the determination of the will.\textsuperscript{88} In other words, one should assent only to those things which one perceives clearly and distinctly, and should withhold assent in all other cases. Thus we find Descartes recommending something nearly identical to that which Locke would later recommend: assent should strictly follow the evidence.

It is not clear whether Descartes and Locke agree that there is a \textit{moral obligation} to conform assent to evidence. According to the text of the \textit{Meditations} quoted above, Descartes traces \textit{sin} in addition to error back to the mismanagement of the combined actions of intellect and will, thereby suggesting that epistemic misconduct is morally culpable. Descartes throws up several difficulties for this interpretation, however. First, the evidence he draws on in his analysis of error is ambiguous, for it is not clear whether the rule applies only to those performing the philosophical investigations depicted in the \textit{Meditations} and only when they are performing them, or whether the rule applies also in ordinary life. For instance, leading up to his statement of the rule Descartes draws on seemingly ordinary experience—“For although probable conjectures may pull me in one direction, the mere knowledge that they are simply conjectures, and not certain and indubitable reasons, is itself quite enough to push my assent the other way”—\textsuperscript{89} and on the highly specialized experience of the \textit{Meditations}—“My experience \textit{in the last few days} confirms this: the mere fact that I found all my previous beliefs were in some way open to doubt was enough to turn my absolutely confident belief in their truth into the supposition that they were wholly false.”\textsuperscript{90} If the experience of the past few days here plays a confirmatory role, then what is confirmed is an experience \textit{prior to

\textsuperscript{88} CSM II.41.

\textsuperscript{89} CSM II.41.

\textsuperscript{90} CSM II.41, my emphasis.
the experience of the past days, which can only be ordinary experience. Now, under the conditions in which Descartes undertakes to meditate it can be granted to him that whatever is only probable can be regarded as false, but it is quite a stretch to extend this policy to less peculiar experiences. Antoine Arnauld, one of the readers to whom the Meditations was sent for criticism, was also worried by these passages for such reasons. Specifically, he worried that Descartes’ suggestions for proper intellectual conduct were inappropriately directed at both “science and intellectual contemplation” and at “matters belonging to faith and the conduct of life.” Meditation Four’s evidentialism is appropriate to the sciences, but not to practical affairs. In response to Arnauld’s worries Descartes threw up another difficulty to the interpretation of Meditation Four. To the Synopsis of the Meditations he added a statement indicating that his concern in Meditation Four was with epistemic error strictly, rather than with moral error and sin. But as for the little word that prompted Arnauld’s concern, “sin,” Descartes did not excise it from later editions; rather he instructed Mersenne to put brackets around the word. Gary Steiner finds that this editorial move, far from eliminating any unwanted ambiguity, only draws attention to the fact that the qualification made in the Synopsis and the bracketing of “sin” were not part of the original conception. It hence not only does not authentically represent Descartes’ intentions; the brackets signal to others that the qualification do not authentically represent Descartes’ intentions.

---

91 CSM II.152.

92 CSM II.11.

93 See Cottingham, Stoothoff, and Murdoch’s note at CSM II.11.

Might Locke have made the same inference that Steiner did, and like Steiner might Locke have found that Descartes was declaring, if back-handedly, that epistemic mismanagement was sinful? Locke had two editions of the *Meditations*, one *Meditationes de prima philosophia* and the one contained in *Opera philosophica*. Both were 1658 Amsterdam printings. The evidence I was able to examine suggests that neither of Locke’s editions contained the brackets, though both contained the Synopsis qualification.\(^{95}\) Locke might have doubted the sincerity of the synopsis as Steiner did, but for lack of brackets the invitation to do so is not quite there. However Locke interpreted the Synopsis, it is clear that Locke himself believed that epistemic mismanagement was sinful.

From a review of what Descartes does in these parts of the *Meditations* and what Locke did in *E IV*, one is tempted to infer that one finds in Meditation Four an architectural blueprint from Locke’s own ethics of belief. Like Descartes, Locke distinguishes the power of assenting from the power of ascertaining ideas.\(^{96}\) Like Descartes, epistemic responsibility consists chiefly in rightly regulating the coordinated action of these two powers. Like Descartes, Locke has it that the ultimate evidential base of all correct judgments consists of clear and distinct perceptions of adequate ideas. Like Descartes, Locke takes the intellect to be perfect in its own kind.\(^{97}\) Like Descartes, Locke conceives of epistemic error as nothing other than the mismatch of assent and evidence. Perhaps

---

\(^{95}\) Locke possessed 1658 Amsterdam editions. I was able to examine a 1663 Amsterdam edition of the *Opera* and a 1654 Amsterdam edition of the *Meditations*. Neither contained bracketing around “sin”.

\(^{96}\) While Locke distinguishes these powers, he does not do it nearly so clearly and simply as Descartes does. See Chapter One, Section 1.2.4 for how assent is distinguished from perception.

\(^{97}\) The intellect, according to Locke, perceives the actual agreement or disagreement between ideas, no training is required. In this way reason is “infallible.” See and Peter A. Schouls, *Reasoned Freedom* (Ithaca and London: Cornell University Press, 1992), 92-94, and Schouls, *Impostion of Method*, 157
like Descartes, Locke regards epistemic error as morally culpable. In sum, Meditation Four’s rule that the perception of the intellect should always precede the determination of the will\textsuperscript{98} becomes Locke’s rule that propositions must not, on pains of moral wrongdoing, be entertained with an assurance greater than the evidence warrants (\textit{E} IV.xix.1). It seems a fair assumption, therefore, that Locke understood the \textit{Meditations} to set out, among other things, to do what he set out to do with the \textit{Essay}, namely, design an the ethics of belief.

Let two assumptions, then, be granted. First, let it be assumed that Locke understood that it was Descartes’ effort in Meditation Four to state in outline the rules of proper epistemic conduct. Second, let it also be assumed that Locke interpreted Descartes’ statements about epistemic conduct and sin to mean that there is a moral obligation to conform one’s thinking to the rules laid out in Meditation Four. Two things follow from these assumptions. First, the ethics of belief of Locke and the ethics of belief of the \textit{Meditations} are distinguished crucially in the acceptability that Locke grants to probable judgments. This means that for Locke epistemic responsibility and epistemic error are to a certain degree compatible. Second, Locke understood the rules of proper epistemic conduct that Descartes stated in outline in Meditation Four were to be applied to the realm of practical action—the possibility that Arnauld wanted to preclude Locke made real.\textsuperscript{99}

The blueprint of an ethics of belief in Meditation Four leaves little room for probability judgments. The intellect does not fail in its task of perceiving ideas. There is no chance for the

\textsuperscript{98} CSM II.41.

\textsuperscript{99} There is evidence that Descartes did indeed desire to apply to the realm of practical action his rules of proper rational conduct. There is a fair amount of dispute as to how he intended to do this, however. For recent discussion of this issue, see Deborah J. Brown, \textit{Descartes and the Passionate Mind} (Cambridge: Cambridge University Press, 2006), and Christofidou, \textit{Self, Reason, and Freedom}, 162-164.
intellect described in Meditation Four to mistake the truth of what it perceives clearly and distinctly, for the intellect is perfect in its own kind. If the will’s action is made to conform to that of the intellect, then it is impossible for uncertainty to appear among the judgments made. Thus the ethics of belief of Meditation Four leaves no room for probability judgments, which are by nature uncertain. According to the rule of Mediation Four assent ought to be given to truth alone. On the assumption above, one may suppose that Locke made the concession to probability judgments precisely in order to render Descartes’ rules for proper rational conduct morally practicable (though whether he was successful in this is not yet decided). It appears that although Locke would enact Descartes’ program, he was at one with Arnauld in appreciating the implications of the strict letter of Descartes’ rules of rational conduct: they are morally impracticable. If, Locke writes, we “had nothing to guide [us] in the absence of clear and certain Knowledge,” then “most of the Actions of [our lives]” would be “perfectly at a stand,” (E IV.xiv.1). From Locke’s perspective, Descartes is too extreme in his quest for certainty: the scope of sin is made precisely to coincide with the scope of error. There thus appears to be a substantive disagreement with Descartes and Locke. When the Discourse and Letters to the Princess of Bohemia are brought into view, the disagreement remains just as substantive, but becomes now more subtle.

2.3.2. Checking the Ambitions of Meditation Four

The assumption being made is that Locke took the evidentialist rule of Meditation Four and applied it in the moral sphere. Descartes’ rule was extreme: assent ought to be given only to truth. The assumption further goes that Locke accommodated this rule to the ethical domain by admitting
probability judgments. But might Descartes himself have qualified, limited, or otherwise checked the ambitions of Meditation Four in an effort to make it applicable to the ethical order? One finds two candidates for such a role. They are the two the provisional moralities of the *Discourse on Method* and the letters to Princess Elizabeth of Bohemia.\(^\text{100}\) As Locke read Descartes, he could have understood the provisional moralities to be in fact checks on the evidentialist principle of Meditation Four.\(^\text{101}\)

The declared purposes of the *Discourse* is to communicate the means whereby Descartes conceived his method for achieving certainty in the sciences, to share some of the results of the application of the method, and to announce his plans for future applications of the method. In Part One of the *Discourse*, Descartes recounts his disappointment in the education he found in the books available to him, the schools he attended, and the world at large. His criticisms are straightforward. None of the three means of education provided the clear, certain, and useful knowledge he desired. Part Two offers an explanation as to why his education failed. Just as cities that are constructed over the course of many years are “usually ill-proportioned,” with a “tall [building] here, a small one there,” and streets that are “crooked and irregular,” so too is learning that is constructed in the same way. And so, just as it appears that it is “chance, rather than the will of men using reason” that produces such cities, it seems that it is chance rather than reason that produces such learning. Descartes illustrates the same point with an analogy to legislation: just as laws that are written and amended as the times necessitate do not govern so well as simple laws written by a single legislator, learning that is produced haphazardly is not so solid as learning made from a single method.

\(^{100}\) CSMK III.97.

\(^{101}\) Descartes appears to make an admission of probability judgments in Meditation Six, but it is too slight to merit attention here.
Accordingly, learning “based upon merely probable, not demonstrative, reasoning . . . never comes so close to the truth as the simple reasoning which a man of good sense naturally makes concerning whatever he comes across.”102 If he was to come to clear, certain, and useful knowledge, Descartes thus reasoned, it would be necessary no longer to build his own thoughts “upon principles that I had accepted in my youth without ever examining whether they are true,” but instead upon a secure foundation “which is all my own.”103 The cause of the failure of the education thus understood, Part Two continues with a statement of the method that would secure him clear, certain, and useful knowledge. The first rule of the method is, “Never to accept anything as true if [one does] not have evident knowledge of its truth.”104 The epistemic behavior that this rule recommends appears identical to the epistemic behavior that the ethics of belief of Meditation Four commands.

The architectural metaphors of Part Two are continued in Part Three. Those who rebuild their house must not only first demolish it and provide the materials and plans for the construction of a new one; they must also find themselves temporary lodging. Similarly, Descartes cannot simply throw out all his beliefs and live entirely without beliefs until he completes his project: “Lest I should remain indecisive in my actions while my reason obliged me to be so in my judgments, and in order to live as happily as I could during this time, I formed for myself a provisional moral code.”105 Since the methodological requirements of Discourse Part Two and the epistemic ideals of Meditation Four demand essentially the same epistemic behavior, the check that the provisional morality sets on

102 CSM I.116-17.
103 CSM I.117-18.
104 CSM I.120.
105 CSMI.22.
the application of the method can also be understood to set a check on compliance with the ethics of belief of Meditation Four.

Locke permitted probability judgments, because he recognized that compliance with the demand that assent (and hence action) be given only to what can be known with certainty entails that one must spend most of one’s life at a standstill. Descartes gives two reasons why a provisional morality must be taken up: first, because one should not remain indecisive (and hence also inactive), and second, because one’s own happiness depends on one’s having taken up beliefs. Locke and the Discourse are in agreement so far as action and decision is concerned. Locke makes no mention of happiness when he recommends turning to probability, but this is perhaps a difference of little significance. Locke and Descartes, then, agree that strict conformity of assent to certainty is impracticable, and they agree that a concession must be made to alternative grounds of belief. Yet while Locke turned to probability, Descartes turned to a provisional morality. Thus the question: What difference accounts for the fact that Locke turned to probability and Descartes to a

106 In other places Descartes gives other reasons for why he crafted his provisional morality. In the Conversation with Burman, Descartes says that “he was compelled to include [the rules of the provisional morality] because of people like the Schoolmen; otherwise they would have said that he was a man without any religion or faith and that he intended to use his method to subvert them.” René Descartes, Conversation with Burman, trans. John Cottingham (Oxford: Clarendon Press, 1976), 49. In a letter of April or May 1638 to Henricus Reneri (for Pollot), Descartes explained the provisional morality of the Discourse, remarking that he “was forced to speak of firmness and resolution in action,” lest “people would have objected that such a universal doubt could give rise to great indecision and moral chaos,” (CSMK III.97). The Conversation with Burman was not among Locke’s volumes, and his 1668 Amsterdam edition of Descartes’ letters did not contain this letter to Reneri. While it is entirely possible that Locke knew second-hand that Descartes included the provisional morality only in order to appease would-be critics, the evidence for this knowledge is not there, and so the working assumption must be that Locke was ignorant of these explanations Descartes made of his own work. Accordingly, I assume that Locke’s knowledge of Descartes’ reasons for the provisional morality is limited to what Descartes says about the provisional morality in the Discourse itself.
provisional morality? In addressing this question, attention will be confined solely to the first maxim of the provisional morality, the basic statement of which reads thus: \(^{107}\)

The first was to obey the laws and customs of my country, holding constantly to the religion in which by God’s grace I had been instructed from my childhood, and governing myself in all other matters according to the most moderate and least extreme opinions—the opinions commonly accepted in practice by the most sensible of those with whom I should have to live. \(^{108}\)

At its core, the maxim recommends that when one is in Rome, one should do as the Romans. One can distinguish in this maxim a recommendation to certain secular practices and also a recommendation to certain religious practices. On the one hand, Descartes declares that he will follow the “laws and customs of my country,” but evidently when he says “my country” he does not necessarily mean his home country. He means specifically, “those with whom I should live,” for he repeats this specification twice in the articulation of the first maxim. \(^{109}\) Yet on the other hand, he declares that he will remain true to the faith in which he was raised. For the following reasons I will separate the recommendation to certain religious practices from the recommendation to certain secular practices and give attention only to the latter. First, it is not obvious how Descartes himself

\(^{107}\) The reasons for the restrictions are as follows: The fourth maxim is omitted because, as Richard Kennington explains, “the fourth moral rule is not really a moral rule, but states the goal that underlies the other three rules, namely, to continue to pursue the truth.” On Modern Origins, ed. Pamela Kraus and Frank Hunt (Lanham, Maryland: Lexington Books, 2004), 116. The second and third maxims are omitted from discussion because, following the insight of John Marshall, they are second-order maxims answering to the question of how we ought to do what we ought to do (in lieu of knowing what we really ought to do). Thus the first maxim alone answers the question of what we ought to do in lieu of knowing for certain what we ought to do—which is this issue which I pursue in this chapter (see Section 3.1. above). John Marshall, Descartes’ Moral Theory (Ithaca and London: Cornell University Press, 1998), 5-6, and “Descartes’ Morale par Provision,” in Passion and Virtue in Descartes, ed. Byron Williston and André Gombay, 191-238 (Amherst: Humanity Books, 2003), 194, 220.

\(^{108}\) CSM I.122.

\(^{109}\) CSM I.122.
understood the relationship between these two recommendations. For instance, Descartes evidently practiced his faith even when he lived among those whose laws and customs repressed public practice of Catholicism. Was Descartes acting in conformity to one aspect of the maxim while acting in violation of another aspect? The second, and more compelling, reason to disregard the maxim’s recommendation of certain religious practices is this: it is simply too difficult to say what either Descartes’ or Locke’s religious views really were. The interpretative guidelines stated above therefore recommend glossing over this aspect of the maxim.

Descartes will follow the laws and customs of “those with whom [he] should have to live.” Evidently, even if there should be much wisdom among the “Persians or Chinese,” he will nevertheless take his cue from only those of his time and place. Already Descartes excludes the possibility of any consensus gentium arguments. This advice to form one’s beliefs according to the custom’s of one’s time is qualified in three further ways: he will (1) live according to the prescriptions of the most sensible people, provided that the prescriptions (2) are moderate and (3) do not limit his freedom. It would be slightly inaccurate though not altogether unfair to describe Grotius’s reliance on inherited opinion as a kind of provisional morality, because it

111 CSM I.122.
112 CSM I.122.
113 “—the opinions commonly accepted in practice by the most sensible of those with whom I should have to live,” (CSM I.122).
114 “Where many opinions were accepted, I chose only the most moderate” (CSM I.122).
115 “In particular I counted as excessive all promises by which we give up some of our freedom” (CSM I.123).
recommends certain practices for when strict demonstrative certainty is not to be had: for lack of demonstrative certainty, one may legitimately turn to the opinions of others as a guide to assent in moral matters. Grotius only requires that when one does so, one seek out the overlapping consensus, first of all or nearly all, second, failing a consensus of that, the consensus of the wisest, and finally, failing even that, the opinion of the wisest. Descartes’ turn to inherited opinion is not at all like Grotius’s. The first maxim in the first place excludes as a guide to assent in moral matters the consensus of all peoples both at a given time and across history. Taken with the first qualification, the maxim excludes even the consensus of the people of the narrow region of earth and history one occupies: the (presumably few) sensible alone can function as a guide to assent. Taken with the second qualification, when no consensus is to be found among the sensible, the most moderate opinion is to be adopted. Taken with the last qualification, opinions that require long-term commitment, even if otherwise moderate, are not to be accepted unless merited by the worthiness of some cause. Thus Descartes recommends that one steer the middle course among the sensible people of one’s given country and always retain the flexibility to change one’s mind.

In this way, Descartes does allow a space for judgments that fall quite below certainty, as Locke would do after him, but, as Grotius had done before him, the judgments that fall below certainty are based on inherited opinion. This agreement between Grotius and Descartes is only superficial, however, and several differences are worth indicating. First, unlike Descartes (his ostensible Catholicism notwithstanding), Grotius permitted the possibility of one’s being at variance with the laws and customs of the country in which one resides. The emphasis placed on consensus entails the possibility of rising above the intellectual fashions of one’s day. If Locke found Grotius’s turn to inherited opinion unacceptable, then all the more unacceptable should he find Descartes’.
There is another difference between Grotius and Descartes. It is on the basis of similar reasoning that Descartes and Grotius turned to inherited opinion as a guide to assent: recourse must be taken to something when demonstrative certainty fails. However, if their provisional moralities (again, letting Grotius’s turn to inherited opinion be so called) took different forms, then it must be because of a divergence in the reasoning of Grotius and Descartes. Grotius turned to consensus, because he reasoned that a universal effect, such as common agreement, must be reduced to a common cause, such as the clarity of human nature to the properly functioning human understanding. One sees that a concern for truth is operative in Grotius’s turn to inherited opinion. Although Descartes would declare that “Good sense is the best distributed thing in the world,”\textsuperscript{116} he did not turn to inherited opinion because moral duty was somehow or other clear to human understanding. It seems, then, that no such concern for truth is operative in Descartes’ turn to inherited opinion. His criticisms of his education in Part One and his account of the failure of his education in Part Two betray no belief that moral knowledge is somehow or other clear to human understanding. Descartes’ decision to base his judgment on the opinions of the moderate and sensible of his time betrays an aristocratic temper that appears incompatible with the democratic principle of the work: “the power of judging well and distinguishing the true from the false . . . is naturally equal in all men.”\textsuperscript{117}

This cursory comparison of Grotius’s and Descartes’ turn to inherited opinion yields a striking suggestion: Grotius’s turn was in the interest of truth, whereas in Descartes’ case it was not. Grotius’s willingness to rise above the opinions of one’s locality in moral matters, and his truth-

\textsuperscript{116} CSM I.111.

\textsuperscript{117} CSM I.111.
focused use of overlapping consensus (common effect is traced back to a common cause) have no obvious reflection in Descartes’ use of inherited opinion. Then what are the principles that enable such a difference use of inherited opinion? In the summary of the Discourse given immediately before Part One, Descartes very obscurely remarks that the provisional morality of Part Three contains “some of the moral rules he [had] derived from his method [of Part Two].”\textsuperscript{118} One may freely wonder how the maxims were derived and whether there are maxims other than those named in Part Three, but one then finds only disappointment: The rules are stated, but not the derivation.\textsuperscript{119}

In accordance with the above-stated methodological guidelines, attention must be confined strictly to what is said in the Discourse for in surmising the reasons that might underlie the provisional morality. To begin, let us review the two reasons that prompted the provisional morality.

According to the first, it is a practical impossibility to be without beliefs, for without beliefs one is indecisive and hence inactive. Note that this motive is important enough to be repeated in the statement of the second maxim.\textsuperscript{120} The second reason given for turning to the provisional morality is that opinions are necessary for happiness. Even if it were possible to live without beliefs, one should not want to. It is not altogether clear from these motives what imposes the necessity to adopt beliefs—whether the necessity can be traced back to a necessity to seek happiness, or whether the necessity to seek happiness complements necessities imposed by the structure of human nature

\textsuperscript{118} CSM I.111.

\textsuperscript{119} For an attempted reconstructions of the derivation, see John Marshall, “Descartes’ \textit{Morale par Provision},” and John Marshall, \textit{Descartes’ Moral Theory}.

\textsuperscript{120} CSM I.123: “Since in everyday life we must often act without delay, it is a most certain truth that when it is not in our power to discern the truest opinions, we must follow the most probable. Even when opinions appear no more probable than any others, we must still adopt some.”
(perhaps like Locke, Descartes saw pure unbelief as a cognitive impossibility) or of human existence (as finite, fragile creatures, we have to act, and hence have to believe). Whatever the explanation, each reason is pragmatic in character: we have no real choice but to believe, whatever the evidence for belief may be, and regardless of whether there happens to be good evidence available. Thus the provisional morality of Descartes has a pragmatic basis.\textsuperscript{121}

The reasons behind the above three qualifications Descartes makes to the first maxim are also pragmatic. Eligible guides for assent are restricted to the opinions of the country in which one happens to reside, because it is there that one has to live. It is precisely for this reason that the wisdom among the Persians or Chinese (or anybody else for that matter) is not admitted—Descartes is not living among them. Were Descartes’ provisional morality shaped by a concern to acquire the truth, then we could reasonably expect Descartes to be welcoming of the opinions of the Persians and Chinese; yet he is not. In the next place, only the opinions of the sensible are admissible, because Descartes “was sure [he] could do no better than to follow these.”\textsuperscript{122} Presumably one follows the sensible because they know best how to navigate their time and place, rather than know best how to live as a human being. As a further qualification, the sensible opinion to be followed is

\textsuperscript{121} Opinions on this point vary. Marshall rejects a pragmatist interpretation of the first maxim, for the pragmatist, says Marshall, “give[s] up on the plain man’s commitment to a correspondence theory of truth and the realist metaphysics that goes with it,” but Descartes “is a realist and an epistemological optimist with a correspondence theory of truth,” so “he must reject the pragmatist conception.” Marshall, “Descartes’ Morale par Provision,” 203 and 219. Vance G. Morgan, Foundations of Cartesian Ethics (Atlantic Highlands, New Jersey: Humanities Press, 1994), 107 argues that the first maxim fills the space that would be occupied by a definitive morality based on indubitable foundations, and hence must have an evidential motivation rather than pragmatic. Steiner, Descartes as Moral Thinker, takes the view that the first maxim is ultimately theologically rooted. Given the three qualifications Lock makes to the provisional morality, I find it hard to believe that the first maxim is not at its core pragmatic. For the pragmatic reading of Descartes’ provisional morality, see Richard Kennington, On Modern Origins, 105-122, especially 115.

\textsuperscript{122} CSM I.123.
the moderate opinion, because “excess [is] usually bad,” and because in choosing the middle course one “depart[s] less from the right path.” But the “right part” has already been relativized. It is not the path of absolute uprightness. It is the path that navigates one through one’s time and place. In other words, it is the path of least controversy. Long-term commitments are excluded, because “nothing in the world . . . remains[s] always in the same state,” and so such commitments may bring ruin when the times change. Our minds must not remain flexible because commitments and convictions are dangerous enemies of the truth, but rather because the times change and inflexibility can be painful. Therefore recourse is taken to locally inherited opinion not because it is a potential storehouse for moral truths, a backup when one knows not what to do, but rather as a means of providing a secure shelter while one constructs a new science. One turns to it to avoid immediate dangers, rather than to gain solid epistemic ground in acquiring ultimate moral truths. What comes to light under analysis of Descartes’ provisional morality is a great unconcern for moral knowledge. Descartes’ provisional morality does not counsel strategies for using inherited opinion to put one in more ideal epistemic position. The provisional morality of the Discourse takes the shape it does because of purely pragmatic considerations. Grotius’s use of inherited opinion was also motivated by pragmatic considerations: moral deliberation can be difficult, and time may be too short to permit it. Yet Descartes’ pragmatic considerations are quite different than Grotius’s. Thus we can say the following about Descartes’ turn to inherited opinion, Grotius once again serving as a point of comparison. From Grotius’s perspective, strict adherence to evidentialism jeopardizes epistemic ends: too strict an adherence to it closes one off to vital truths at urgent times. But from Descartes’ perspective, it jeopardizes pragmatic ends: too strict an adherence to it closes one off to vital goods.

123 CSM I.123.
The above analysis has assumed, though not without reason, that there is a logical connection between the provisional morality of the *Discourse* and the ethics of belief of Meditation Four: the provisional morality checks the ambitions of the ethics of belief. Against the trajectory of this analysis it might be objected that the provisional morality of the *Discourse* could not perform such a function, because, according to the chronology of the *Discourse*, the meditations recorded in the *Meditations* took place nine years after Descartes conceived his method and therewith the provisional morality of the *Discourse*. The lasting significance of Descartes’ provisional morality is secured, however, through Descartes’ letters to Princess Elizabeth, which were written after the *Meditations*. In his 4 August 1645 letter to the princess Descartes states three moral rules sufficient for “supreme contentment” in this life, which he identifies with the maxims of the *Discourse*. The second and third maxims from the *Discourse* are repeated with some modification, but the first maxim of the *Discourse* is written altogether anew in the letters and, given what was said in the *Discourse*, with astonishing brevity. It reads: “The first is that he should always try to employ his mind as well as he can to discover what he should or should not do in all the circumstances of life.” As a rule for “contentment,” the pragmatic character of the maxim appears to be retained. With the Stoic character of the letters in general, it seems fair to suppose that moral uprightness, as opposed to psychological well-being—and therewith the rules that occupied Grotius and, so it appears, Locke—was not Descartes’ especial concern.

The first maxim of the morality given to Princess Elizabeth can bear either of two relations to the provisional morality of the *Discourse*. One might hold that in the time between the conception

---

124 CSMK III.257.

125 CSMK III.257.
of the provisional morality of the *Discourse* and the letters to the princess, Descartes had found how to dispense with the first maxim of the *Discourse*. The morality of the *Discourse* is after all *provisional*, so one would expect it sooner or later to be replaced. The letters might, then, supplant the *Discourse*. In fact, I wonder whether the fourth maxim of the *Discourse*’s provisional morality became the first maxim in the letters to the princess, and that the fourth was forgotten. Assuming this relationship, one might expect that the provisional morality is not intended to suspend the evidentialist principle of Meditation Four as the provisional morality of the *Discourse* can be taken to be. Alternatively, the first maxim of the *Discourse* might be understood as a special case of the first maxim of the letter to the princess: sometimes reason advises one to turn to inherited opinion in the manner described in the *Discourse*, but sometimes not. On this view, the letters supplements the *Discourse*. Assuming this relationship, the provisional morality of the letters might still be intended to suspend the evidentialist principle. There is no easy way to settle between these two interpretations, without introducing speculations that would very likely lead us away from out target, which remains Locke’s reaction to Descartes. Importantly, the pragmatic necessity to suspend the evidentialist principle of Meditation Four remains an option.

---

126 Morgan, *Foundations of Cartesian Ethics*, 39 cautions against this interpretation, however.

127 The status of at least one maxim is ambiguous already in the *Discourse*. “I formed for myself a provisional moral code consisting of just three or four maxims,” (CSM I.122; my emphasis).
2.3.3. Locke against Descartes

For reasons stated in the introduction to this section, Descartes and Locke cannot easily be set into direct dialogue on this specific point of reasons to suspend the evidentialist principle. Both are too discreet as writers. What can be done, however, is set up an array of possible ways the evidentialism of Locke relates to the evidentialism of Meditation Four and the various possible checks Descartes makes on it. Even with an array of possibilities, the presuppositions of Locke’s ethics of belief can come into view.

There are two main ways that Locke could have understood the (possible) provisional moralities: either he did not take the provisional moralities to check the evidentialism of Meditation Four, or Locke did take the provisional moralities to check the evidentialism of Meditation Four, but he thought that the check it did provide was excessive. There are several occasions for Locke to take the first alternative: (A) Locke simply did not see that the provisional moralities suspended the evidentialism of Meditation Four. The connection was simply never made. (B) Locke understood the provisional moralities of the letters to supplant that of the Discourse, and, moreover, thought it voided the Discourse’s suspension of the evidentialism of Meditation Four. (C) Perhaps Locke did know of those texts where Descartes declares that he included a provisional morality only in order to avoid controversy and to assuage potential critics. In both (B) and (C) Locke understood that the evidentialism of Meditation Four was to be extended into the ethical domain, but held that the provisional moralities were not the ways of making this accommodation. There is another option still: (D) Locke took Descartes’ statements in Part Two of the Discourse as his bearing, rather than Part Three. “[P]robable, not demonstrative reasoning,” Descartes writes, “never comes so close to
the truth as the simple reasoning which a man of good sense naturally makes concerning whatever he comes across.\footnote{CSM I.116-17.} The “probable” reasoning that Descartes speaks of here, as is clear from the context, is the reasoning on the basis of inherited opinion. Locke simply interpreted this in an extreme way: no probable reasoning of either sort—neither of Grotius’s or of Descartes’ provisional morality—should be employed as a guide to assent in moral matters.

The second main possibility in the array is that Locke could have recognized the provisional moralities of the Discourse and the letters were intended to check the ambitions of the evidentialism of Meditation Four. However, Locke found the check excessive, dangerous, or in some way unpalatable. There are also a couple of invitations for this interpretation. (E) Locke’s antipathy for inherited opinion, which we encountered already in his confrontation with Grotius, rendered the provisional morality of the Discourse too unpalatable to be entertained. After all, it appears that Descartes’ reliance on inherited opinion would be more offensive to Locke than that of Grotius’s was, for Descartes recommended that one confine one’s judgment to one’s time and place—and all the errors with it—whereas Grotius at least allowed the errors of one’s time and place to be corrected by the wisdom of other times and places. If Grotius’s use of inherited opinion was unacceptable, then all the more unacceptable should be Descartes’. Locke’s use of a (possibly) pragmatically problematic ethics of belief is less of an evil than Descartes’ provisional morality. (F) As a less extreme reason: The provisional morality presents the reader of the Meditations with a contest between evidential ideals and pragmatic goods, and it declares that in the contest between the two, pragmatic goods must take pride of place to evidential ideals. It follows from this concession to pragmatic goods that pragmatic considerations—the structure of human existence,
human fragility, and so on—must be allowed to have a say in belief formation, even if these reasons are not necessarily truth-oriented. Locke could have recognized such a contest and he could have given precedence to pragmatic reasons. He did not.

On the present analysis, no one of the possible reactions to Descartes can be shown to be the actual, and on the basis of reasons already given I am doubtful the effort can be convincingly accomplished. All the same, the array of possibilities allows us to hazard possible explanations for Locke’s divergence from Descartes. Should any of the possibilities in the array be actual, then it seems fair to conclude that Locke was unmoved by the pragmatic considerations Descartes put forward. Given the considerations one finds in Descartes, this means that the structure of human existence—frailty, ignorance, neediness, the difficulty of demonstrative knowledge—do not justify a turn to inherited opinion as Descartes recommended. Interestingly, the structure of human existence does not, then, justify a turn to inherited opinion as Grotius used it either. Between Grotius and Descartes, then, Locke rejected inherited opinion as either evidence or as a pragmatic aid. But if Locke did this, it must be because he held that probability judgments are sufficient as guides to action: the individual reason is not in need of assistance of collective intelligence and inherited wisdom. Yet if Locke’s evidentialism does not so compete with epistemic or pragmatic goals that substantial revisions or suspension of it would be warranted, then Locke must have had a confidence in the individual power of reason well beyond what one finds in either Grotius or Descartes. This can only mean that knowledge of what one ought to do is, on Locke’s view, in some way clear or readily accessible to the unaided human intellect.
2.4. Pascal’s Existential Rejection of the Evidentialist Imperative

Quite unlike Grotius and even Descartes, Blaise Pascal is a prominent figure in the contemporary literature on the ethics of belief. He and the more contemporary William James are the two great thorns in the evidentialist’s sides, for they argue powerfully (and for some scandalously\textsuperscript{129}) for pragmatic reasons for believing (or cultivating belief). Pascal’s Wager in particular reads like an extravagant rejection of evidentialist principles. Surprisingly, then, one detects in Locke’s reaction to Pascal none of the antagonism that flavored the dispute between W. K. Clifford and James. By all appearances, in fact, Locke had nothing other than great admiration for Pascal. Locke’s edition of Pascal’s \textit{Traité de Triangle arithmetique} was given a special mark of distinction\textsuperscript{130} and his edition of the \textit{Provincial Letters} bore the same “secret sign” that Descartes’ \textit{Opera philosophica} did.\textsuperscript{131} Among Grotius, Descartes, and Pascal, Pascal had the unique distinction of being

---


\textsuperscript{130} See Harrion and Laslett, \textit{John Locke’s Library}, 204 for Locke’s entry and 40 for Laslett’s conjecture as to the meaning of the mark.

\textsuperscript{131} See 73 above. It might at first appear odd that a theological dispute between Jansenists and Jesuits could stir much interest in Locke, a man who famously refused to extend toleration to Catholics, (possibly) plotted assassination in order to prevent a Catholic from assuming the English throne, and even regarded Catholicism as a ‘French disease’. (For that last point, see James Tully, \textit{An Approach to Political Philosophy}, 290.) The fact is, however, the \textit{Provincial Letters} was an enormous international and trans-denominational success, and they secured Pascal’s reputation well before his mathematical, scientific, and later apologetic works became widely known and acclaimed. See John Barker, \textit{Strange Contrarities: Pascal in England during the Age of Reason} (Montreal: McGill-Queen’s University Press, 1975), Chapter One.
mentioned in the *Essay*: he served as an example of extraordinary mental powers. Furthermore, the eagerness with which the Royal Society awaited information of Pascal’s scientific and mathematical work doubtlessly rubbed off on Locke. Finally, to round it off, Locke held Pascal’s peers at Port-Royal in the highest esteem, and translated three of Pierre Nicole’s moral essays and described Nicole’s and Antoine Arnauld’s *Logic, or the Art of Thinking* as the most accomplished work of its kind.

Locke found himself in France in 1676 and it was there that he read the *Pensées* for the first time. A journal entry of 29 July 1676 indicates that he had been drawn in particular to what is now known as Pascal’s wager. A version of this argument would later be included in the *Essay*.137

---

132 *E* II.x.9: “‘Tis reported of that prodigy of Parts, Monsieur Pascal, that, till the decay of his health had impaired his memory, he forgot nothing of what he had done, read, or thought in any part of his rational Age. This is a privilege so little known to most Men, that it seems almost incredible to those, who, after the ordinary way, measure all others by themselves: But yet, when considered, may help us to enlarge our thoughts towards greater Perfections of it in superior ranks of Spirits. For this of Mr. Pascal was still with the narrowness, that human Minds are confin’d to here, of having great variety of Ideas only by succession, not all at once.”


135 Paul Schuurman, *Ideas, Mental Faculties and Method*, 50 note 61.

136 John Locke, *An Early Draft of Locke’s “Essay,”* 81-82. In his 8 February 1677 journal entry one finds that thirty pages “were devoted to a number of reflections upon the limits of human reason,” and were clearly written under the influence of Pascal. Pascal’s wager and his estimation of human frailty appear to be the two main influences on Locke. Other influences can be hazarded, but the evidence for them is not so clear. See Barker, *Strange Contrarities*, 47-56; I quote from 52.

Pascal uses his wager to motivate theistic belief and Locke uses his wager for largely the same purpose. In his presentation of his wager, Pascal acknowledges and challenges the evidentialist principle that would later sit at the foundation of Locke’s ethics of belief. Pascal’s wager is therefore a most direct challenge to Locke’s program. Unless Locke simply contradicts himself (and as we will see, there is no good reason to suppose this), Locke’s evidentialism is worked into his wager. The contrast of Locke with Pascal therefore should be most revealing of the presuppositions of Locke’s ethics of belief.

In order to see how Locke maintains his ethics of belief while he at the same time incorporates Pascal’s argument into his own moral theory, it is necessary to discover what changes Locke makes either (1) to Pascal’s argument, (2) to Pascal’s assumptions in that argument, or (3) to the specific moral purpose of the argument. In what follows I will analyze the wager of Pascal and then that of Locke in order to ascertain the specific terms of the gambles present by each thinker. The differences in the terms of the argument will reveal the disagreement between Locke and Pascal amid the like use of a wager argument. Pascal’s terms are these. First, unaided human reason is unable to decide whether God exists. Second, God either exists or God does not exist; there is no middle. Third, the existence of God is inextricably bound up with the right way of living, such that to decide about God’s existence is at the same time to decide about how one ought to live. Fourth, the question of God’s existence cannot be avoided, postponed, or deferred. One turns to the wager as a means of satisfying an epistemic need with pragmatic reasons, for no standard of (epistemic)

note 50. Nicole and Arnauld’s Logic ends with a wager, and the similarity between the form of the wager found here and the one found in An Essay seems to have led Jeff Jordan to speculate that Locke took his argument from this source. Jeff Jordan, Pascal’s Wager (Oxford: Clarendon Press, 2006), 31.Locke’s journals make it clear, however, that it was Pascal’s version of the argument that impressed him most of all.
evidence is able to determine whether God exists, nor, therefore, how to live. On these terms, then, then wager is an aid to assent in moral matters. For Locke, however, the wager is not used to satisfy any such moral or epistemic need. Locke employs the wager rather for a psychological end. As we will see, it is not a tool for “discovering” what one should do when the evidence is to no avail. Rather, it is a tool for motivating conformity to correct moral rules already known. In other words, Locke rejects the first term of Pascal’s wager. Locke’s wager does not serve one and the same purpose as Pascal’s wager.

Before proceeding I make one methodological remark. In the following comparison between Locke and Pascal, the only thoughts of Pascal that will receive attention are those that one finds in the section of the *Pensées* that contains the wager. While it is likely that Locke read more than just this section, the evidence is not forthcoming about how much Locke read in Pascal and about how Locke reacted to Pascal; one can be confidence only that Locke read the wager and was highly influenced by it. Accordingly, the effort in the following subsections will not be to arrive at the historically true Pascal. The effort instead will be to arrive at a picture of Pascal that one can reasonably expect Locke to have seen.

2.4.1. The Text of Pascal’s Wager

Before the analysis can begin, some words must be given to the text of Pascal’s wager that Locke had access to. Locke acquired two editions of Pascal’s *Pensées*. In terms of content and order
of thought, there is no difference between these two editions.\textsuperscript{138} These editions, however, are quite
different from the contemporary editions by Lafuma or Sellier. When Pascal died, he left an
assortment of bundles of notes and no clear indication as to how these notes were to be arranged
and assembled into a coherent whole. These notes would be edited and published as the \textit{Pensées}, but
the guiding editorial decisions changed drastically over the past three hundred and fifty years. The
first editor of Pascal’s notes, Pascal’s own nephew Etienne Périer, attempted to avoid two dangers.
On the one hand, the notes could not be published as they were found, for fear that a chaotic
jumble of thoughts would undermine the apologetic effort the notes were ultimately intended to
serve. On the other hand, order could not be imposed on the notes externally, for fear that the end
product would not faithfully represent Pascal’s thought. In the end, Périer took a middle course: he
grouped related notes into sets of reflections, and published as the \textit{Pensées} a collection of reflections
on various themes.\textsuperscript{139} For instance, in the 1679 Lyon edition of the \textit{Pensées}, the wager is found under
the section heading “Qu’il est plus avantageux de croire que de ne pas croire ce qu’enseigne la
Religion Christienne,” while in modern editions the wager is introduced merely with the enigmatic
phrase “Infini rein.” Périer’s editorial practice persisted until the twentieth cent
ury, and as a result
there is a great difference between what we read today and what Locke read: with respect to the
wager specifically, about 50\% of the text that Locke read is retained in modern editions, but less
than 30\% of the text that is published in modern editions is found in the editions Locke would have

\textsuperscript{138} Locke possessed a copy of the 1678 Paris edition and a copy of the 1675 Lyon edition of
the \textit{Pensées}. My statement is based on an examination of a copy of the 1683 Paris edition and the
1679 Lyon edition of the \textit{Pensées}.

\textsuperscript{139} For further details see Roger Ariew, “Introduction,” in Blaise Pascal, \textit{Pensées}, edited and
In what follows, I will compare the wager in Locke’s *Essay* to the wager published in the 1679 edition of the *Pensées*, which has been reproduced in Appendix A.

### 2.4.2. The Logic of Wager Arguments

Now a word about what a “wager argument” is. The wager is not any one, single argument, but rather a family of arguments. In fact Pascal himself makes several distinct wagers. To qualify as a member of the family of Pascal’s Wager, an argument must possess the following three features.

First, the argument must be used to make a decision under a state of uncertainty, or in other words, the argument must decide which course of action to take when it cannot be known what state of affairs will obtain. The argument must be pragmatic with the structure of a gamble. Translated into the terms of this study, the argument guides assent in moral matters when there is no evidence available. Second, the argument must be one in which the outcomes or results of one course of action (whether it be to believe or to do) swamps the outcomes or results of all other...
available courses of action. Typically, this swamping property is so great that it renders the likelihood of the different courses of action irrelevant for making the decision of what to do. Third, the argument concerns decisions about something of great consequence. The popular sensation and scare not long ago surrounding CERN’s Large Hadron Collider illustrates this argument type: it is not known with certainty what the consequences will be of the use of the LHC, and while there is a great likelihood that scientific knowledge will be advanced in some way, there is also a non-zero probability that a world-consuming black hole will result from its use (first feature); scientific advancement pales in comparison to the destruction of the earth and all life on it (second feature); and so its use may have consequences of ultimate importance (third feature). The risk of danger is so great that prudence counsels that the LHC should not be used. Simply put, “As long as one’s argument is pragmatic in nature, with the swamping property, and it has to do with something of an ultimate concern, one is using an argument form due to Pascal.”

In this way the wager can function as a means of deciding what to do in the ignorance of what is ultimately the case.

Members of the wager family are distinguished by the epistemic conditions under which the bet is made and then by the principles used to decide the bet. Decisions made in ignorance of what is the case come in two kinds: “decisions-under-risk,” where probabilities can be assigned to various states of affairs that can obtain, and “decisions-under-ignorance,” where such probabilities cannot be assigned. In a decision-under-risk, the principle that decides the bet is straightforward: choose the course of action that has the greatest expected payoff. In a decision-under-ignorance, where

---


144 Jordan explains, “According to the Expectation rule, for any person S, and any number of alternatives, α and β, available to S, if α has a greater expected utility than does β, S should choose α. One calculates the expected utility of an act φ by (i) multiplying the utility and probability of each
straight calculation is of no use, there are a variety of rules that may decide the gamble. Perhaps one finds it most prudent to elect that action whose payoff is greater than the payoffs of all other actions, regardless of the consequences of loss; or perhaps one thinks prudence requires stipulating in addition that the negative consequences of a course of action are never worse than those of the alternative courses of action.

Wager arguments can occur in a variety of contexts and serve a variety of purposes. The contexts and purposes of Pascal’s wager and Locke’s wager appear to align almost exactly. Both are made in the context of uncertainty about how to live, and both concern the existence of God. Since the present concern over Pascal’s and Locke’s wagers is not with the logic but rather with the conditions of the wager, the specific decision rules employed by Locke and Pascal can safely be left aside. The focus will be on how Locke and Pascal set up and motivate their respective gambles.

2.4.3. Pascal’s Wager

As the heading of the section featuring the wager in the 1676 Lyon Pensées indicates, the wager is made with the intention of cultivating religious faith. The text in this edition first gives reasons (which are pragmatic) for why one should try to take up faith, and then immediately states the practices one should undergo to acquire faith. These reasons are presented in the form of a

outcome associated with \( \phi \), (ii) subtracting any respective costs, and then (iii) summing the totals.”

Pascal’s Wager, 11-12.

145 Although elected decision rules reveal the character of the one making the argument, there is only a marginal difference with respect to the decision rules used by Locke and Pascal. See McClennen, “Pascal and Finite Decision Theory,” 133-34n6 and 135n9, and Jordan, Pascal’s Wager, 31-32. For a catalogue of possible decision rules, see Jordan, Pascal’s Wager, 10-16.
dialogue between a believer (who I take to be Pascal) and a libertine. In the dialogue Pascal responds to the libertine’s objections to faith one after the other.

The dialogue begins with a few reflections on the nature and the knowability of the infinite in number: we know that an infinite in number exists; we know that the addition or subtraction of any number of units to it does not change its nature; and we know that it is neither even nor odd, a fact that Pascal says shocks the understanding.\textsuperscript{146} Two things follow from these reflections. First, we do not need to understand a thing’s nature in order to understand that it exists. Second, should there be a God, our understanding is not necessarily adequate to all the things pertaining to God.\textsuperscript{147} The dialogue makes it clear that these reflections are motivated by the libertine’s denial that we can know God’s existence by reason.\textsuperscript{148} Pascal does not deny the libertine’s contention that human reason is inadequate to God’s nature and existence, though he does not necessarily affirm it. In doing this, Pascal allows the libertine to set the terms of the debate, and the terms state that human reason is and must be silent about God’s existence.\textsuperscript{149} However Pascal denies what the libertine hopes would follow from this fact, namely, either that God does not exist, or that belief is vain. These reflections in place, Pascal confronts the libertine with a dilemma: although we certainly

\textsuperscript{146} P 1-13.

\textsuperscript{147} P 2-3: “Le fini s’anéantit en présence de l’infini, et devient un pur néant. Ainsi notre esprit devant Dieu ; ainsi notre justice devant la justice divine.”

\textsuperscript{148} P 16-17, 20-21: “Je ne veux agir avec vous que par vos principes mêmes . . . Vous dites donc que nous sommes incapables de connaitre s’il y a un Dieu.”

\textsuperscript{149} The dialogue with the libertine does not commit Pascal to the view that human reason is incapable of knowledge of God. However, Pascal’s “reasons of the heart,” which appear in the section in which the wager appears, show that Pascal was rather pessimistic of the abilities of unaided human reason.
cannot know that God exists, we certainly know that either God exists or God does not. \footnote{P 21-22: “Cependant il est certain que Dieu est, ou qu’il n’est pas : il n y a point de milieu.”} This dilemma leads to a question: “La raison, dites-vous, n’y peut rien déterminer. Il y a un chaos infini qui nous sépare. Il se joue un jeu à cette distance infinie, où il arrivera croix ou pile. Que gagerez-vous?” \footnote{P 23-25.} Thus two conditions of the wager are explicitly established. First, reason is unable to settle the question of God’s existence with a demonstration one way or the other—we are in a state of ignorance with respect to God’s existence. Second, there are only two ways of deciding the issue, an affirmation of God’s existence or a denial. The second establishes the partition of the gamble.

The libertine responds to Pascal by denying that there is any need to come to a decision. It appears that the libertine agrees that were it necessary to come to a decision, then one would have to decide either that God exists or that God does not. But the libertine contends that is not necessary to come to a decision. In making this denial, the libertine invokes the evidentialist principle. He says, “mais je les blâmerai d’avoir fait, non ce choix, mais un choix : et celui qui prend croix, et celui qui prend pile ont tous deux tort: le juste est de ne point parier.” \footnote{P 28-30.} If reason cannot settle the issue, and if there is no evidence to point one way or another (and so far in the dialogue no evidence is presented that should lead the libertine in one direction or another), the right thing to do is to refrain from wagering. One should assent, the libertine holds, as the evidence determines. When the evidence is silent, one should refrain from assenting.

Pascal responds by contending that the evidentialist principle cannot be applied to questions of God’s existence. “Oui,” Pascal writes, “mais il faut parier; cela n’est pas volontaire; vous êtes
embarqué ; et ne parier point que Dieu est, c’est parier qu’il n’est pas.” He does not explain why one must make this decision, and the libertine does not quarrel. Instead, the libertine concedes Pascal’s point, and Pascal continues with the presentation of the wager. The reasons why the evidentialist principle must be suspended are made clearly only after Pascal’s reply and the libertine’s acquiescence. The impossibility of remaining neutral to the question of God’s existence stems entirely from the concept of God that is in play in the gamble: it is the God of Christian theism. To remain neutral about the existence of this God is tantamount to acting as if God does not exist. When this concept is in play, to decide about God is necessarily bound up with the decision about how to live, and to make a decision about how to live entails taking a stand with respect to God’s existence. Since it impossible to remain neutral about how to live, it is impossible to remain neutral about God’s existence. Pascal gives the most attention to this point, though again, after the Libertine has acquiesced. These considerations set up the third term of the gamble that is Pascal’s wager: it is not possible to refrain from making a decision about God’s existence. The question of God’s existence is therefore not only of great importance; it is of paramount urgency as well.

Having established that reason (regardless of whether it is demonstrative or probabilistic) cannot settle the God-question, that there are only two ways of answering this question, and that there is no avoiding it, Pascal commences with the wager. No comments need be made on the

---

153 P 31-32.

154 P 35-39.

155 P 35-57.

156 Part of Pascal’s effort in P 35-57 is also to show that it is not irrational to decide when the evidence is absent. To do this, Pascal appeals to common practice. This dimension of his argument is unimportant for the present analysis.
wager itself, but the conditions do warrant further comment. Pascal is distinguished from Grotius and Descartes through the effect of the first condition, the effect of the third condition, and the combined effect of the first and third conditions. The claimed incapability of reason to answer the question of God’s existence sets Pascal apart from Grotius and Descartes—Grotius had his *De veritate religionis Christianae* and Descartes had his *Meditations*. The third condition of Pascal’s wager tightly connects the question of God’s existence to the question of the right way of living into a relationship of mutual entailment and commitment: the decision about God’s existence entails a decision about how one ought to live, and a decision about how one ought to live entails a decision about God’s existence. There is no evidence in the works of Grotius and Descartes examined above that they also held to such a commitment thesis between the decision about God’s existence and the decision about how to live.\(^{157}\) Descartes’ provisional morality had little to do with God, and it does not make for a cynical reading of that morality to suppose that were Descartes not raised in a local religion, religion would not have been mentioned. In Grotius’s work, there is not only no evidence

\(^{157}\) Grotius and Descartes appear not to have accepted this thesis, in spite of the fact that the thesis seems to stem from Christian theism, to which both at least ostensibly subscribed. It is hard to see how this thesis could arise when an Epicurean or Aristotelian conception of God is brought into play. Pascal’s admittance of the Christian theistic conception rather than other conceptions is the most obvious weakness in Pascal’s wager, and is the source of much dispute in Pascal scholarship and the use of pragmatic arguments for God’s existence generally. In the scholarship and philosophical literature, this is known as the many-gods objection. No serious reader of Pascal thinks Pascal didn’t recognize the need to defend the conception of God at work in his wager argument. However, there is wide dispute regarding how Pascal addressed this need. There are two major camps. Jeff Jordan, for instance, believes that the Wager is designed to show the irrationality of atheism, agnosticism, or any other version of non-theism, gods granted or not, and the prudential superiority of some kind of theistic religious belief. The libertine converted to some kind of theism by the wager, Pascal would then provide supplemental arguments to show that Christianity is the most plausible of theistic views. Jeff Jordan, *Pascal’s Wager*, 26-29. Leslie Amour takes the opposite view: in advance of the Wager, Pascal would have argued that, on the evidence, Christianity is more likely than the alternative religious views. This fact would then set up the partition of the gamble. Leslie Amour, “*Infini Rien*”: *Pascal’s Wager and the Human Paradox* (Carbondale and Edwardsville: Southern Illinois University Press, 1993).
to suppose that there is a strict logical relationship between God’s existence and one’s moral duty; there is evidence to suggest that Grotius denied any such relationship: “And indeed, all we have now said [about the natural law] would take place, though we should even grant, what without the greatest Wickedness cannot be granted, that there is no God, or that he takes no Care of human Affairs.”¹⁵⁸ One is thus invited to suppose that one could rightly decide about one’s moral duty while deciding against God’s existence.

When the claimed inability of reason to decide about God’s existence is combined with the view that the decision about God’s existence entails a decision about one’s moral duty and vice versa, then it follows that reason is also incapable of deciding about one’s moral duty. This entails a more radical suspension of strict evidentialist practices of belief formation than we find in Grotius and Descartes. Evidentialist practices of belief formation are not suspended because they are deemed impracticable; they are rejected because they are in this case impossible. This stands in very sharp contrast to Grotius and Descartes, who each maintained the hope that knowledge of how one ought to live was within the reach of reason. Grotius was confident that the principles of the moral law were within the properly functioning understanding, and his consensus gentium argument was premised on that confidence. As for Descartes, his provisional morality was provisional, and he was certainly no Montaigne. Descartes does not concede—if he concedes to anything—to an incorrigibly weak reason, but to rough, undisciplined, and very much corrigible reason.¹⁵⁹ Pascal’s rejection of the evidentialist principle is absolute and part and parcel of his wager. So if Locke would employ a version of Pascal’s wager, how does he keep himself from the same commitment

¹⁵⁸ Prol §41.

¹⁵⁹ CSM I.111.
thesis and the same views about the inadequacy of evidence and reason to issues of ultimate “concernment”?

2.4.4. Locke’s Wager

Locke will deploy his own version of Pascal’s wager. Like Pascal’s, it will concern moral action and God’s existence. Clearly, therefore, if Locke sets up his wager in the way that Pascal set up his wager, then Locke must abandon the evidentialist principle of his ethics of belief. We know that Locke will relax the strictures of his ethics of belief in matters of unimportance, but we also know that such matters could not be those that pertain to God or morality, for as we saw above, God and morality were our greatest “concernment.” Consistency requires that Locke applies his evidentialist principle to God’s existence and decisions of great moral “concernment.” Recall that three terms set up Pascal’s wager: (1) it is impossible for reason to settle the question of God’s existence; (2) God either exists or does not—there is no third option; (3) the decision about God’s existence entails a decision about how to live and vice versa; and (4) the decision about God’s existence cannot be avoided, postponed, or deferred.

Locke’s wager appears at E II.xxi.70. This is the tail end of his winding study of power and liberty. Up to this point Locke has argued that humans are moved to act, not by the greater good, but by some present uneasiness; that nature has less to say than custom does regarding the causes of uneasiness; and that humans nonetheless have the freedom, though slight, to engage in practices that change the causes of uneasiness in them. The question naturally arises as to how humans should habituate themselves. Of the three possible rules to which humans can habituate themselves—the
law of opinion, the civil law, and the divine law—the divine law is named “the only true touchstone of moral Rectitude,” (E II.xxviii.8). So it is to the divine law indeed that one should habituate one’s tastes (E II.xxi.56, 70). As with Pascal, moral duty is inextricably bound up with God’s existence. We should conform our pleasures and pains to the law of God, and so cultivate an uneasiness to act according to the law, an uneasiness about breaking the law, and so on. That one should cultivate one’s uneasiness so that it conforms to God’s law is said in the final sections of Essay, II.xxi, and Locke’s wager makes its appearance at E II.xxi.70 as a kind of capstone to the chapter. In that context, it appears as a rational means of inculcating uneasiness regarding the joys and pains of heaven and hell and hence a motivation to act according to the moral law. The logical means the wager uses for accomplishing this is roughly the same in both Locke and Pascal. Infinite goods and evils are set on one side “considered but in [their] bare possibility,” and “whatever Pleasure or Pain this Life can shew” are set on the other. When the two are compared it is “a most manifest

---

160 See E II.xxi.69: “Men may and should correct their palates, and give a relish to what either has, or they suppose has none. . . . Men can make things or actions more or less pleasing to themselves; and thereby remedy that, to which one may justly impute a great deal of their wandering. Fashion and the common Opinion having settled wrong Notions, and education and custom ill habits, the just value of things are misplaced, and the palates of Men corrupted. Pains should be taken to rectify these; and contrary habits change our pleasures, and give a relish to that, which is necessary, or conducive to our Happiness. This every one must confess he can do, and when Happiness is lost, and misery overtakes him, he will confess, he did amiss in neglecting it; and condemn himself for it.”

161 E II.xxi.70: “But whatever false notions, or shameful neglect of what is in their power, may put Men out of their way to Happiness, and distract them, as we see, into so different courses of life, this yet is certain, that Morality, established upon its true Foundations, cannot but determine the Choice in any one, that will but consider.”

162 Locke’s wager makes mention of “that dreadful state of Misery” that those who bet against God and lose must face. Pascal’s does not.
wrong Judgment, that does not presently see, to which side, in this case, the preference is to be given."

Locke’s wager qualifies as a wager argument. Locke “[forbears] to mention any thing of the certainty, or probability of a future State,” so his wager is a decision under uncertainty, like Pascal’s. As the possible outcome of one course of action, “a vertuous life,” (E II.xxi.70) is infinite, the decision concerns a gamble in which one outcome has the swamping property. Finally, the decision concerns our ultimate happiness and duty, so it is a decision about a matter of great importance.

There is no doubt that Locke follows Pascal in the logic of the gamble. To decide against God’s existence is immeasurably foolish, so it is best to decide in favor of God’s existence. In order to maintain his evidentialism, Locke must alter the conditions that set up the gamble; the gamble must address problems other than those Pascal’s gamble addressed, or it must serve a purpose other than that Pascal’s served. Three conditions set up Pascal’s wager. The second condition of Pascal’s gamble was a simple bivalence: God either exists or does not. Locke does not alter this. The third condition of Pascal’s wager was that it was impossible to avoid making a decision about God’s existence, because it is impossible to avoid making a decision about how to live. By all appearances, Locke expresses the same view: To decide about how to live is to take a stand with regard to the law of God, which entails a decision about God’s existence, and to decide about God’s existence is also to take a stand with regard to the law of God, which entails a decision about how to live.

Thus the first condition remains. To part with Pascal, Locke must affirm, contrary to Pascal, that reason is capable of deciding about how to live. The evidence internal to Locke’s presentation of the wager and the evidence that An Essay at large presents suggest so much. Locke avows that reason can discover the existence of God (E IV.x; see also E I.iii.6), and can discover the moral law
by the reckoning of the idea of ourselves together with the idea of God (E IV.xi.13, IV.xiii.3; see also IV.xii.8,11).\footnote{163} If the moral law can be made out by unassisted reason, then one is not compelled to abandon the evidential principle and there is no corresponding necessity to find alternative strategies of belief formation. In other words, his use of the wager is not premised on the failure of evidentialism. There is no need, as there is in Pascal’s version of it, for the wager to satisfy an epistemic need. We can take Locke’s wager to differ from Pascal’s wager, then, in this: Pascal’s wager is premised on reason’s inability to decide about God’s existence, whereas Locke’s is not.

Locke’s use of the wager is not premised on the failure of evidentialism, but it does not necessarily follow that the wager is consistent with evidentialism. As a pragmatic argument, the reasons that the wager makes use of are, so to speak, non-evidential: The considerations at work do not reveal how God’s exists or does not. When Locke considered the rewards and punishments, Locke did not consider them as established facts or even as proven eventualities; he considered them as “bare possibilities.” As these were not proved, but rather were supposed, it is possible that the mere use of the wager could violate his evidentialism. So how must the wager be understood so that the use of it does not violate his ethics of belief? I suggest that whereas Pascal’s wager is intended to play an epistemic role, Locke’s is intended to play a psychological role.\footnote{164} My suggestion

\footnote{163} I take Locke’s natural theological statements to be sincere. Discussion of the sincerity of Locke’s theology occurs in the following chapter.

\footnote{164} It might be objected that Pascal’s wager is also intended to play a psychological role: it is intended to generate belief, rather than knowledge. Yet as Pascal relies on Isaiah—unless you believe, you will not understand—as, that is, knowledge is conditioned on faith, Pascal’s wager generates knowledge by first generating faith. These issues are carefully explored in Daniel Garber, *What Happens After Pascal’s Wager* (Milwaukee: Marquette University Press, 2009). To my knowledge, Locke acknowledges no such relationship between knowledge and faith.
depends on Locke’s distinction between judgment and assent. Judgment is the power whereby the mind evaluates the truth of a proposition. Assent, however, is the power whereby the mind elects a proposition for belief. In other words, assent is the power whereby the mind takes up a judgment as true and as a guide to life and action. As seen in Chapter One, Sections 1.2.3 and 1.2.4, assent is a complex function of evidence and “concernment.” While Locke’s ethics of belief requires us to proportion our assent to the evidence, assent is a matter of evidence and concernment. If one is not concerned about an issue, one is not likely to render assent according to the evidence regarding that issue, but when one is concerned about an issue, one will render assent according to the evidence. On this basis I suggest that Locke’s wager is not designed to play an evidential role. It is not intended to serve as evidence for believing God’s law to be the true touchstone of morality. It is instead intended to make one concerned about the divine law, such that one will take the evidence concerning the divine law seriously and render assent according to the evidence. If the wager was intended to lay an evidential role, to fill an epistemic need, then it would violate Locke’s ethics of belief. If, however, it is intended to generate concernment, to fulfill a psychological need, then it might not violate the ethics of belief.

There are several reasons for interpreting Locke’s wager along these lines. There is, first, Locke’s normative egoism. We are moved to act by uneasiness. Given the stress Locke places on heaven and hell in the presentation of his wager, his concern very much seems about calculating pleasures and pains. Thus it appears to be designed to make us uneasy for the joys of heaven and uneasy about the pains of hell, and hence to make us want to act in conformity to the moral law. Next, Locke’s stated opinion on the epistemology of God’s existence makes it clear that the wager does not need to satisfy any epistemic need. This stands in stark contrast to Pascal’s wager. Pascal’s
wager makes it clear what the conditions of our uncertainty are: we are uncertain about God’s existence, and we are uncertain about our moral duty. Pascal’s wager makes clear that the truth of the propositions stating God’s existence and our moral duty cannot be ascertain evidentially. For Pascal, reason is in a state of incorrigible ignorance about the reality of God’s existence and the content of moral duty. The uncertainty in Locke’s wager is wholly different. The only uncertainty Locke mentions in the set-up of his wager is the reality of afterlife rewards and punishments. What is more, Locke makes no declaration that reason is incorrigibly ignorant of the reality of future rewards and punishments. Rather, the future rewards and punishments are “considered but in [their] bare possibility,” (E, II.xxi.70). They are supposed possible, regarded as possible. They are not known to be unknowable. The epistemic status of beliefs in the afterlife is bracketed.

There is a serious difficulty with this interpretation, however. It stems from Locke’s failure to clarify how one comes to cultivate concernment. We saw in Chapter One, Section 1.2.4 above that judgment is a matter of evidence, and assent a matter of concernment and evidence. But we saw also that concernment is a matter of judgment, i.e., a matter of evidence. Further, it appeared that one would not judge something to be a matter of concernment unless one were concerned to judge according to the evidence that it is a matter of concernment. It may happen that Locke’s use of the wager does in fact contradict his ethics of belief. But Locke never explains the puzzles of being concerned to judge correctly about concernment, so this puzzle he surely also did not address. It thus appears possible to reconcile Locke’s use of the wager to his ethics of belief, though the reconciliation may not hold up to philosophical scrutiny.
2.4.5. Locke against Pascal: Reconciling the Wager to Evidentialism

Locke takes over Pascal’s wager without having to sacrifice his evidentialism by altering two key elements of Pascal’s version of the argument. First, Locke does not perceive any failure or weakness in the powers of reason to satisfy an epistemic end—namely, knowledge of the moral law—that would require recourse to a pragmatic argument. The second change Locke made to Pascal’s wager is this: it was not employed as a means to an epistemic end, but as a means to a psychological, motivational end. Pascal’s wager is a pragmatic argument intended to supply one with what evidential reason could not. Locke’s wager is a pragmatic argument intended to supply pragmatic reasons to comply with the deliverances of evidential reason. As in other cases, then, Locke’s ethics of belief appears to rest on the assumption that knowledge of what one ought to do is well within the reach of unaided reason. The comparison with Pascal teaches that the real challenge is to be moved to comply with what reason teaches.

2.5. Conclusion

There is no doubt that Locke’s ethics of belief is stringent. If the considerations that prefaced this chapter are sound, then the price one has to pay to follow Locke’s ethics of belief is possibly unreasonably high. The danger is that situations of great moral urgency may require decisions and actions that Locke’s ethics of belief cannot sanction. Does Locke’s ethics of belief cost too much? At the time of Locke’s writings, he had at his disposal three ways of loosening the requirements of belief formation. Locke could have followed Grotius. Locke could have permitted
a wider variety of evidence types than what he would permit in the *Essay*. Overlapping consensus of all, the wise, or wisest could have been allowed in times of urgency. As we saw, Locke’s rejected inherited opinion as a guide to assent in moral matters, although his reasons for this were unclear. Locke could also have followed Descartes. In following Descartes, he could maintain against Grotius that inherited opinion should not guide belief, but could also have recognized that there were pragmatic benefits to following inherited opinion. He did not. But as Locke’s *Essay* shows no indication of any confrontation with Descartes’ provisional moralities, and as the meaning and lasting significance of Descartes’ provisional moralities is not obvious, the reasons for Locke’s rejection of Descartes’ provisional morality are difficult to reconstruct. Finally, Locke could have followed Pascal and employed a wager argument, if not as a replacement of evidential demonstration, then as a supplement to evidential demonstration. Locke appears not to have done so.

Available to Locke were three different concessions that reason is at times unable to settle issues of great ethical importance. Available to Locke were three different strategies for coping with the occasional, temporary, and incorrigible weaknesses of reason. But Locke made no concession and Locke adopted no corrective strategies. Given the options available to Locke and given his ardent resistance to them, it appears that Locke had a greater confidence in the power of reason and the clarity or ready accessibility of the moral law to reason than Grotius, Descartes, and certainly than Pascal had. It appears that the reason Locke does not suspend his evidentialist principle is because he believes that he does not need to. Reason is sufficient for all our purposes. The result of the studies of this chapter is thus the hypothesis that moral duty is clear or readily accessible to human reason. Knowledge of our duty, it seems one must conclude, is in Locke’s view not a
difficult theoretical achievement. To borrow terminology from the *Second Treatise*, it appears that moral knowledge is “writ in the Hearts of all Mankind,” (*TT* II.11).
Chapter Three

John Locke’s Ethics of Belief and the Two Treatises of Government

Chapter One led to the hypothesis that the justification of Locke’s ethics of belief should appear as, so to speak, a theorem in the promised demonstrative morality of An Essay. But Chapter One also concluded with the problem of finding the demonstrative morality in Locke’s written works—the demonstrative morality is simply not in An Essay. The second chapter led to the hypothesis that Locke’s ethics of belief is designed for use by an intellect for which the moral law is clear and readily accessible. These two hypotheses amount to two clues for where to search for the justification of Locke’s ethics of belief. In this chapter I argue that these clues direct our inquiry to Locke’s Second Treatise of Government. The purposes of the present chapter are to make the case that the justification for Locke’s ethics of belief should be sought there, and also to lay down some rather guidelines for interpreting the Second Treatise for the purpose of extracting the justification for the ethics of belief. The goal of this chapter, simply stated, is to connect the ethics of belief of An Essay to the Second Treatise. When that connection is made, we will finally be in a position to see why Locke’s ethics of belief is obligatory.

This chapter has three parts. The first part reviews the prima facie reasons to look into the Second Treatise for the justification. The second and third part make the substantive case that the justification should be sought in the Second Treatise. The argument of the second part is that the demonstrative morality promised in An Essay is (if perhaps rudimentarily executed) the natural law theory of the Second Treatise. This is a highly controversial claim, because the majority opinion on the
demonstrative morality is that Locke recognized it as a conceptual failure and did not attempt it—and so certainly did not place any part of it in the Second Treatise. The third part of this chapter concerns the promulgation of Locke’s natural law. The argument of the third part is that the presuppositions of Locke’s ethics of belief (namely, that the moral law is clear or readily accessible to the human intellect) overlap with the epistemic condition of the original inhabitants of the state of nature. For the original inhabitants, the natural law is clear or readily accessible, or in other words, the natural law is promulgated directly to reason.

3.1. Prima Facie Reasons to Turn to the Two Treatises of Government

Chapter Two was an investigation into the terms of Locke’s ethics of belief as stated in An Essay and the Conduct. Locke’s ethics of belief holds that there is a moral obligation to conform one’s assent to an ethically significant proposition to the degree to which the evidence shows that proposition to be true. There is broad agreement among scholars that Locke does not provide a philosophically compelling justification of this in either An Essay or in the Conduct. The present study of Locke’s ethics of belief agrees with this consensus. So long as this lacuna remains unfilled, Locke’s epistemological works result in the defeating contradiction that adherence to Locke’s ethics of belief violates Locke’s ethics of belief.

The study of Locke’s epistemological works did not end in a thoroughgoing disappointment, however. Two key facts were discovered that might lead, when duly considered, to a philosophical justification for the ethics of belief that would be consistent with Locke’s principles. First, several statements indicated that Locke indeed believed that there was a justification for his ethics of belief.
Evidently, Locke had confidence that his ethics of belief could be followed consistently. Although the justification for this was not presented in *An Essay* or the *Conduct*, the study of them suggests, second, that the justification should appear as a “theorem,” so to speak, of the demonstrative morality that he promised was possible. Thus, while Locke provides no justification for his ethics of belief in *An Essay* or *Conduct*, he at least gives us reason to think that there is a justification and provides a model for what it should look like.

Yet Locke’s *An Essay* leaves no clear indication as to where that demonstrative morality should be found. Two works in particular present themselves as the most likely candidates: Locke’s earlier *Essays concerning the Law of Nature* and his later *Two Treatises of Government*. Since its first publication in 1954 by Wolfgang von Leyden, Locke’s manuscript, unpublished in his lifetime and now sometimes bearing the name “Essays on the Law of Nature”¹ and at other times “Questions concerning the Law of Nature,”² has been regarded as a missing link between *An Essay* and the *Two Treatises*. It is regarded as the missing link because some parts of the manuscript were reworked into *An Essay*, and other parts were reworked into the *Two Treatises*.³ The present investigation into Locke’s ethics of belief, however, is not exhaustive—it does not (and cannot) pour over Locke’s all

---


³ Thus von Leyden writes, “it is now possible to recognize that Locke’s two main bodies of doctrine, namely his political theory and his theory of knowledge, have a common ground and that this lies in his early doctrine of natural law.” “John Locke and Natural Law,” *Philosophy* 31 no. 116 (Jan., 1956): 23.
published writings together with his unpublished journals and notebooks. A choice must be made.

There are several facts that indicate that preference should be given first to the *Two Treatises* and only at some later, more comprehensive stage to the *Essays*. First and most significantly, Locke did not publish the *Essays*. Indeed Locke took several steps to hide his possession of the manuscript of this work.\(^4\) This fact leads to the second reason, which revolves around Locke’s apparent confidence that his ethics of belief could be justifiably and consistently held. The earliest manuscript of the *Essays* dates to some time between 1660 and 1664. A second manuscript was prepared between 1663 and 1664. A third, and this time publishable, manuscript was prepared between 1681 and 1682.\(^5\) *An Essay* and the *Two Treatises* would appear roughly one decade later. If Locke intended that the confidence he possessed in his ethics of belief be shared, and if, further, it was to be shared through one of his published works, then the *Essays* cannot be regarded as the conduit to that confidence. Relatedly, it does not appear that Locke intended the *Essays* to have lasting significance.

He published the *Two Treatises* anonymously, but evidently on his deathbed confessed to having authored them. Meanwhile, the *Essays* were found in the twentieth century by chance—nothing in Locke’s known writings pointed to the existence of such a work, though Tyrrell’s imploring might be taken to suggest that Locke had written more than he let on. Finally, the *Essays* were first drafted during a period of Locke’s life in which he was far from optimistic about the power of reason to

\(^4\) As with many of his publication decisions, Locke leaves no clear and unequivocal statement. Horwitz believes that several years after Locke’s lectureship at Oxford, when they were drafted, Locke returned to them and prepared them for publication, only to withhold publication suddenly and to hide the manuscript when Locke fell under close governmental scrutiny under the rule of James II. Locke never returned to them, not even after the Glorious Revolution when the scrutiny on Locke had been rescinded. For a history of this work, see Horwitz, introduction to *Questions concerning the Law of Nature*, by John Locke 28-45.

come to any kind of knowledge or even reasonable belief in matters of morality, religion, and politics. The *Essays*, therefore, simply does not look like the work that would contain the justification we seek.

The *Two Treatises*, however, provides ample grounds for confidence that it might hold a key to unlocking the justification for Locke’s ethics of belief. First, it was drafted and published nearly concurrently with *An Essay*. Second, among Locke’s published writings, it comes closest in appearance to a systematic treatise on the duties of man. Third and most significantly, the procedure of the *Second Discourse*, particularly the first paragraphs of Chapter Two, “Of the State of Nature,” appear to follow exactly the procedure that *An Essay* recommends for deriving in a demonstrative manner the content of morality. A cursory review of that recommended procedure together with *TT* II.4, 6 suffice to warrant this initial suspicion. Locke writes in *An Essay*:

> The Idea of a supreme Being, infinite in Power, Goodness, and Wisdom, whose Workmanship we are, and on whom we depend; and the Idea of our selves, as understanding, rational Beings, being such as are clear in us, would, I suppose, if duly considered, and pursued, afford such Foundations of our Duty and Rules of Action, as might place Morality amongst the Sciences capable of Demonstration. (*E* IV.iii.18; see also *E* IV.xii.11)

The first step in deriving in a demonstrative manner the rules of moral conduct is to set on one side the idea of God as creator, and set on the other side the idea of ourselves as created rational beings.

---

6 See Casson, *Liberating Judgment*, 90-91. Horwitz’s history of the manuscript might work to undercut this interpretation, however. According to Horwitz, the manuscript was first drafted some time between 1660 and 1664, but a manuscript fit for publication was prepared between 1681 and 1682, at which time Locke was already much more optimistic about the power of reason to achieve knowledge in morality, politics, and religion. Consider for instance the fragment “Of Morality,” which was written sometime between 1667 and 1668 (and is printed in Locke, *Political Essays*, 267-69). Several scholars take this short essay to contain essential elements of Locke’s demonstrative morality. See John Marshall, *Resistance, Religion and Responsibility*, 206; Gopal Sreenivasan, *The Limits of Lockean Rights* (New York and Oxford: Oxford University Press, 1995), 76; and John Colman, *John Locke’s Moral Philosophy* 197-99. This essay is briefly considered further below.
The second step is to join them in thought and deduce the implication of their relation. Locke appears to do just that in the *Second Treatise*:

> [T]here being nothing more evident, than that Creatures of the same species and rank promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal one amongst another without Subordination or Subjection. . . .

> For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker; All the Servants of one Sovereign Master, sent into the World by his order and about his business, they are his Property, whose Workmanship they are, made to last during his, not one another’s Pleasure. And being furnished with the Faculties, sharing all in one Community of Nature, there cannot be supposed any such Subordination among us, that may Authorize us to destroy one another, as if we were made for one another’s uses, as the inferior ranks of Creatures are for ours. (*TT II.4, 6*)

Locke’s remark that the criminal varies “from the right rule of reason,” and thereby “quit[s] the principles of human nature,” (*TT II.10*) make clear that the “faculties” in question are indeed the faculties of reason. It then appears that in the *Second Treatise* Locke has set on the one side the idea of God as creator and on the other side the idea of ourselves as created rational beings, joined them together in thought, and then inferred the consequences of their relation.

If the *Second Treatise* contains the demonstrative morality, then two rather significant results follow. First, the natural law of the *Second Treatise* contains the demonstrative morality of *An Essay*—or at least is a portion of it. Second, the *Second Treatise* might be able to provide some justification for Locke’s ethics of belief in the form that *An Essay* requires.  

---

7 My suggestion that the *Second Treatise* contains the demonstrative morality is not a new one. Steven Forde, *Locke, Science, and Morality*, 109, Jeremy Waldron, *God, Locke, and Equality*, 95, A. John Simmons, *The Lockean Theory of Rights* (Princeton: Princeton University Press, 1992), 23, 67, and Colman, *John Locke’s Moral Philosophy*, 186-87 have made the suggestion as well. Although noted by these scholars, the connection at this point between *An Essay* and the *Two Treatises* has not been made explicit. Forde only remarks that the *Two Treatises* “visibly contain outlines of parts of the demonstration.” Waldron goes further than Forde and cites a specific instance: Waldron’s own reconstruction of Locke’s argument for equality (rather than the precepts of the natural law). (His reconstruction is found at *God, Locke, and Equality*, 44-82.) Colman and Simmons make the connection in a roundabout way: the *Second Treatise* is consistent with the *Essays concerning the Law of*
Chapter Three sought out the presuppositions of Locke’s ethics of belief. The intention was to uncover the view of mankind’s moral and existential predicament that was presupposed in Locke’s ethics of belief. In other words, the effort was to uncover Locke’s view of the human condition such that his ethics of belief was practicable. The hope was that by finding the view presupposed by Locke, the search for the missing justification for his ethics of belief would be greatly facilitated. It would be possible, for instance, to match the presupposition to a prevailing theme in one or another of Locke’s published works, and, should the work be found, it might then be possible to narrow the focus to certain reverent sections.

As a condition, not for knowledge, but rather for morally acceptable belief formation, Locke’s moderate moral evidentialism is recognized by scholars to be the earliest articulation of such a view. As we saw in the previous chapter, three of Locke’s near contemporaries approached what would be Locke’s evidential principles as a precondition for morally acceptable belief formation—only to retreat from it. Grotius appears to have found it unreasonable that narrow deductive reasoning be the only permitted type of evidence for belief formation in the ethical order. The urgent need for moral knowledge combines with the difficulty of acquiring it to permit the recourse to supplementary kinds of evidence, notably, tradition or inherited opinion. Pascal takes a different route to a conclusion quite similar in nature: for some issues, specifically, issues that are of greatest ethical concernment, the evidence appears to be incorrigibly ambiguous. This ambiguity necessitates belief formation by, again, non-evidential means, namely a kind of pragmatism. The reasons for Descartes’ retreat from moral evidentialism are most obscure. If the provisional moralities offered in the *Discourse* and in the letters to Princess Elizabeth can be taken at face value, then he found the

---

*Nature*, which is consistent with *An Essay*, and proceeds in a demonstrative way. That the scholarship has been slow to draw the connection drawn above is a cause for wonder.
unqualified application of Meditation Four’s evidentialism to moral matters simply imprudent. Yet if Locke could confidently apply to moral matters a mode of belief formation that his immediate predecessors could not, then it seems he could do so only on the condition that he rejected each of their reasons for hesitation. It follows, then, that Locke did not find the application of evidentialism in the ethical order imprudent, did not hold that the evidence available for belief formation in the ethical order is incorrigibly ambiguous, and (because he certainly found moral knowledge urgently needed) must not have regarded knowledge of the moral law as in some way necessarily difficult to acquire. It follows that Locke’s evidentialism appears to sit squarely on the view that the moral law is somehow clear or readily accessible to human reason.

The Second Treatise also offers evidence suggesting that knowledge of the moral law is in some way clear or readily accessible to human reason, so the initial suspicion that one should look in the Two Treatises finds some corroboration. The lines, “And Reason, which is that Law, teaches all Mankind, who will but consult it,” (TT II 6) and “so plain was it [the law] writ in the Hearts of all Mankind,” (TT II 11) forcefully suggest the clarity and ready accessibility of the law to human reason. The lines, “any one comes not to such a degree of Reason, wherein he might be supposed capable of knowing the Law,” (TT II 60), “his having Reason, which is able to instruct him in that Law he is to govern himself by,” (TT II 63), and “till they come to the use of Reason, or a state of Knowledge, wherein they may be supposed capable to understand . . . the Law of Nature,” (TT II 170) are neither so forceful nor so extreme in their suggestion, yet do certainly suggest that the content of the law is within the grasp of reason. As a final suggestion that the moral law is clear or readily accessible to reason, there is Locke’s persistent identification of the moral law with the dictates of right reason (TT II.8, 10, 16, 25, 30-32, 52, 57, 96, 118, 172, and 181).
3.2. The Demonstrative Morality and the Second Treatise of Government

It is an uphill struggle to show that the demonstrative morality is in the Second Treatise. A review of the scholarship indicates that there are at least eleven different reasons for why the demonstrative morality should not be found in the Second Treatise. To make the matter more difficult, Locke’s anonymous publication of the Second Treatise put the relationship between it and An Essay in obscurity, although they were published concurrently. This section defends the claim that the demonstrative morality is indeed to be found in the Second Treatise. In the first subsection, I state what the demonstrative morality is supposed to be. In the second subsection I review the reasons for doubting the demonstrative morality’s presence in the Second Treatise. In the third subsection I refute these reasons. The prima facie reasons for believing the demonstrative morality to be in the Second Treatise are hereby transformed into a reasonable expectation.

3.2.1. The Demonstrative Morality in An Essay concerning Human Understanding

The demonstrative morality is first suggested in An Essay, Book III, Chapter Eleven, “Of the Remedies of the foregoing Imperfections and Abuses [of Words].” Its position in this chapter is somewhat curious. Its appearance in this chapter suggests that moral disagreement is more a matter of confusion on the part of one or another party (or both) rather than genuine and rational disagreement, and, moreover, can be mitigated or even altogether removed. At the same time, however, it is mentioned by-the-by, and is given no lengthy development in Book III, or in Book IV for that matter. For that reason, the demonstrative morality cannot quite be explained through the
analysis of any one passage of *An Essay*. The demonstrative morality, however, is a direct implication of Locke’s theory of ideas (as Locke himself indicates), so I begin the presentation of his demonstrative morality with a summary of the relevant parts of his theory of ideas.

The following reconstruction of Locke’s demonstrative morality is oriented according to its formal and material aspects. By “formal aspect” I mean the shape of the demonstrative morality—what the parts should look like and how they should fit together. By “material aspect” I mean the actual content of the demonstrative morality—the rules and the grounds of the rules. Locke’s theory of ideas determines the shape that the demonstrative morality must take, and it is Locke’s theology that appears to fill the morality in with actual content. I begin with the formal aspect: Locke’s theory of ideas, the basics of which must be recalled. Ideas come in two types: simple ideas and complex ideas. Simple ideas are the result of the impression of some object (be it a physical object, a mental operation, or an act of God) onto a sensory organ. Sensation produces a sensory manifold, and particular simple ideas are cognized by an analysis of a sensory manifold. Single ideas are extracted by an act of separation. Complex ideas are the product of composition: through the action of the mind, multitudes of simple ideas are brought together into compounds. Complex ideas are distinguished into three types: ideas of substances, ideas of modes, and ideas of relations. The idea of a substance is an idea in which is included the supposition of subsistence and which is taken to represent some particular substance or some particular physical part of a substance. The ideas of modes and of relations, by contrast, do not include any supposition of existence, and they are intended to represent particular qualities (broadly conceived) of substances. The idea of a relation is simply the idea that results whenever any two ideas are set into relation with

---

8 I refer the reader to Chapter 1, Section 1.2.1, which provides a fuller statement of this theory.
one another. The idea of a man is set in relation to the idea of a man’s progeny, and the relation of fatherhood results. The idea of a three-sided figure is set in relation to the idea of a shape whose interior angles sum to 90°, and the idea of agreement results. The idea of a mode is an idea wherein is included no supposition of subsistence and which is taken to represent “Dependences on, or Affections of Substances.” Such ideas are “signified by the Words Triangle, Gratitude, Murther, etc,” (E IV.xii.4). There are two types of modes. There are simple modes, which are compounds of one and the same simple idea (as the mode “one” becomes by composition the mode “two,” “a dozen,” “a score,” and so one). Then there are mixed modes, which are compounds of diverse simple ideas. Examples of mixed modes are “Beauty, consisting of a certain composition of Colour and Figure, causing delight in the Beholders,” and “Theft,” which is “the concealed change of the possession of any thing, without the consent of the Proprietor,” (E IV.xii.5).

Ideas represent objects to the mind. Ideas of substances pick out particularly existing things and their physical parts. Ideas of relations pick out the relations between particularly existing things. Ideas of modes pick out the things that substances might do or have done unto them. The idea of a relation picks out the relation that obtains between any two sorts of things (e.g., “an orange is orange,” or “an orange is not a melody”). The epistemological status of each type of idea varies according to the representational role it plays: the idea of a mode or of a relation can adequately and completely represent the object it is intended to represent, whereas the idea of a substance cannot adequately and completely represent the object it is intended to represent. The cause of this radical epistemological gulf between ideas of modes and relations on the one hand and ideas of substances on the other is the following. The idea of a substance ultimately originates from the way in which a substance operates on the senses. On Locke’s empirical philosophy, the simple ideas, derived from
sensation and compounded into a complex idea of a substance, do not provide access to the internal structure of the substance that had caused the sensory manifold and therewith the simple ideas. There is an unbridgeable epistemological gap between the ideas we receive from the senses and the internal structures of those substances that cause ideas. Insight into the real essences of substances comes only through guesswork and analogical reasoning (E IV.xvi.12). Consequently, the ideas of substance can never adequately represent to the mind the complete nature of a substance. Every scientific effort to understand substances will therefore be in some measure imprecise.

The issue is quite otherwise with the ideas of modes or relations (note that the discussion below will only concern ideas of modes). While the ideas that compose the mode do derive from encounters with substances, and hence from things about which one remains in one respect incurably ignorant, they are not intended to pick out substances. They aim to represent dispositions or actions that a substance may take on. While complete knowledge of a substance requires complete knowledge of the substance’s internal structure, complete knowledge of a mode does not require knowledge of even the existence of substances. Flying can be understood without knowing about birds, bats, or airplanes. The representational power of an idea of a mode is therefore not epistemologically handicapped in the way that the idea of a substance is. In order completely to know the idea of a mode, one only needs to have the ideas that compose the mode, their number, and their order. Provided only the simple ideas that compose the idea of the mode are acquirable, it is possible to know adequately and completely the idea of any mode. If the idea can be adequately and completely known, then relations of agreement or disagreement between a given mode and
other modes can be known with precision. Since moral notions\(^9\) such as murder, theft, and sacrilege are modes, it is possible to construct a precise and exact science of morality:

Upon this ground [the nature of modes] it is, that I am bold to think, that *Morality is capable of Demonstration*, as well as Mathematicks: Since the precise real Essence of the Things moral Words stand for, may be perfectly known; and so the Congruity, or Incongruity of the Things themselves, be certainly discovered, in which consists perfect Knowledge. (*E* III.xi.16)

More substantial statements to this effect appear in Book IV:

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

This, I think, I may say, that if other Ideas, that are the real, as well as nominal Essences of their Species, were pursued in the way familiar to Mathematicians, they would carry our Thoughts farther, and with greater evidence and clearness, than possibly we are apt to imagine.

This gave me the confidence to advance that Conjecture, which I suggests, *Chap. 3. viz. That Morality is capable of Demonstration*, as well as Mathematicks. For the Ideas that Ethicks are conversant about, being all real Essences, and such as, I imagine, have discoverable connexion and agreement one with another; so far as we can find their Habitudes and Relations, so far we shall be possessed of certain, real, and general Truths: and I doubt not, but if a right method were taken, a great part of Morality might be made out with that clearness, that could leave, to a considering Man, no more reason to doubt, than he could have to doubt of the Truth of Propositions in Mathematicks, which have been demonstrated to him. (*E* IV.xii.7, 8)

Such are the reasons behind Locke’s confidence that a moral science could be made out demonstratively and with the same clarity and certainty as mathematics, and such are the statements he makes to its possibility. Given the significance of this result—what is more, given the fact that *An Essay* was conceived in response to discussion about moral disagreement—it is surprising that

---

\(^9\) I refer the reader to the previous chapter, Section 2.2.4 for my use of this term.
An Essay does not contain the demonstrative morality it promises. One finds instead scattered illustrations of how the demonstrative morality should work. Given Locke’s theory of ideas, these illustrations are neither surprising nor especially illuminating (at least so long as the concern is the formal aspect currently under consideration). At *E* I.i.12, the idea of duty is said to lead to ideas of a lawmaker and of rewards and punishments, and the idea of moral duty to the idea of God, of a lawmaker, of rewards and punishments, and of a life after the present one. We learn from this that the agreements between these ideas constitute a web of relations, which make up the substance of (some sliver of) the demonstrative morality. At *E* IV.iii.19, the proposition “*Where there is no Property, there is no Injustice,*” is said to be “as certain as any Demonstration in Euclid,” because the idea of “property” is “a right to any thing,” the idea of “injustice” is “the Invasion or Violation of that right,” and the idea of no property perfectly agrees with the idea of no injustice. Likewise for the proposition “*No Government allows absolute Liberty,*” for government is the “establishment of Society upon certain Rules or Laws, which require Conformity to them,” and the idea of absolute liberty is “for any one to do whatever he pleases.” Finally, at *E* IV.xi.13 Locke says, “having the Idea of GOD and my self, of Fear and Obedience, I cannot but be sure that GOD is to be feared and obeyed by me: And this Proposition will be certain, concerning Man in general, if I have made an abstract Idea of such a Species, whereof I am one particular.”

So much, then, for the formal aspect of the demonstrative morality. The material aspect of the demonstrative morality—the actual moral content, the rules of behavior and their ground—presents a difficulty. The mixed modes of moral discourse, as all mixed modes, “are assemblages of Ideas put together at the pleasure of the Mind,” (*E* III.xix.7). They are ideas that are referenced

---

10 I return to and examine this highly significant fact below.
against standards that do not anywhere exist in the world in the way that substances exist (E III.ix.5). Moral notions, as mixed modes, can be conceived without having first encountered any substance that instantiates them. They can be conceived even if no substance instantiates them. The advantages of this are as great as the disadvantages. For while “Tully’s Offices,” are for this reason no “less true, because there is no Body in the World that exactly practices his Rules, and lives up to that pattern of a vertous Man, which he has given us, and which existed no where,” (E IV.iv.8), moral notions are for exactly the same reason “very various and doubtful,” because “the names of mixed Modes, for the most part, want Standards in Nature, whereby Men may rectify and adjust their significations,” (E IV.ix.7). In fact, the disadvantages at times appear to outweigh the advantages. First, the settling of moral notions appears to be an arbitrary matter, which opens the gates for disputes of every sort:

Where shall one find any, either controversial Debate, or familiar Discourse, concerning Honour, Faith, Grace, Religion, Church, etc. wherein it is not easy to observe the different Notions Men have of them; which is nothing but this, that they are not agreed in the signification of those Words; nor have in their minds the same complex Ideas which they make them stand for: and so all the contests that follow thereupon, are only about the meaning of a Sound. And hence we see, that in the interpretation of Laws, whether Divine, or Humane, there is no end. (E III.ix.10)

But second, there is the added difficulty that, even if the moral notion is settled, it may be difficult to judge whether a given action fits the description of the moral notion and hence judge whether a given action is criminal or not:

[T]he pulling the Trigger of the Gun, with which the Murther is committed, and is all the Action, that, perhaps, is visible, has no natural connexion with those other Ideas, that make up the complex one, named Murther. They have their union and combination only from the Understanding which unites them under one Name: but uniting them without any Rule, or Pattern, it cannot be, but that the signification of the name, that stands for such voluntary Collections, should be often various in the Minds of different Men, who have scarce any standing Rule to regulate themselves, and their Notions by, in such arbitrary Ideas. (E III.ix.7)
Locke keenly feels the danger of arbitrariness. Although his confidence in the demonstrative morality stemmed from the success of mathematics, he warns sternly against the practice of laying down maxims as first principles simply “because Mathematicians have been so happy, or so fair, to use none but self-evident and undeniable.” “If this be so,” Locke continues, “I know not what may pass for Truth in Morality. . . Nothing can be so dangerous, as Principles thus taken upon without questioning or examination; especially if they be such as concern Morality,” (E, IV.xii.4). If the demonstrative morality is to be anything more than an empty promise, it is necessary to determine the content of morality. There must be a way to settle the moral rules.\footnote{Again, I refer the reader to Section 2.3.2 of the previous chapter, where I introduce this term.} Several possibilities present themselves. The content of morality may derive from one of the three rules according to which, Locke holds, “Men generally refer their actions,” namely, the divine law, the civil law, and the law of opinion or reputation (E II.xxviii.7). These three laws are three candidates for the non-arbitrary starting point for the demonstrative morality. A fourth candidate for the content of morality (as well as perhaps these laws) might derive from the constitution of human nature: the pleasures and pains that attend upon actions may be so many intimations of the moral rule. The constitution of the human body might therefore provide the non-arbitrary starting point for the content of morality.

Several commentators believe that the content of morality derives from the constitution of human nature.\footnote{Prominent instances of this interpretation are Buckle, Natural Law and the Theory of Property (Oxford: Clarendon Press, 1991), Casson, Liberating Judgment, Colman, John Locke’s Moral Philosophy, Thomas L. Pangle, The Spirit of Modern Republicanism, Strauss, Natural Right and History, and Zuckert, Natural Rights and the New Republicanism (Princeton: Princeton University Press, 1994).} This is an empirical account of the origin of binding moral content. Human nature is teleologically directed toward happiness and away from misery, which, Locke writes at E II.xxi.42,
are, respectively, “the utmost Pleasure” and “the utmost Pain” we are “capable of.” “Good” and “evil” are terms applied respectively to “what has an aptness to produce Pleasure in us,” and “what is apt to produce Pain in us” (E II.xxi.42). According to these commentators, the moral rules that regulate conduct are derived from general propensities of certain actions to result in pain or pleasure. Thus (so goes this line of interpretation) Locke’s statement at E II.xxviii.11:

‘tis no wonder, that Esteem and Discredit, Vertue and Vice, should in a great measure everywhere correspond with the unchangeable Rule of Right and Wrong, which the Law of God hath established; there being nothing, that so directly, and visibly secures and advances the general Good of Mankind in this World, as Obedience to the Laws, he has set them, and nothing breeds such Mischiefs and Confusion, as the neglect of them. And therefore Men, without renouncing all Sense and Reason, and their own Interest, which they are so constantly true to, could not generally mistake, in placing their Commendation and Blame on that side, that really deserved it not.

It is at this point that those who contend for an empirical derivation of the content of morality diverge. One group turns to Locke’s theology to argue that the general propensities of certain actions to result in pain or pleasure have been established by God. Now, since pain and pleasure are physical reactions to physical stimuli, the body leads to knowledge of the natural law. Another group, however, makes no appeal to God, but rather supposes that there is a bedrock desire that is universally shared and trumps all other desires. This desire serves as the foundation to the natural law, and once again the body leads to knowledge of the natural law. As Thomas Pangle expresses it, Locke’s natural law is based on a ruling passion, and “the ruling passion is the uneasiness evoked by death.”

The empirical interpretation is not without its problems, however. The internal constitutions of human beings—the real essences—are inaccessible. Accordingly it is highly

---

13 Buckle, Casson, and Colman take this view.

14 Pangle, Strauss, and Zuckert take this view.
questionable whether Locke can consistently hold that there are either general propensities or ruling desires that can be brought into the formal demonstrative apparatus as an axiom of Locke’s promised moral science. There is not much in Locke’s thought to suggest that rudimentary statistical averages, or perhaps a relic of Aristotle’s “always or for the most part,” would settle upon a sufficiently solid notion of human nature. Now, the problem attendant upon incorrigible ignorance of the real human essence is compounded by the apparent variability in human nature across time, place, and culture: “The Mind has a different relish, as well as the Palate; and you will as fruitlessly endeavour to delight all Men with Riches or Glory, (which yet some Men place their Happiness in,) as you would to satisfy all Men’s Hunger with Cheese or Lobsters,” (E II.xxi.55).

The problems attendant upon variability are in turn compounded by the malleability of palates. The relative distances of good and evil objects affects the intensity of the desires they cause: some great but far off good might be overbalanced by a paltry but easy pleasure. What is more, the causes of uneasiness depend on the disposition of the body, which is hardly constant: the goods and evil perceived in health are not always the same as the goods and evils perceived in sickness (E II.xxi.63). Finally, deliberate practices can change the dispositions of the palate so that what was once perceived to be evil can later be perceived to be good or vice versa (E II.xxi.69). Between the epistemological and anthropological obstacles (ignorance of human nature, plasticity of human nature) I do not see where Locke could find the confidence to hold that the body leads one to knowledge of the natural law.

The thesis that a “ruling passion”—that the fear of death—is the foundation of all moral and political demonstration has a difficulty all its own: the pursuit of a “ruling passion” leads directly to God. The ruling passion, is that passion that without fail trumps all other passions.
Pangle claims that Locke holds that the fear and pains of death outweigh other any other passion. From here, the claim goes, it is no small step to derive obligations of self-preservation and, eventually, the rest of Locke’s liberal political apparatus. Yet there is nothing in An Essay to suggest that the fear of death is the ruling passion. If anything is to be found in An Essay that could fit the bill of a ruling passion, it is that passion that is prompted by the punishments that God annexes to failure to conform to the moral law—not even that, but the bare possibility of punishments that God can annex to failure to conform to the moral law. One of the lessons of Locke’s wager\footnote{I discuss this in Chapter Two, Section 2.4.4.} is that the pains and pleasures God is capable of inflicting and dispensing are infinitely greater than any prospect of any earthly pain or pleasure, be it near or far. Give a man “a prospect of the different State of perfect Happiness or Misery, that attends all Men after this Life, depending on their Behaviour here,” and “the measures of Good and Evil, that govern his choice, are mightily changed,” (E II.xxi.60). The catch is only that the prospect has to be believed.

If it is not human nature that settles binding moral content, then it appears it must indeed be one of the three laws named above. The argument of the previous chapter shows that it cannot be the law of fashion that generates binding moral content, for inherited opinion is not a source of knowledge of the natural law. The argument of the previous chapter also shows that it cannot be the human law, for, again, inherited opinion is not a source of knowledge of the natural law.\footnote{Chapter One, Section 1.3.1’s account of Locke’s ethics of belief as a moral obligation also supports the view that Locke’s morality has a theological grounding.} By modus tollendo ponens it is the divine law that, if any law can, provides binding moral content. There are two further considerations, however. First, the argument of Chapter Two shows that the
commands of God should, if Locke is consistent, connect to his demonstrative morality.\footnote{See Chapter One, Section 1.4.1.} Once again, then, it is the divine law that provides binding moral content. Further, the following text should all but cement the hypothesis that Locke’s theology generates binding moral content, and that the divine law is one and the same with the promised demonstrative morality:

The Idea of a supreme Being, infinite in Power, Goodness, and Wisdom, whose Workmanship we are, and on whom we depend; and the Idea of our selves, as understanding, rational Beings, being such as are clear in us, would, I suppose, if duly considered, and pursued, afford such Foundations of our Duty and Rules of Action, as might place Morality amongst the Sciences capable of Demonstration: wherein I doubt not, but from self-evident Propositions, by necessary Consequences, as incontestable as those in Mathematicks, the measures of right and wrong might be made out, to any one that will apply himself with the same Indifferency and Attention to the one, as he does to the other of these Sciences. (E IV.iii.18)

This text does two things: (1) it makes an explicit connection between God and the demonstrative morality, and (2) it answers to the need that sparked this brief consideration about the source of knowledge of moral content, namely, the need for non-arbitrary foundations. The body could not be a source of moral content on account of the epistemic inaccessibility and plasticity of corporeal human nature. The civil law and the law of fashion equally fail to provide non-arbitrary foundations. The above text points directly to the non-arbitrary foundation of the demonstrative morality: one’s own existence as an understanding, rational being, and the existence of a wise, powerful, and good God. What is more, in order to know God’s existence, “we need go no farther than our selves, and that undoubted Knowledge we have of our own Existence,” (E IV.x.1).\footnote{It appears that Locke not only took over the ethics of belief of Meditation Four; he also took over Descartes’ effort in the Meditations to ground demonstrative science in the knowledge one has of one’s own existence.} The non-arbitrary starting point of the demonstrative morality is therefore one’s existence as a thinking thing. This starting
point bypasses the difficulties associated with the plasticity of corporeal human nature and the variations among inherited opinion and human law.

To summarize this account of the demonstrative morality: from the mode “moral man” (the idea of ourselves as created thinking things) and the mode “creative God” (the idea of God as our creator, an idea derived from the idea we have of ourselves), one can deduce morally binding rules of behavior with the same certainty as the demonstrations of mathematicians. Note that in this statement of the demonstrative morality, I have taken it for granted that the terms “demonstrative morality,” “divine law,” and “natural law” all refer to the same thing. I had not argued for the identification of these things; I have simply assumed it. I will make the argument for their identification in Section 2.1.3 below, when I respond to the interpretations of Locke (summarized in Section 2.1.2) that would require that the three terms refer to different things.

3.2.2. That the Demonstrative Morality is Not in the Second Treatise

The view that the demonstrative morality is not to be found in the Second Treatise of Government is the predominant view among scholars. There are two varieties of reasons grounding this view. First, there are what I will call the “textual reasons.” These take their bearings from the “letter” of Locke’s writings—the diction, the discernable purposes, and the evident argumentative efforts and strategies. The second variety is what I will call the “philosophical reasons.” These take their bearings from the “spirit” of Locke’s writings—the principles of Locke’s philosophy and the doctrines they can accommodate and cannot accommodate. There are several distinct textual reasons and several distinct philosophical reasons, and it is not uncommon that a given scholar will
espouse more than one individual reason. Any one reason should be sufficient to cast doubt on the demonstrative morality’s presence in the Second Treatise; the sum of several sometimes logically independent reasons should all but settle the issue. In this section I review the prevailing textual and philosophical reasons. In the next section I critically evaluate them, and conclude that they are unpersuasive.

I first look at the textual reasons, which come in four kinds. The first and most superficial of these reasons for why the Second Treatise does not contain the promised demonstrative morality of An Essay is that a discernable connection between the Second Treatise and An Essay on this point is lacking. There is, in short, a discrepancy in intention between An Essay and the Second Treatises. The strong version of this thesis is that the Second Treatise and An Essay proceed in different manners and generally bear no logical relation to one another. Laslett expresses the thesis boldly: “It [the Second Treatise] was written for an entirely different purpose and in an entirely different state of mind. None of the connecting links [between it and An Essay] is present.” Related claims concern the purposes of the two works. Is the Two Treatises intended as a work of lasting political and philosophical significance? Or does the Two Treatises rather address the concerns of only a few short moments of English history? If the Two Treatises is intended as a defense of the Glorious Revolution of 1688 or as a guide to resolving the Exclusion Crisis of 1679-81 then it is not at all surprising that Locke’s philosophical doctrine does not receive either development or even expression in it.

---


20 According to an earlier hypothesis, the Two Treatises were written promptly in response to the Glorious Revolution. This view has been thoroughly refuted. The evidence now shows that
Essay’s demonstrative morality is not in the Second Treatise because the Second Treatise simply has little to nothing to do with the aims of An Essay. Aspects of the above thesis have fallen out of favor in recent years (as will be discussed in the next section below). A narrower thesis, but somewhat more promising on the evidence, is that the natural law of the Second Treatise cannot be identified with the demonstrative morality of An Essay. This thesis originated already in Locke’s day. In a letter to Locke of 27 July 1690, James Tyrrell remarked that An Essay made no room for the natural law (C IV.107-09). Tyrrell did not connect Locke’s talk about the divine law in E II.xxviii.8 to the natural law (not Locke’s natural law of the Second Treatise, but the concept more or less taken for granted in the seventeenth century); nor for that matter did the Oxford dons to whom Tyrrell showed An Essay. Versions of this thesis find expression today in Peter Josephson’s contention that the differences in diction between the Second Treatise, which makes abundant use of “natural law” (and derivative terms) but little use of “duty,” and An Essay, which makes abundant use of “duty” but little use of “natural law,” indicate differences in sources of obligation across the Second Treatise and An Essay, and in Samuel Zinaich Jr.’s claim that there is no reason to understand the demonstrative morality in terms of the natural law. These scholars are doubtlessly correct that the moral that the Exclusion Crisis provided much of the impetus for the work. See Richard Ashcraft, Revolutionary Politics (Princeton: Princeton University Press, 1986). For the dating and composition of Locke’s Two Treatises, see Richard Ashcraft, Locke’s Two Treatises of Government (London: Allen & Unwin, 1987), 286-97.


vocabulary Locke uses in *An Essay* is inconsistent with the moral vocabulary Locke uses in the *Two Treatises*.23

In this note I offer a listing of the appearances of “law of nature,” “natural law,” “law of reason,” “divine law,” “law of God,” and “duty” in *An Essay*, *Second Treatise*, and *First Treatise*. The lists, given below, yield the following results: In *An Essay* Locke uses “divine law,” “law of God,” “duty” and in only one instance “law of nature” as terms for the rules of true morality. In the *Two Treatises*, Locke uses “law of nature” and “law of reason” as terms for the rules of true morality. While both *An Essay* and the *Two Treatises* often use the terms “law of God” and “duty,” the meanings of these terms are inconsistent across the two works. In *An Essay* “law of God” means the same thing as “divine law,” i.e., is used as a term for the rules of true morality, whereas it terms divinely reveled positive law in the *Two Treatises*. Further, in *An Essay* “duty” is used with reference to the “divine law,” whereas in the *Two Treatises* “duty” is used overwhelmingly with specific reference to the obligations family members have to one another. Thus it is clear: Locke uses one moral vocabulary in *An Essay*, but an entirely different moral vocabulary in the *Two Treatises*.

“Law of nature” appears only three times in *An Essay* (see E I.iii.6, 13, and II.xxviii.11). The appearance of the term at E II.xxviii.11 indicates that it means the same thing that “divine law” and “law of God” do in *An Essay* (see below). It appears fifty times in the *Second Treatise*. It appears once in TT II, 3, 4, 6, 9, 11, 12, 13, 16, 30, 31, 37, 36, 66, 68, 87, 88, 89, 96, 105, 124, 125, 128, 129, 130, 136, 170, 171, 183, 186, 207, and 233; twice in ST II.12, 22, 74, and 159; thrice in TT II.7 and 8; and four times in TT II.35. The final appearance of the term occurs in a citation of Hooker that Locke appended to TT II.136. It appears sixteen times in the *First Treatise*. It appears once in TT I.16, 91, 124, and 166; twice in TT I.17; four times in TT I.102; and six times in TT I.106.

“Natural law” appears zero times in *An Essay*. It appears once in the *Second Treatise* (see TT II.134). It appears zero times in the *First Treatise*.

“Law of reason” appears zero times in *An Essay*. It appears six times in the *Second Treatise*. It appears once in TT II.16, 30, 56, and twice in TT II.57. The final appearance of the term occurs in a citation of Hooker that Locke appended to TT II.90. Derivate expressions appear eleven times in the *Second Treatise* (see TT II.8, 10, 25, 31, 32, 52, 57, 96, 118, 172, and 181). The term appears only once in the *First Treatise* (see TT I.101).

“Divine Law” appears four times in *An Essay*. It appears once in E II.xviii.7 and 10, but appears twice in E II.xxviii.8. One appearance in E II.xxviii.8 is especially noteworthy, for Locke writes, “Divine Law, the measure of sin and duty.” It appears once in the *Second Treatise* (see TT II.232), but it must be noted that the term appears within the context of Locke’s examination of Barclay. It appears zero times in the *First Treatise*.

“Law of God” appears four times in *An Essay* (see E II.xxviii.11, 13, 15, and 16). It appears five times in the *Second Treatise*. It appears at TT II.3 and 52, the context making clear that it means “divinely revealed positive law,” and at TT II.66 and 142 in the phrase “Law of God and Nature,” suggesting again that it means “divinely revealed positive law.” “Law of God” appears seven times in the *First Treatise*. It appears at TT I.8, 63, 119, and 124, the context making again clear that Locke means “divinely revealed positive law,” and at TT I.93, 116, and 126 in the phrase “Law of God and Nature,” suggesting once again that Locke means “divinely revealed positive law.” By contrast,
All the above complaints can be arranged into three groups. First is the complaint that the intended purpose of *An Essay* does not compliment the intended purpose of the *Second Treatise*. Second is the complaint that the two works do not share a common, strictly employed philosophical language. Third is the complaint that the philosophical concepts employed in *An Essay* are not the same as the philosophical concepts employed in the *Second Treatise*. I term these complaints the intentional discrepancy, the lexical discrepancy, and the conceptual discrepancy, respectively.

nothing in *An Essay* suggests that “Law of God” means “divinely revealed positive law.” Notice that all appearances of the terms “divine law” and “law of God” occur in *An Essay*, Chapter XXVIII, “Of other Relations,” and in fact quite near to one another. By all appearances, “divine law” and “law of God” are used synonymously, and, as indicated just above, are the “measures of duty,” i.e., alike term “the true ground of Morality,” (*E* Iiii.6). In other words, Locke uses “divine law” and “law of God” in *An Essay* as terms for the true rules of morality. He uses the terms in the *Two Treatises* to signal divinely revealed positive law.

“Duty” appears twenty times in *An Essay*. It appears once in *E* Iiv.7, Iiv.13, Iiv.22, II.xxi.47, II.xxi.52, II.xxiii.12, II.xxviii.8, II.xxviii.14, IV.i.18, IV.xii.11, and IV.xx.11; twice in *E* Iiii.13 and IV.xvii.24; and four times in *E* Iiii.13. The appearance at II.xxviii.8 is noteworthy, for here Locke writes, “the Divine Law, the measure of sin and duty.” The term “duty” appears fourteen times in the *Second Treatise*. The distribution of the term is telling. In four places it appears in one of Locke’s citations of Hooker (see *TT* II.5, where it appears twice, and the notes Locke appends to *TT* II.94 and 111). Of the remaining ten instances of “duty,” nine appear in *Second Treatise*, Chapter VI, “Of Paternal Power.” It appears once in *TT* I.58, 60, 67, and 71; twice in *TT* I.69; and three times in *TT* I.68. Its appearance at *TT* I.60 is noteworthy: it appears immediately after a citation of Hooker, so one has grounds to wonder whether Locke had momentarily slipped into Hooker’s idiom. The final appearance is in *TT* II.137, the context of which, however, is the promulgation of civil laws. So of the fourteen appearances of “duty” in the *Second Treatise*, only eight or nine of them (depending on what one does with *TT* I.60) can be connected to Locke’s own thinking about the natural law in the *Second Treatise*. But it is rather curious why all such appearances of “duty” are concentrated in “Of Paternal Power” and are used only to term the obligations family members have to one another. The term “duty” appears fifteen times in the *First Treatise*. Once again the distribution of the term is telling. In eleven places it is used to term the obligations family members have to one another (see *TT* I.49, 67, and 90, where it appears each one time; *TT* I.100, where it appears three times; and *TT* I.66, where it appears six times). In two places the term is used in relation to divinely revealed positive law (see *TT* I.47 and 166). Its final appearance in the *First Treatise* is at *TT* I.120, where the issue is identifying the person or institution to which one owes civil obedience.
Next among the textual reasons is the claim that the argument of the Second Treatise fails to satisfy the formal and material requirements of the demonstrative morality laid out in An Essay. On even repeated readings of the Second Treatise, it could be said (and frequently has been said) that the demonstrative morality fails to appear in the Second Treatise, because one does not find in the Second Treatise careful demonstrative reasoning from mixed modes, or because one does not find in the Second Treatise a carefully worked out theological grounding to the argument. Leo Strauss observes that “What he [Locke] did [in the Second Treatise] stands in striking contrast to what he said [in An Essay]”; and A. John Simmons, “Locke has merely asserted that our duties are eternal, when this is precisely the point at issue. . . Most of us, however will at least want to try to understand why God should have privileged some duties in this way, but not others.” Similarly Robert Nozick writes that Locke “does not provide anything remotely resembling a satisfactory explanation of the status and basis of the law of nature in his Second Treatise”; and Patrick Coby that Locke “gave no systematic account of the natural law in the Second Treatise.” This complaint, which is multi-faceted and comes from interpreters of widely divergent readings of Locke, amounts to another claimed discrepancy between An Essay and the Second Treatise. I term this discrepancy the procedural discrepancy.

Independent of these four discrepancies there is Locke’s own attestation that he did not produce a demonstrative morality. By diverse actions and a variety of declarations, Locke seems to say that he did not complete the demonstrative morality (which, I remind the reader, I am taking to be identical to the natural law). If we take Locke at his word, then we should not find the demonstrative morality in the Second Treatise, or in any of his other writings for that matter. As noted

---

above, \textit{An Essay} is clear about the possibility of the demonstrative morality, but utterly silent as to where that morality could be found. If one assumes that it is to be found in the \textit{Second Treatise}, then one must reckon with \textit{TT} II.12, where Locke freely declares, “it would be besides my present purpose, to enter here into the particulars of the Law of Nature.” Coby takes this to indicate that the demonstrative morality, however much worked out, was not intended to be found in the \textit{Second Treatise}.

Yet even if it was not meant to be found in the \textit{Second Treatise}, the possibility nonetheless remains open that it was meant to be found in another work. The fragment “Of Morality” has been taken by some to contain the promised demonstrative morality. This fragment, however, was never published, was (by all appearances) never developed beyond a fragmentary stage, and its very existence was hidden in Locke’s journals. What is more, the fragment is rather uninteresting. In the words of G. A. J. Rogers, “[T]he results are hardly exciting, nothing to suggest that Locke could ever have become the Newton of the moral sciences.”

As a final attestation to the absence of the demonstrative morality, there are Locke’s letters to his friends, in which he denied ever producing such a thing. William Molyneux, for instance, implored Locke several times to make good on the promises of \textit{An Essay}. Locke replied with increasing exacerbation. Locke writes Molyneux on 20 September 1692 that “Though by the view I had of moral ideas, whilst I was considering that subject, I thought I saw that morality might be demonstratively made out, yet whether I am able so to make it out is another question,” (\textit{C IV}.524); on 19 January 1694, that matter of the

\begin{itemize}
\item John Locke, \textit{Political Essays}, 267-69.
\item See note 6 above.
\end{itemize}
demonstrative morality “require[s] abler heads, and stronger bodies than I have, to manage them,” (C IV.786); and on 20 March 1696, “I am in doubt whether it would be prudent, in one of my age and health . . . to see about it [the demonstrative morality],” (C V.595). The silence of Locke’s An Essay, the secrecy of his journals, and the explicit attestations found in his letters and the Second Treatise all suggest that Locke simply never worked out the demonstrative morality.

There are, then, five textual reasons for doubting that the Second Treatise contains the demonstrative morality, namely, the intentional, conceptual, lexical, and procedural discrepancies between An Essay and the Second Treatise, and finally Locke’s own declared word and seeming action that he did not produce the demonstrative morality. The presumed failure of Locke to complete the demonstrative morality calls for an explanation, and several explanations have been put forward. The explanations together comprise the philosophical reasons for why the demonstrative morality is not to be found in the Second Treatise. Altogether the scholarship provides seven explanations for its absence: either Locke (1) doubted the possibility of a demonstrative morality; or Locke thought its completion unnecessary, (2) because revelation supplied true morality, (3) because probable belief was as good as demonstrative knowledge, or (4) because civility did not require rationalist ethics; or Locke found its completion impossible, (5) because he was unable to bring the Two Treatises together into a coherent unity, (6) because he was unable to solve problems in the formal machinery of the demonstrative morality, or (7) because he was unable to produce a viable theology on which to base the deductions of the demonstrative morality.

Let us start with the first explanation for the absence of the demonstrative morality from the Second Treatise, namely, that Locke grew increasingly doubtful of even the bare possibility of a demonstrative morality. This explanation finds its beginnings in Philip Abrams’s work on Locke’s
very early *Two Tracts of Government*. Abrams contends that Locke’s departure from authoritarianism (expressed in *Two Tracts*) and his emigration to liberalism (expressed in *Two Treatises*) amounts to a concession that he failed to produce the demonstrative morality he had from youth hoped to produce.\(^{29}\) Abrams claims Locke reasoned thus: if the certainly true rules of morality could not be made out, government should not have absolute power to order society.

That doubt prevented Locke from producing the demonstrative morality is a hypothesis that steers cleanly between two opposing hypotheses: according to one, the absence from his published works is to be explained by the fact that he believed that completing the project was unnecessary, and according to the other, by the fact that he encountered difficulties in its execution that he did not know how to resolve. Three hypotheses have been put forward as to why the demonstrative morality is unnecessary. They are not mutually exclusive, but can be jointly employed for complimentary effect. The most popular of these hypotheses traces its origins to John Dunn’s still influential study of Locke. Dunn contends that the basis of John Locke’s political thought, and indeed even the basis of his efforts in *An Essay*, is Calvinism.\(^{30}\) By the end of Locke’s career, Dunn argues, he had abandoned all efforts of a rationalist ethics in favor of a Christian fideism. If Dunn’s account of Locke’s political thought is inaccurate in the details (and according to the scholarly consensus, the details do need to be reworked), the majority opinion remains that Locke’s thought is in one way or another deeply Christian. Locke’s supposed Christianity explains the absence of the demonstrative morality in the following way: revelation renders the demonstrative morality no great


\(^{30}\) John Dunn, *The Political Thought of John Locke*. For the status of Locke’s demonstrative morality in particular, see 186-88.
or urgent necessity. “Did the world want a rule [a demonstrative ethics],” he writes in his 20 March 1696 letter to Molyneux, “I confess there could be no work so necessary. . . . But the Gospel contains so perfect a body of Ethicks, that reason may be excused from that inquiry since she may find man’s duty clearer and easier in revelation than in herself,” (C V.595). In line with this remark, the *Reasonableness of Christianity* is often read as supplying the answer to the demand made by *An Essay* and left unanswered by the *Two Treatises*.31

The second hypothesis is that changes in the concept of probability voided the necessity to produce the demonstrative morality. James Tully first put this view forward. Tully argued that toward the end of his career Locke did not so much retreat into a Christian fideism as recognize that rational, probabilistic reasoning can reliably lead one to secure moral belief. This comes out most forcefully, Tully suggests, in Locke’s version of the wager argument: the wager shows that it is rational to follow the divine law, even in the absence of a demonstrative proof that shows the divine law to be true.32 Douglas John Casson’s recent study of Locke provides a thorough and extensive expansion of Tully’s thesis.33 Locke wrote at a pivotal moment in the history of the concept of


probability.\footnote{Evidently, he also played no considerable role in the development of the concept. See Hacking, \textit{Emergence of Probability}, 85-86.} Prior to Locke probability was an authority-based assurance that a given proposition was true or at least respectable, but after Locke probability had become a quantitative measure of truth (or at least hoped to be so). On the old scheme, knowledge was opposed to opinion, and knowledge was understood along the lines of demonstration, whereas opinion was understood to be the opinion of \textit{some authority}. On this view, belief became knowledge when the belief was accompanied by an account showing the truth of the belief, and a belief was rendered probable when the belief had been previously advanced by one or several respected authorities. Techniques were devised that brought together diverse authorities and resolved apparent contradictions among them (e.g., Grotius’s overlapping consensus) Yet when the intellectual tradition, through those techniques unified, had been irrecoverably fractured during the Reformation, a belief could no longer be reasonably held simply because it had been advanced by an authority—the unity of tradition shattered, it was no longer clear who could be regarded as an authority. The old conception of probability accordingly became unviable. In the immediate wake of this radical epistemological shift, it appeared that one must either resign to skepticism (as Montaigne did) or fanatically pursue demonstrative certainty (as Descartes did). A middle course emerged with developments in the concept of probability. Probability detached from authorities and attached to empirical evidence and logical agreement, which came in degrees. Such a view of probability is plainly in the text of \textit{An Essay}. Accordingly, it is not demonstrative certainty that alone can protect one against skepticism and arbitrary adherence to tradition, nor is one at a loss if one fails to arrive at certainty. The certitude that Locke’s promise of a demonstrative morality would doubtlessly be beneficial, but, so Casson argues, one can survive well enough without it. Locke explained how the
demonstrative morality would be possible, but, Casson argues, he was under no necessity to produce it, and in fact did not.

The final hypothesis is based on an insight of Strauss. The natural law “circumscribes the conditions which a nation must fulfill in order to be civil or civilized.” As Strauss points out, Locke held that the Chinese and Siamites were civilized despite the fact that they are ignorant of God. The demonstrative morality follows from man’s relationship to God, but God is not necessary for civilized life. Therefore the demonstrative morality is not necessary for civilized life either. This hypothesis does not stand well on its own. If basic social stability voided the necessity of a completed moral science, then “Dens of Thieves, and the Confederacies of the greatest Villains,” would be enough to render the demonstrative morality unnecessary, for these otherwise vicious groups “keep Faith and Rules of Justice one with another,” (E I.iii.2). Locke’s remarks on the Chinese and Siamites are scanty, so one cannot know where he would place them on the scale between perfect moral agents and cooperating thieves; yet not knowing that, we cannot claim that the civility of the Chinese and Siamites obviates any effort to complete the moral sciences. For this hypothesis to become compelling, it is necessary to situate it in Strauss’s larger interpretative project.

The validity of this effort is addressed elsewhere.

That Locke believed that the demonstrative morality was unnecessary is one way of explaining its absence from Locke’s published works. It remains possible, however, that Locke

---


37 Aspects of Strauss’s reading of Locke are considered throughout this chapter. The reading is considered directly in Appendix B.
believed that because of insurmountable obstacles he encountered he could not or would not complete the demonstrative morality. Indeed one finds a suggestion of an admission of such in Locke’s letters to William Molyneux: the endeavor “require[s] abler heads, and stronger bodies than I have, to manage them,” (C IV.786). The obstacles are three, two belonging to the demonstrative morality itself—formal difficulties and material difficulties—and one belonging to the relationship between the demonstrative morality and corporeal rational nature—difficulties pertaining to human psychology. The alleged psychological difficulty is this: a demonstratively worked out system of ethics with the abstractness of mathematics is a useless science, i.e., is not sufficient to make men moral. The demonstrative morality is useful only so far as it is effective—in other words, only so far as it is *hedonically motivating*. Humans are moved to act by some present uneasiness; they are moved by reason and proof *only when* they have cultivated the habit of being made uneasy by irrational action and nonconformity to moral law. Since it is more important that human beings act morally, if nonetheless ignorantly, than that reason readily sees and understands the content of morality but is unmoved to act according to it, Locke dedicated his efforts after the publication of *An Essay* not to expounding the demonstrative morality, *but instead* to the development of strategies for the cultivation of moral habits: thus Locke’s *Some Thoughts concerning Education* and *Reasonableness of Christianity*, which were published three and five years, respectively, after the first appearance of *An

---


39 That *Some Thoughts* is intended to cultivate moral habits is the main contention of Nathan Tarcov’s *Locke’s Education for Liberty*.

40 Forde stresses that it is patently false to read the *Reasonableness* as a retreat from rationalist ethics to fideism. “Given their contemporaneity [*An Essay* and the *Reasonableness*], the difference
Essay. Locke did not complete the demonstrative morality, because he had other business to attend to first. While it might not have been impossible from a theoretical point of view, from a practical point of view it was: Locke did not have enough time both to establish the rules for the cultivation of moral habits and to deduce the theorems moral knowledge.

The formal and material difficulties to completing the demonstrative morality are more involved. The formal difficulties are mainly two. The first difficulties are those one encounters when one assumes that the Second Treatise contains the demonstrative morality, understood as the deduction of moral rules from the relationship between man and God. At the general level, there is the internal consistency of Locke’s Second Treatise, which has been a perennial difficulty for Locke scholars. Writing fifty years after George Sabine lamented the disarray of the Second Treatises and after as many efforts to clean the work up, Richard Ashcraft concludes that there is no way to bring Locke’s Two Treatises into logical coherence. At the particular level, the demonstration in TT II.4, 6 is of questionable success. The argument of TT II.6 is that because men are sent into the world about God’s business, they are not permitted to harm themselves or others. Michael Zuckert observes that Locke’s law, then, “has a remarkably narrow content.”

between the two works must be traceable to differences in strategy alone,” ("Natural Law, Morality, and Theology," 406).

41 George H. Sabine, A History of Political Theory (New York: Holt, Rinehart and Winston, 1937); Richard Ashcraft, Locke’s Two Treatises of Government, 120. The likes of a Leo Strauss or an A. John Simmons might paint a clear portrait of a coherent Locke, but whether Locke would recognize himself in that portrait is another, highly debatable question. For their attempts to bring Locke into coherence, see Leo Strauss, Natural Right and History, 202-51; A. John Simmons, A Lockean Theory of Rights, and On the Edge of Anarchy.

42 Zuckert, Natural Rights and the New Republicanism, 218: “It is not clear that the principle Locke identifies as standing behind that natural law does or ought to produce such a narrow content. Humankind, Locke says, is ‘sent into the world by [God’s] order, and about his business,’
The second sort of difficulties are those one encounters in the formal machinery of the demonstrative morality. It is claimed that Locke’s demonstrative morality never made an appearance in his published writings on account of “difficulties he had in reconciling the notion of this law [or: the demonstrative morality] with some of his mature doctrines.”

Difficulties have been cited concerning the terms of the demonstration, the nature of the demonstration itself, and the starting point, inferences, and conclusions of the demonstration. To name the more prominent concerns, there are doubts that Locke’s moral language (his mixed modes) can successfully latch on to reality. Take for example “suicide,” which on Locke’s scheme is the name for the mixed mode “the killing of one’s self.” Mackie charges that this misses the mark of what suicide is: more than just a mixed mode, suicide is additionally “a concrete performance, a kind of behavior, a socio-psychological phenomenon,” and as such the idea “refer[s] to the real existence of things,” which a Lockean mixed mode simply cannot do.

Next, when Locke’s prime examples of his demonstrative morality are the analytically true propositions, “where there is no property, there is no justice,” and “no government permits absolute freedom,” (E IV.iii.19), there is the danger that Locke’s demonstrative morality amounts to no more than a heap of analytic statements. If so, the demonstrative morality ceases to be informative, it appears to deduce ethical propositions from

---


44 Mackie, Problems from Locke, 90. This concern buttresses the complaint that because Locke’s mixed modes cannot refer to the real existence of things, his natural law (demonstrative morality) cannot be a natural law in any traditional sense

45 Mackie, Problems from Locke, 209, 214. This problem is extensively discussed at Colman, John Locke’s Moral Philosophy, 140-59.
definitions, which is as much and as faulty as to deduce ethical propositions from non-ethical propositions.\textsuperscript{46} Locke is perhaps aware of the latter complaint. At \textit{E IV.iii.18} he claims that the demonstrative morality can be made out from “self-evident Propositions.” If such propositions are just those analytic statements he lists at \textit{E IV.iii.19}, then his efforts are doomed to fail. However if such propositions are what the mathematicians call axioms (or Locke calls “Maxims”), then the problem is avoided. There is perhaps one candidate to be found in \textit{An Essay}. At \textit{E IV.xi.13} Locke declares that from “the Idea of GOD and my self, of Fear and Obedience, I cannot but be sure that GOD is to be feared and obeyed by me.”\textsuperscript{47} “God ought to be obeyed” therefore may function as a “self-evident” proposition from which the demonstrative morality can be deduced (a view that coheres with the blueprint for the demonstrative morality one finds at \textit{E IV.iii.18}). There are two large problems with this candidate, however. First, it is not clear whether it belongs properly to Locke’s rationalist ethics or rather to his moral psychology. Second, the candidate appears disqualified by what Locke says just one chapter later:

That which I have here to do, is to enquire, whether if it be the readiest way to Knowledge, to begin with general Maxims, and build upon them, it be yet a safe way to take the Principles, which are laid down in any other Science, as unquestionable Truths; and so receive them without examination, and adhere to them, without suffering them to be doubted of, because Mathematicians have been so happy, or so fair, to use none but self-evident and undeniable. If this be so, I know not what may pass for Truth in Morality, what may not be introduced and proved in Natural Philosophy. (\textit{E IV.xii.4})

If, to avoid this problem, Locke retreats entirely to the deductive formalism of the proposed demonstrative morality and hopes to derive moral necessity from the logical necessity between the

\textsuperscript{46} von Leyden, “John Locke and Natural Law,” 33.

\textsuperscript{47} Mackie did not see this possibility. He instead hypothesized that Locke tacitly brought into his demonstrative morality the innatism he so vehemently opposed in \textit{An Essay I. Problems from Locke}, 209.
propositions, he encounters one more problem: moral obligation is a necessity that is simply different from logical or causal necessity. There are, then, several obstacles on the formal side of Locke’s demonstrative morality, and any one of them could prevent Locke’s demonstrative morality from getting off the ground.

The final obstacle Locke could have encountered in drafting his demonstrative morality (and the one most often noted by scholars) belongs to the material aspect of the demonstrative morality: Locke’s theology is too underdeveloped to sustain the hopes of the demonstrative morality. Taking $E$ IV.iii.18 to contain the blueprint of the demonstrative morality, the starting point of the demonstrative morality is the “Idea of a supreme Being, infinite in Power, Goodness, and Wisdom, whose Workmanship we are, and on whom we depend.” With this as the starting point, Locke is open to several points of critique. First, does Locke succeed in establishing that such an idea represents an actually existing entity? Locke confidently avers that God’s existence is “the most obvious Truth that Reason discovers,” ($E$ IV.x.1) and that it is “unavoidable for all rational Creatures, to conclude, that something has existed from Eternity,” ($E$ IV.x.8). His argument to show the existence of what his demonstrative morality requires, however, does not satisfy. His proof ends at the “discovery of the necessary Existence of an eternal Mind,” ($E$ IV.x.12); in the remainder of the chapter he handles objections to his argument. Importantly, the proof does not extend to

---

48 von Leyden, “John Locke and Natural Law,” 33-34.

49 His confidence is repeated at $E$ IV.x.6: “Nay, I presume I may say, that we more certainly know that there is a GOD, than that there is any thing else without us. When I say we know, I mean that there is such a Knowledge within our reach, which we cannot miss, if we will but apply our Minds to that, as we do to several other Enquiries.”
God’s goodness.\footnote{Steven Forde, “What Does Locke Expect Us to Know?” The Review of Politics 68, no. 2 (Spring, 2006), 240; Myers, Our Only Star and Compass, 42-49; John Marshall, Resistance, Religion and Responsibility, 384-85; Zuckert, Natural Rights and the New Republicanism, 217; Rogers, “Locke and the Sceptical Challenge,” 56. Thomas Pangle argues that the Biblical God Locke presents in the Second Treatise is exactly a God without goodness. The Spirit of Modern Republicanism, 145: “By the end of the fifth chapter Locke has forced us to confront this thought: that a careful, faithful, and fair reading of the first three chapters of Genesis—using the ‘Scripture itself as the best interpreter’ as far as possible, but with a view also to elementary moral feelings and commonsense observation of the world—shows there to be no other alternative; the God of whom and for whom the Bible speaks is either grotesquely unjust in his punishments or tyrannically cruel in his providential care (or both).”} Turning to TT II.6, which is where the rudiments of the demonstrative morality, I claim, most clearly appear, one finds goodness omitted: “For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker.” Yet Locke’s proof in An Essay not only falls short of the mark; it also appears to fail logically. Fundamental to Locke’s proof are the principles “non-entity cannot produce being” and “non-thinking being cannot produce thinking being.” These principles cannot be sustained on the terms of his epistemology, however.\footnote{See Mackie, Problems from Locke, 208-09 for discussion.} All told, then, Locke fails to show that the God that demonstrative morality requires exists.

Locke’s demonstrative morality requires more than just the existence of a wise, good, and powerful God. Locke’s demonstrative morality requires also that this God be an effective enforcer of the precepts of the demonstrative morality. Many scholars claim that this poses a supplementary and decisive theological obstacle. The ultimate enforcement of Locke’s natural law (demonstrative morality) are the rewards God annexes to compliance to the law and the punishments God annexes to violation of the law in the next life.\footnote{I I.iii.4, 12, E II.xxviii.6, TT I.86, and TT II.59, 60.} It is alleged that the tenability of Locke’s demonstrative morality therefore depends not only on the rational demonstration of the existence of “a supreme Being, infinite in Power, Goodness, and Wisdom,” it depends also on the rational proof of actual
next-life rewards and punishments, and therefore rational proof of an immortal soul. But Locke provides no such proof, and in fact his epistemological principles entail that no proof is possible.  


Some non-Straussians also affirm the need to prove the existence of next-life sanctions. See Marshall, Resistance, Religion and Responsibility, 384-85; James Tully, A Discourse on Property (Cambridge: Cambridge University Press, 1980), 39-40; and Harris, The Mind of John Locke, 309.

Three other points of theological controversy deserve mention: Locke’s use of the Bible in the Two Treatises, the conflict between divine ownership and self-ownership in the Second Treatise, and the “very strange Doctrine” (TT II.9) of individual enforcement of the natural law in the state of nature. These knotty problems are not obviously at the foundation of Locke’s thinking and are themselves too ambiguous to function as decisive evidence for or against the apparent theological grounding of Locke’s natural law/demonstrative morality. Rather, and as I argue in Appendix B, the untying of these knots depends on a prior decision about the sincerity of Locke’s theology. It does not follow a priori, but given the logic of the interpretation—first, as Strauss himself presents it, and second, as the interpretation actually requires—it does follow. I tried to state my reasons for this in Appendix B, but given the space constraints I could not do this nearly to the extent I wanted to. The resolutions of these problems are not pursued in this study. Pangle, Spirit of Modern Republicanism, 133-38 powerfully makes the case for Locke’s anti-Christian Biblical exegesis. For an alternative take, see Martin Seliger, The Liberal Politics of John Locke (London: George Allen & Unwin, 1968), 56-58, 64. For the argument that Locke’s gradual shift to self-ownership in the Second Treatise excludes divine ownership and hence indicates the insincerity of the theological grounding of Locke’s natural law, see Zuckert, Natural Rights and the New Republicanism, 220-46, especially 239. For reconciliations of divine and self-ownership, see Gopal Sreenivasan, The Limits of Lockean Rights in Property, 65-69, and Casson, Liberating Judgment, 178-84. For the significance of the strangeness of Locke’s “strange doctrine,” see Strauss, Natural Right and History, 212-14, and Zuckert, Natural Rights
There are thus several philosophical reasons why Locke’s demonstrative morality would not have appeared in the *Second Treatise*. If the problems he encountered in theology did not prevent him from producing the demonstrative morality, then the epistemological obstacles to producing a rationalist ethics could have prevented him; and if not the epistemological difficulties, then the greater urgency to produce a hedonically compelling ethics. But if he was not on principled grounds prevented from producing the morality, he might have not given it the effort because he thought it was simply unnecessary for civilization; if it was not simply unnecessary, then it was unnecessary because Christianity had given mankind a law; and if it was not unnecessary on Christianity’s account, then perhaps it was unnecessary on the account of developments in probabilistic reasoning. But if it was not judged impossible and it was not unnecessary, it’s absence might be explained by the bare fact that Locke just did not feel himself up to the task. Whatever explanation one ultimately elects, it does not change the (alleged) fact that the demonstrative morality plainly (allegedly) does not appear in the *Second Treatise*—and Locke’s word and the respective arguments and purposes of the *Second Treatise* and *An Essay* testify to this. Or so claim the majority of scholars of Locke’s *Second Treatise*.

*and the New Republicanism*, 222ff. For the view that the doctrine is not completely novel, see Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 2 (Cambridge: Cambridge University Press, 1978), 119. On this point I add that “strange” appears by my count 34 times in *An Essay*, and carries such meanings as “foreign,” “odd,” “unusual,” “unreasonable,” and “absurd.” It carries the meaning of “novel” three times: in respect to Locke’s person concept (*E* II.xxvii.6, 27), and in respect to Locke’s theory of species, where it appears in close proximity to “doctrine” (*E* III.xi.38). I suppose that these facts can be made to fit either of the competing hypotheses—that the “strange doctrine” of the *Second Treatise* was subversive of tradition or that it was rather corrective of tradition.
3.2.3. That There Is A Reasonable Expectation
That the Demonstrative Morality Is in the \textit{Second Treatise}

We saw in Section 4.1 above that it is prima facie plausible to look for \textit{An Essay’s} demonstrative morality in the \textit{Second Treatise}. \textit{An Essay} says that moral duty can be deduced from the idea of God as good, wise, and powerful creator and the idea of man as rational and created, and the \textit{Second Treatise}, by all appearances, deduces the content of the natural law from the ideas of God as wise and powerful creator and man as rational and created. The effect of Section 2.1.2 is to cast serious doubt on the possibility of such a search—the plausibility is mere appearance, is illusory. To restore the prima facie plausibility, indeed to raise it to genuine plausibility, it is sufficient to show that the reasons for doubt are groundless or misguided. To show so much is the purpose of the present section.

Two cautions must be stated here in the beginning. First, it is not my effort to prove beyond any possible objection or misgiving that the demonstrative morality is contained in the \textit{Second Treatise}. In fact, I believe that such a proof is impossible. The anonymous publication of the \textit{Second Treatise}, the silence of Locke’s journals and correspondence regarding his authorship of it, and the presentation of its argument (which is nothing like mathematics) permanently leave enough doubt to preclude assurance. It is sufficient for my purpose to show that it is more likely than not that the \textit{Second Treatise} contains the demonstrative morality. Second, one must not let one’s demands that the philosopher do what one would have wanted him to do obscure one’s vision of what the philosopher himself did and was satisfied to do. If one is preoccupied with finding the completed demonstrative morality and, upon failure of finding it, explaining its absence, one will easily overlook
partial presentations of that morality. This caution is especially relevant to the claims that the difficulties Locke encountered in the formal dimension of his demonstrative morality prevented him from developing it; it will partly constitute responses to those doubts.

Doubts that the Second Treatise contains the demonstrative morality come in two varieties: there are the “textual problems,” based on the verbal features of Locke’s works, and the “philosophical problems,” which are rooted in Locke’s philosophical principles. Before I turn to the problems themselves, I want to give a word to the logical relationships that form between the textual and the philosophical problems. First, the philosophical reasons give strength to the textual reasons: with an explanation for the absence of a demonstrative morality from Locke’s published works, particularly the Second Treatise, it becomes difficult to dismiss the suspicions of Nozick or Strauss as mere errors of interpretation. Second, the textual reasons give strength to the philosophical reasons: when taken as data of Locke’s literary output, they can attest to whether an interpretation of Locke’s thought latches on to reality, or instead fails to do so. And so, just as the strength of the textual reasons depends in part on the philosophical reasons, the philosophical reasons depend in part on the textual reasons: they mutually support one another. In order, therefore, to weaken any one philosophical (or textual) reason, it suffices to show a corresponding textual (or philosophical) reason to be unfounded. These sorts of logical relationships are not unique to Locke, but they bear mentioning because of the peculiarity of the Second Treatise’s public appearance: the anonymity of the Second Treatise entails that not all textual data can be taken at face value. An inordinate commitment to the letter of Locke’s writing will force an inauthentic interpretation, and an

54 Waldron, God, Locke, and Equality, 95 suggests so much, though only generally, and not with respect to those two specific points. Casson, Liberating Judgment, 11-12 makes a similar complaint: the search for the completed demonstrative morality has been so preoccupying as to obscure the role that Locke assigns to probability judgment in moral and political deliberation.
inordinate commitment to a specific interpretation of the spirit of Locke’s philosophy will cause blindness to some textual data.

I respond to the textual problems first. These problems were five: An Essay and the Second Treatise serve different purposes in different ways, there is a procedural gap between the Second Treatise and An Essay, there is no conceptual overlap between An Essay and the Second Treatise on the point of the demonstrative morality, Locke’s language is inconsistent between the two works, and Locke himself attests that he did no more than show how a demonstrative morality was possible—his word and deed attest that he never undertook to produce it. I will first respond to the intentional discrepancy, conceptual discrepancy, and procedural discrepancy each in turn, and then address at once Locke’s attestation, the lexical discrepancy, and (for a second time and now in a second way) the procedural discrepancy.

According to the intentional discrepancy, An Essay and the Two Treatises served different purposes. It is alleged that the Second Treatise in particular is a defense of Whig policies and actions during the Exclusion Crisis—events that are temporally localized—and hence is a work that has no intention of lasting significance, whereas An Essay is an account of the human understanding, which is as universal as the human species, and hence is a work that is intended to be of lasting significance. If the demonstrative morality is intended to be of lasting significance, it is not especially probable that it would appear in a work whose purpose is fulfilled within years of its publication (though it could). Whether Locke intended the Second Treatise to be of permanent historical significance is something that cannot be known or surmised with the same ease as the intended lasting significance of An Essay. The evidence, however, strongly suggests that Locke
intended it indeed to serve a purpose well beyond the seventeenth century and the particulars of English politics.

The view that the *Second Treatise* is only party propaganda takes its bearings from the politics of Anthony Ashley Cooper, The First Earl of Shaftesbury, who was Locke’s patron and the founder of the Whig party. In the late 1670s, Shaftesbury and his Whigs were especially anxious about the policies and legacy of Charles II. His politics tended toward theological absolutism and he contested the authority of parliament. When it was discovered that Charles II’s brother, the Catholic James II, would succeed Charles II on the throne, the fear was that the future king would bring only a more intense form of the already troublesome policies of Charles II. The attempt to prevent James II from taking the thrown became known as the Exclusion Crisis. Since the *Second Treatise* is a vigorous defense of legislative supremacy, scholars have taken it as a work of political propaganda, that is, a rhetorical piece of only temporary importance. Ross Corbett identifies two weaknesses in this account.55 First, the emphasis that Locke places on prerogative and the right to revolution are extraneous to the purpose of establishing legislative supremacy, and could run directly contrary to legislative supremacy.56 Second, the *Second Treatise* is rife with issues largely extraneous to legislative supremacy—the state of nature, the history of the first ages, the nature of marriage and the family, the origin of property and money—and gives extensive theoretical justification for all the particular doctrines of the work. Corbett compares Locke’s *Second Treatise* with Robert Ferguson’s *A Brief Justification of the Prince of Orange’s Descent into England*. Ferguson was, like Locke, a close associate of


56 Ross Corbett, *The Lockean Commonwealth*, 9: “The whole point of revolution is that law cannot be relied upon to bring about good government.”
Shaftesbury, and, again like Locke, fled from England to the Netherlands when things turned sour for Shaftesbury and his associates. Unlike Locke, the work Ferguson authored made little mention of the theoretical grounds for his position, and no mention of associated political issues such as property, the family, or prerogative. In Corbett’s words, “Ferguson argues for a policy. Locke advances an entire stance toward politics.”

Locke’s Second Treatise simply does much more than what mere support of Shaftesbury’s politics would have called for. As a final testament to the lasting significance of the Second Treatise, there is Locke’s judgment of the Second Treatise as the clearest work on property. Recommending it to a young gentleman, Locke says in 1703, “Property I have no where found more clearly explained than in a book entitled, Two Treatises of Government.”

The Second Treatise, therefore, is not intended merely to give direction to a young political party during a time of political crisis; it is intended to guide anyone through the political problems associated with property. Thus there are several reasons to believe that the Second Treatise served a lasting purpose, and hence would be congruent with the purpose An Essay.

According to the conceptual discrepancy, the concepts at work in Locke’s demonstrative morality are not found among the concepts employed in the Second Treatise. One is unable to identify the natural law with the demonstrative morality; one searches as vainly for expositions of the state of nature or of consent in An Essay as one searches for An Essay’s “plain historical method” and tabula

57 Corbett, Lockean Commonwealth, 11.

58 Thus Corbett’s daring hypothesis: “Locke’s purpose in writing the Two Treatises was to influence how the people perceived a revolution that would have just happened, and to do so in order to direct the sort of government that would have ruled afterward. We may safely say, then, that the real revolution was to take place after Locke had justified whatever events pushed one or the other Stuart brothers from the throne,” (Lockean Commonwealth, 4).

59 Quoted in Laslett, Introduction to Two Treatises of Government, by John Locke, 3.
In point of fact, however, there is an abundance of conceptual overlap. Richard Ashcraft, for example, has shown how Locke’s description of practical action, freedom, and rationality in the *Two Treatises* reflect the philosophical accounts of the same in *An Essay*. Jeremy Waldron has employed *An Essay’s* theory of species to make the *Second Treatise’s* notion of equality intelligible. There is also a considerable body of scholarship that advances the “workmanship model” of property and property rights. According to this model, humans own the things they make by analogy to God’s rights to ownership to the things he makes (such as human beings). This model has yet to be connected to the demonstrative morality of *An Essay*, but the spirit of the model is true to the demonstrative morality: the idea of ourselves as rational and powerful creatures and the idea of God as wise, good, and powerful, when duly considered, yields

---

60 The examples are Laslett’s. Introduction to *Two Treatises of Government*, by John Locke, 82-85.

61 See Ashcraft, *Locke’s Two Treatises of Government*, 236-43. His conclusion: “I have argued that the fundamental assumptions that comprise Locke’s theory of practical action, his assessment of the ends of that action in terms of morality and convenience, his definition of the natural powers of man that make such action possible, and his conception of the realization of both of these aspects of his theory within the existential boundaries of a society characterized by a plurality of interests and opinions, institutions that treat human beings as free rational agents, and so forth, provide the most important linkage between the arguments of the *Two Treatises of Government* and the *Essay Concerning Human Understanding*,” (243).


64 With the exception possibly of Tully, *Discourse on Property*, 8-11.
moral content, in this case, the right to private property. Such conceptual overlap is exactly what
one would expect from works drafted alongside each other over the course of a decade, and which
appear to have roots in a common work, the Essays concerning the Law of Nature.

The proof that there are conceptual connections between An Essay and the Second Treatise
cannot be shown \textit{a priori}. It can only be shown by instancing evident cases. Further, the instances
listed above do not show that there is a connection at exactly the point demanded by the present
concern. For those reasons, the instances listed above do not give supreme confidence that enough
of the demonstrative morality will be in the Second Treatise to provide the justification for the ethics
of belief of An Essay. The above instances nonetheless do give hope that the present need can
indeed be satisfied.

Even granting conceptual overlap between the Two Treatises and An Essay, which seems
abundantly reasonably to do, the case may nonetheless be that the procedure whereby Locke derives
the precepts of the natural law bear so little resemblance to what Locke announced in An Essay,
particularly at E IV.iii.18, that there is doubt that the Second Treatise could reasonably be expected to
contain the demonstrative morality. A fuller response is offered below, but the present, prefatory
response is to repeat the interpretative guide I laid down at the beginning of this section: it is
sometimes an error of interpretation to fault the text for failing to answer to demands imposed upon

\begin{footnotesize}
\begin{itemize}
  \item[65] Thus Ashcraft, Locke’s Two Treatises, 232: “And since Locke spent at least a decade of his
  life working simultaneously on An Essay and the Two Treatises, often recording notes he used in both
  works in the same journal on the same day, it does not seem worthwhile in this case even to pursue
  the theoretical plausibility of such a viewpoint.”
  \item[66] Thus von Leyden, “John Locke and Natural Law,” 23: “This manuscript has been
  published by me, and it is now possible to recognize that Locke’s two main bodies of doctrine,
  namely his political theory and his theory of knowledge, have a common ground and that this lies in
  his early doctrine of natural law.”
\end{itemize}
\end{footnotesize}
the text. When Nozick, for instance, writes that Locke “does not provide anything remotely resembling a satisfactory explanation of the status and basis of the law of nature in his *Second Treatise,*” he may be demanding that Locke accomplish in the *Second Treatise* what Locke had no intention of performing. Ashcraft’s words on this point are instructive: while it is “closer [than not] to Locke’s position,” to read the argument of the *Second Treatise* as a series of interconnected abstract terms, the “identification of the meaning of morality with an analytic approach is not an accurate rendering of Locke’s perspective.” The demonstrative morality may be in the *Second Treatise* partially, obscurely, or in some way other than the way suggested by *E IV.iii.18.* It may also be present in the work in ways quite different from the ways contemporary scholars of Locke would like it to be. Whatever the case, one should be hesitant to declare that it is in fact not there. So much can be said before entering into speculation as to why Locke might have wanted to obscure from view the demonstrative morality’s presence in the *Second Treatise.*

I believe that the above responses to the complaints of intentional and conceptual discrepancy are sufficient to show that the complaints are ill founded: the content of the *Second Treatise* readily shows that it is intended for more than merely momentary importance, and substantive conceptual connections between it and *An Essay* have been established. The immediately preceding remark about interpretative caution is certainly not enough to show that the procedural complaint is ill founded as well. A stronger case against this complaint comes by way of a response to Locke’s attestation that the *Second Treatise* does not contain the demonstrative morality because he never produced the demonstrative morality. The response to Locke’s attestation at the

---


68 Ashcraft, *Locke’s Two Treatises of Government,* 97-98.
same time provides a case against the lexical and procedural discrepancies. The response is this: Locke deliberately denied ever producing anything of his demonstrative morality and deliberately obfuscated the relationship between the *Second Treatise* and *An Essay* (which resulted in apparent lexical and procedural divergences between the works), because Locke wanted to conceal his authorship of the *Second Treatise*. To see why Locke would have compelling reasons to take so many steps to conceal his authorship, Locke’s own political activities and his well-known caution need to be reviewed.

Locke’s political activities began in 1666 when he met Shaftesbury, founder of the Whig party and ideological prime mover of (some of) the politics of Locke’s *Two Treatises*. Beginning in 1667 Locke worked closely with Shaftesbury, both as a physician in his home and as a secretary (Locke worked with Shaftesbury on the Carolina colony, for instance), and educated his grandson, who would become the eighteenth-century philosopher Anthony Ashley Cooper, the third Earl of Shaftesbury. It was through Shaftesbury that Locke joined the Royal Society, and it was in Shaftesbury’s home that the conversation about morality and religion that sparked *An Essay* took place. Shaftesbury was among the more controversial politicians of his time: he opposed the union of church and state, opposed the power of the throne, advocated for the power and rights of parliament, and took measures (notably the Exclusion Bill, introduced in 1679 and defeated in 1681) to prevent King Charles II’s brother James, the catholic Duke of York, from ascending the throne. These positions landed him in the Tower of London from 1677-78 and resulted in a self-imposed exile in 1682, during which period he died. These activities also led to Locke’s two flights from England to France from 1675-79 and to Holland from 1683-88. Locke’s first exile came as a result

---

69 Ashcraft, *Locke’s Two Treatises*, 22.
of the publication of the anonymously published 1675 pamphlet *A Letter from a Person of Quality to His Friend in the Country*. This pamphlet summarized Shaftesbury’s views, and particular attention was given to justifying the removal of authority over religious matters from the hands of civil magistrates. The pamphlet was condemned and publicly burned, and attempts were made to discover the author. Locke was thought to have written it (and it is probable that he at least contributed to the writing of it), and just days after the House of Lords Committee was charged with apprehending the author, Locke fled to France. Matters were much worse for Locke in 1682 and the following years. The failure of the Exclusion Bill in the House of Lords yielded several increasingly distressing troubles for Shaftesbury and his associates. Not long after the failure of the bill Shaftesbury fled the country in a self-imposed exile, and Locke fell under the close scrutiny of Charles II’s spies. Next, the failure to prevent by parliamentary means a catholic from assuming the throne led some of Shaftesbury’s associates to take more direct action: they plotted the assassination of King Charles and his brother James. It is unclear whether Locke was among the conspirators of the “Rye House Plot,” but he was their associate and may even have been involved in the plot. The reaction was severe. Several prominent Whigs were rounded up and executed (notably Algernon Sydney, who also authored an attack on the authoritarianism of Sir Robert Filmer). Locke fled to Holland in order to avoid the same fate. While he was there, the books and papers that he left behind in England were sought and examined, and his permanent position at Christ Church College was illegally revoked by a direct order of Charles II. Extradition was sought,

---

70 It is difficult, however, to prove this. Ashcraft, *Locke’s Two Treatises*, 26.

71 Ashcraft holds that Locke was indeed involved. However, Marshall answers that the evidence cited by Ashcraft only shows that it was possible that Locke was involved. Ashcraft, *Revolutionary Politics*, 332-37 and Marshall, *Religion, Resistance, and Responsibility*, 206.
forcing Locke to live in hiding and under a false name.\textsuperscript{72} It was only after the Glorious Revolution of 1688, when James was forced from the throne, that Locke was able to return to England and publish what he drafted seven years earlier, the \textit{Two Treatises of Government}. Yet even with the deposition of James the content of this work was dangerous, and he published it anonymously.\textsuperscript{73}

Locke is famous for his caution, and given the real danger of his political involvement he had an abundance of reasons to be cautious. His caution regarding the \textit{Two Treatises} deserves special note. The work was published anonymously, and were it not for a small codicil in his will, signed only shortly before his death, then, in the words of Peter Laslett, “we should have no direct proof that he wrote the book at all.”\textsuperscript{74} Laslett details the great lengths to which Locke strove to keep his authorship secret:

He destroyed all his workings for the book and erased from his papers every recognizable reference to its existence, its composition, its publication, printing and reprinting. All the negotiations with both printer and publisher went on through a third party, who was instructed to refer to the author as ‘my friend.’ This in spite of the fact that the publisher was a personal acquaintance both of Locke and his agent, and handled nearly all of his other books. In Locke’s own library, this book in all its editions was catalogued and placed on the shelves as anonymous, so that even a casual browser should find nothing to compromise the secret.\textsuperscript{75}

\textsuperscript{72} Horwitz, introduction to \textit{Questions concerning the Law of Nature}, by John Locke, 38-41.

\textsuperscript{73} Ashcraft emphasizes that what Locke said \textit{on the surface} of the work is as dangerous as anything he could have said elsewhere. This is one of several reasons Ashcraft finds Strauss’s esoteric reading of Locke implausible: Locke’s contemporaries could hardly have considered the \textit{Two Treatises} as an innocent and orthodox work. \textit{Locke’s Two Treatises}, 300-01.

\textsuperscript{74} Laslett, introduction to \textit{Two Treatises of Government}, by John Locke, 4.

\textsuperscript{75} Laslett, introduction to \textit{Two Treatises of Government}, by John Locke, 6.
Even when the truth of its authorship was suspected or in fact came out among his friends, Locke implored them to maintain the secret. The tenacity with which Locke pursued and maintained the secret of his authorship of the *Two Treatises* does not just raise questions regarding what Locke was hiding in that work; it also raises questions regarding the extent to which he would bury the signs of his authorship and the means he would employ to do so.

It is the latter question in particular that is of special interest for the relationship between *An Essay* and the *Two Treatises*. There are two leading stories that explain Locke's caution concerning the publication of the *Two Treatises*. According to one story, Locke's caution only explains the anonymous publication of the *Two Treatises*, and the significance of the anonymous publication extends no farther than publication itself. Locke feared controversy, and therefore did not publish the *Two Treatises* under his own name. According to another story, Locke's caution explains the anonymous publication of the *Two Treatises* as well as peculiarities internal to the *Two Treatises*, and has

---

76 Laslett, introduction to *Two Treatises of Government*, by John Locke, 6.

77 This is the question to which Horwitz's sketch of the historical context of Locke's writing leads. Horwitz suggests that what is hidden is a radically modern, atheistic natural law teaching (introduction to *Questions Concerning the Law of Nature*, 18). I find this suggestion difficult to accept. Horwitz's thesis amounts to this: (1) between Locke's name and the actual teaching of the Second Treatise stand (a) anonymous authorship, (b) the requested silence of friends, (c) the destruction of private materials, and (d) a veneer of orthodoxy so convincing that only the subtlest readers can detect the esoteric teaching; because (2) Locke wanted to avoid accusations of atheism and avoid persecution. Yet I answer: Locke attacked the doctrine of innate ideas as well as the doctrine of the immateriality of the soul ideas openly, unreservedly, and under his own name in *An Essay*; these doctrines were alike regarded at his time as foundational to morality; and Locke was accused of atheism precisely for his attack on these doctrines. So my difficulty is this: Why would Locke in one work take such extreme, artful, even silly measures to protect himself, and yet in another work invite the very criticisms and accusations he hoped to protect himself from in the other? A much more acceptable thesis seems to be that Locke feared royalists incomparably more than natural law traditionalists. For a painstaking detailing of the importance of the doctrines of innate ideas and the immateriality of the soul in the seventeenth century and the reaction to the doctrines of *An Essay*, see Yolton, *John Locke and the Way of Ideas*. 
significant implications for the relationship between the Two Treatises and An Essay. An Essay, which was published under his name, carries the more or less traditional view of things (“traditional” only in the sense that God is at the center of the moral and political order), and the Second Treatises, which was not published under his name, carries the radically new view of things (God is not at the center of the moral and political order). Locke’s caution is a tool for communicating the new theory without incurring persecution on the one hand or committing him to a traditional view on the other. This story is the story typical of Straussian scholars on Locke.

I propose a third story. The caution is not intended only as a cover to a radically new and subversive teaching, but its significance does not end with the Two Treatises either. I suggest that Locke did not want it known that he published the Two Treatises, because he did not want to arouse the suspicions of those who twice compelled him to flee England. One means of protecting himself was anonymous publication. Another means of protecting himself involved blurring or hiding the connections between the Two Treatises and An Essay, which was published under his own name. It follows that the lexical and procedural discrepancies as well as his attestations are the result of efforts to keep his identity hidden. Consider first Locke’s attestation that he did not produce a demonstrative morality. If Locke did include in the Second Treatise the fundamentals of the demonstrative morality, then when he was pressed by his friends to produce that morality he could certainly not answer that they should read the Second Treatise. For to say so much would be to admit authorship of the Second Treatise, which he clearly took great pains not to do. Furthermore, if Locke included in the Second Treatise the fundamentals of the demonstrative morality, then Locke could not publish separately from the Second Treatise a workup of the theorems of that morality. For to do so would either be tantamount to admitting authorship of the Second Treatise, which he would not do; or
at least raise to a high level the suspicion that he authored the *Second Treatise*, which he took pains to keep at a minimum. 78 Consider next the lexical and procedural discrepancies. If Locke was as obsessive and as thorough in concealing his authorship of the *Second Treatise* as Laslett’s picture suggests, and if the causes for concern were as great as the picture of Locke’s political activities suggest, then one should expect that Locke would deliberately obfuscate the connections between *An Essay* and the *Second Treatise*. (A weaker conjecture would be that deliberate obfuscation should not be surprising. But given the extremes to which Locke went, the stronger conjecture is warranted.) Concretely speaking, this means that the procedure of the *Second Treatise* would not appear like that of the mathematician, and the terms used as names for the mixed modes that make up the demonstration would be different from those that name the same mixed modes in *An Essay*. One finds so much when one compares the *Second Treatise* and *An Essay* side by side. The deduction of the precepts of the natural law in the *Second Treatise* is interwoven with speculative history and comparative sociology to such a degree as still to confuse readers of the work. While the *Second Treatise* speaks of the “law of nature” and the “law of reason” (and derivatives), *An Essay* speaks of

---

78 Molyneux and Tyrrell pressed Locke the hardest to explain his natural law and make good on his promise of the demonstrative morality. The suggestion I make might appear to assume that Locke did not tell Molyneux and Tyrrell that he authored the *Second Treatise*. But Locke very likely did tell Molyneux and Tyrrell that he authored the *Second Treatise*. (The evidence is marshaled by Laslett, introduction to Locke, *Two Treatises of Government*, 6.) Thus there appears to be a problem to my suggestion. If Locke told Molyneux and Tyrrell that he authored the *Second Treatise*, and if they pressed him nonetheless to clarify his position on the natural law and to develop the demonstrative morality, then it seems the *Second Treatise* does not contain the answers to their queries. Further, if Locke told them, and if, when they pressed him, Locke did not encourage them to reread the *Second Treatise*, then, again, the *Second Treatise* appears not contain the demonstrative morality. But the evidence suggests that this is not in fact a problem. Tyrrell pressed Locke in a letter of 27 July 1690, and Molyneux Locke in letters of 20 September 1692, 19 January 1694, and 20 March 1696. Locke informed them of his authorship of the *Second Treatise* well after these times: Locke informed Tyrrell in a letter of 9 August 1692, and Locke Molyneux in a letter of 15 March 1698.
the “divine law” and “duty” (and derivatives). The Second Treatise further employs the term “species” in a way that is wholly barred by An Essay, and uses language reminiscent of the doctrine of innate ideas, prevalent in Locke’s time but utterly rejected in An Essay. Locke wanted to protect himself, and as seen just above he had abundant reason to, and he took several steps to do so. I suggest that the steps appear as anonymous publication and obscured connections between his published works.

Given the extent to which Locke was willing to hide his authorship of the Second Treatise, it should not cause surprise that Locke would deliberately dissemble before his friends and obfuscate the connections between An Essay and the Second Treatise. In fact, given the extremes to which Locke went, it should cause surprise if he did not do such things. Of course, this explanation of the lexical and procedural discrepancies between the works and Locke’s attestation do not show—let alone prove—that the demonstrative morality is in the Second Treatise. Rather, my argument is that the assumption that the Second Treatise contains (at least the fundamentals of) the demonstrative morality does not clash with the evidence, and indeed is consistent with it.

The textual reasons as to why the Second Treatise should not be read as containing An Essay’s demonstrative morality were these: Locke said he did not produce An Essay’s demonstrative morality, the purpose of the Second Treatise does not overlap with that of An Essay, the concepts of An Essay do not find expression in the Second Treatise, the procedure of the Second Treatise does not follow that proposed by An Essay, and the diction between the two works is inconsistent. I think I have shown that these objections are not convincing. Of course, to defeat these objections is not

---

79 Note 23 above reviews the differences in Locke’s diction between An Essay and the Two Treatises.
the same as to prove that the demonstrative morality is in the Second Treatise, to defeat these objections is instead to restore credibility to the prima facie plausibility of finding the demonstrative morality in the Second Treatise.

Next to be tackled are the philosophical reasons as to why the Second Treatise should not be read as containing the demonstrative morality. These reasons accept the textual problems and attempt to use Locke's principles or doctrines to account for the textual problems. The conjectures suggested are: it is simply unnecessary for civilization to have a demonstrative morality; revelation replaced it; probability replaced it; problems in execution prevented it; conceptual problems prevented it; and theological problems prevented it.

So far as the philosophical reasons intend to account for the textual problems, they are significantly weakened when the textual problems are shown not to be problematic. This is especially the case for the conjectures that Locke held the demonstrative morality simply unnecessary for civilization, that he simply doubted its possibility, that he encountered difficulties expounding the natural law theory in the Second Treatise. The Chinese and Siamites, though denying certain principles of the natural law, are civilized, yet thieves, though also denying certain principles of the natural law, maintain a degree of society. If the Chinese prove that the natural law need not be expounded, then why do not thieves prove just the same? I do not see how Locke's available texts can answer this question. This conjecture has force only on the condition that Locke did not in fact produce a demonstrative morality. Doubt is also a weak explanation: it holds only for the absence of the demonstrative morality—if he completed it, he at some point ceased to doubt it (if he ever began to). The third fairs equally poorly. The confusions in the Second Treatise can be understood as brute facts of the text. They bear no necessary relation to the failure to produce the
demonstrative morality, and they indicate a failure of the demonstrative morality only on the condition that an explanation for the failure of the demonstrative morality must be sought.

However, not all philosophical reasons depend so completely on the textual problems. Locke’s supposed turn to revelation or probability, his inability to troubleshoot the formal and material issues of his demonstrative morality stand to a considerable extent on their own, yet they do not for that reason stand sturdily. They stand on their own, because Locke’s statements about Christianity, the place he occupied in the history of probability, the ramshackle state of his theology, and the unsystematic, incidental presentation of the demonstrative morality in An Essay would have invited doubts about Locke’s success in developing it, whether or not the absence of the morality in his works called for explanation. Yet they stand somewhat feebly for the following reasons. First, it presents no contradiction to suppose that Locke attempted in one form or another fragments of his demonstrative morality and that at the same time he regarded the effort largely unnecessary or encountered severe difficulties in its execution. Second, without plain textual evidence that Locke recognized or acknowledged the lack of necessity or the difficulty of execution, there is little ground to suppose that he would not have made the effort, much less that it was for precisely those reasons that he did not make the effort. If the history of philosophy in general provides any indication, then any one doctrine is open to more objections than the philosopher who crafted the doctrine could think up himself. If we find defeating problems in Locke’s conception of the demonstrative morality, it by no means follows that Locke recognized the same problems, much less that he was paralyzed by them. These three criticisms in place, the prima facie reasons to believe that the Second Treatise contains the demonstrative morality roughly balance the prima facie reasons to doubt that it does. A fuller reply than this is necessary to dispel more completely the doubts these claims cast. However,
even a fuller reply will have to stay at a somewhat general level, for to examine each thesis in fine
detail would distract too much from the present purpose.

“The greatest part cannot know, and therefore they must believe,” (RC 157-58). Locke
writes this in his *Reasonableness of Christianity*, which was published in 1695. On the basis of this and
like statements it has been claimed that Locke retreated to revelation upon his failure to produce a
rationalist ethics. Steven Forde has demonstrated, however, that the claim is simply implausible.
The turn to revelation as a guide to assent would not just have required Locke to revise his stance on
the demonstrative morality; it would also have required him to make substantial changes to his views
on the correct and incorrect measures of probability as well as on assent generally. Yet these matters
together comprise roughly an eighth of *An Essay*, and Locke made no changes to them that would
reflect the fideist turn his commentators claim he took. As the *Reasonableness* was published in 1695,
but *An Essay* went through five revised editions under Locke’s hand until his death in 1704, Locke’s
statements in the *Reasonableness* simply cannot be understood to invalidate the doctrines of *An Essay.*

“Given their contemporaneity,” Forde writes, “the differences between the two must be traceable to
differences in strategy alone.” Casson offers a complimentary view: “Locke’s turn to Scripture at
the end of his life is not a retreat from reason as he understood it, but a particular application of
it.” The view that Locke’s rationalism transformed into fideism in the 1690s therefore rests on a
faulty interpretation of the *Reasonableness.*

---

80 Higgins-Biddle endorses the view that Locke held that most were incapable of
demonstration. Introduction to *Reasonableness of Christianity*, by John Locke, cv.


“So in the greatest part of our Concernment, he [God] has afforded us only the twilight, as I may so say, of Probability, suitable, I presume, to that State of Mediocrity and Probationership, he has been pleased to place us in here,” (E IV.xiv.2). On the basis of this and like statements® it has been claimed that Locke retreated to probability upon his failure to produce a rationalist ethics. James Tully first floated the suggestion that developments in probabilistic reasoning permitted Locke to neglect the development of the demonstrative morality. His primary text was Locke’s wager argument of E II.xxi.70. In order for morality to be made out and be made effective, it is not necessary that the precepts be shown to be indubitable. The wager argument shows, Tully suggests, that even if morality remains only probable it is nonetheless rationally irresistible. This leads to his conclusion, “Once Locke had mastered the concept of probability in 1676, he realized that a demonstrable ethics was no longer necessary: probability and opinion are sufficient for all our concerns.”® Tully’s approach is open to two criticisms. First, the wager on its own is incapable of deciding the content of morality, which is something that must be settled in any complete moral theory. To place the burden of deciding the content of morality onto Locke’s wager is to force the wager to perform work it cannot do. The reasons for this are given in Chapter Two, Section 2.4.4. Second, Tully’s approach is open to the kind of criticism Forde leveled against those

---

83 My purpose here is not to say how the Reasonableness should be read. My purpose is instead to show that the evidence does not suggest that Locke’s turn to revelation in 1695 must be understood to be a simultaneous turning away from the rationalist ethics of An Essay.

84 For instance, E IV.xi.8: “For our Faculties being suited not to the full extent of Being, nor to a perfect, clear, comprehensive Knowledge of things free from all doubt and scruple; but to the preservation of us, in whom they are; and accommodated to the use of Life: they serve to our purpose well enough, if they will but give us certain notice of those Things, which are convenient or inconvenient to us.”

who claim that revelation replaced the demonstrative morality. It is odd that in 1676 Locke would have settled on probabilistic reasoning over demonstrative reasoning, yet continue until his death to endorse the demonstrative morality. The oddity is compounded by the fact that the demonstrative morality makes several appearances in *An Essay*, whereas the wager appears but once. What is more, it appears in *E IV.xxi, “Of Power,”* a chapter that underwent heavy revision between editions. Locke might have mastered probability by 1676, but it is certain that he did not already by that year have a settled notion about how the wager argument fits into his larger moral theory. Evidently Locke was still working through this problem well after the initial publication of *An Essay* in 1689. By the end, the wager is not intended to move the power of judgment (which decides the content of morality), but rather that the power of assent (which decides according to or in violation of the content of morality). As I think the analysis of Chapter One shows, not even by the end of his life did Locke achieve clarity on this matter.

Douglas Casson improves upon Tully’s thesis, but does not render it immune to criticism. His claim is that Locke assumed a providential design of the universe and understood natural occurrences—e.g., the pain or pleasure that follows upon some action—to be so many signs of God’s intentions. On Locke’s epistemology, our insight into natural occurrences is not such as to yield certainty, so God’s intentions cannot be certainly known. Yet this is not a cause for concern, for our insight yields probable belief about God’s intentions. Since all moral notions of good and

---

86 See Chapter One, Section 1.2. Locke never gives the terms “judgment,” “assent,” “belief,” “opinion,” and others a clear and settled meaning, and his very conception of probability and evidence varies, though subtly, throughout the work.


bad are derived “from an encounter with the world,” our insight into nature yields probable belief about the moral rules God intends us to follow. Thus Casson’s conclusion: “Our natural reason is God’s voice in us. By rationally pursuing our God-given appetites, we are following God’s will.”

As rational thinking will probably lead us to correct moral rules, it is not necessary for demonstration to lead the way.

The troubles with Casson’s thesis are two. First, it downplays the danger posed by the relativism entailed by Locke’s hedonism. Given the plasticity of human nature, Locke needs a source of moral knowledge independent of Casson’s “natural signs” (pleasures and pains). Locke needs a non-arbitrary starting point for morality. Casson claims that the non-arbitrary starting point is the assumption of a providentially designed universe. I do not find that this was the route Locke elected. As I argued above, the non-arbitrary starting point are the ideas of God as good, wise, and powerful creator, and the idea of ourselves as rational and created. These, of course, are the foundational ideas to Locke’s demonstrative morality. The second difficulty with Casson’s thesis is that not all moral ideas are derived from an encounter of one and the same world. Contact with the external world of sensible objects will yield only probable belief about substances. Contact, however, with the internal world of the understanding yields certain knowledge. Casson’s emphasis on Locke’s sympathies for probabilistic reasoning comes at the price of diminishing the demonstrative

---


80 Casson, *Liberating Judgment*, 174. Compare with ibid. 175: “Locke’s appeal to theology does not yield an austere set of moral dictates, but rather a divine endorsement of this-worldly pursuit of happiness.” This account of Locke’s moral epistemology is a variant of Colman’s thesis that the natural law can be empirically known.

91 Stephen Buckle, *Natural Law and the Theory of Property* shows how British moral philosophy developed an empiricist moral epistemology after Locke. It is possible that Casson reads this later tradition back into Locke, the germ of which Buckle shows to be in *An Essay*. 
reasoning to which Locke is quite committed. The knowledge we can have of our own existence and of God’s (which, as stated at E IV.xi.1, begins with knowledge of our own existence) is the source of moral knowledge independent of “natural signs” that saves Locke’s ethics from relativism. The quasi-fideist turn to providence and probability, which Casson imputes to Locke, is just not in Locke’s writings.

The claims that revelation and probability rendered the demonstrative morality unnecessary are therefore lacking in support. The evidence strongly suggests that Locke did not drop rationalist ethics for fideism or probabilistic moral empiricism. The turn to either would have caused Locke more (and more serious) philosophical problems than his commentators suggest the moves would have solved. Revelation and probability could perhaps be viewed as an interim crutch, a “provisional morality,” but this is not the line of thought that Locke’s commentators have developed.

The final set of claims to consider are those according to which the demonstrative morality is not in the Second Treatise, because Locke encountered defeating problems in the formal machinery and the theological grounding of the demonstrative morality. The chief difficulty with this line of reasoning consists in actually establishing that Locke recognized the claimed problems as problems, much less defeating problems. Indeed there is evidence to suggest that Locke would not have recognized as problems certain issues that we today recognize as problems. Ian Harris notes, for instance, that in Locke’s day it was assumed that a grant of benefit entailed an obligation—thus we can move from ideas of God as creator and ourselves as created (non-ethical propositions) to ideas

92 A further difficulty with Tully and Casson’s probabilist interpretation is that they fail adequately to state Locke’s view on probability. Greg Forster, John Locke’s Politics of Moral Consensus suffers from a similar shortcoming.
of moral obligation (ethical propositions); or that it was common in Locke’s day to omit the proof of the natural law—thus the sparse natural theology of *E IV.x* might not have been so distressing to Locke or to his contemporaries. The strength of the claim that problems in Locke’s philosophy prevented the execution of the demonstrative morality therefore does indeed depend on the existence of passages where Locke plainly and explicitly announced that he encountered defeating problems. But to my knowledge no such text exists. Accordingly, the problems regarding the formal and material aspects of the demonstrative morality are typically cited as corroborating the evidence that is claimed to show that Locke retreated to fideism. Without the clear announcement of a difficulty, without even the confidence that difficulties would have been recognized as such, and finally without a need to explain the failure to produce the demonstrative morality, the claim that formal and material difficulties in Locke’s thought prevents his production of the demonstrative morality is wholly unconvincing.

---

93 Compare with von Leyden’s criticisms of the natural law generally in “John Locke and Natural Law,” 31-32.

94 Harris, *The Mind of John Locke*, 273 and 276. In support Harris cites the practices and statements of Tillotson, Selden, Grotius, Stilligett, Hobbes, Baxter, and Halifax. See also Colman, *John Locke’s Moral Philosophy*, 7-8, 32, 139, 169, 187-90, and 236 for the coherence of Locke’s epistemology and moral theory; T. J. Hochstrasser, *Natural Law Theories in the Early Enlightenment* (Cambridge: Cambridge University Press, 2000), 22 for the internal coherence of Locke’s natural law theory; and Yolton, *Locke and the Compass of Human Understanding*, 182 for views Locke might have been able simply to assume rather than to expound and defend.

95 To the best of my knowledge, only Locke’s letters to Molyneux qualify for this role. Yet given the reasons we have to believe that Locke dissembled in this letter, the letter hardly functions as a plain and explicit announcement such as here required.

There is one group of commentators, however, who argue that a plain and explicit declaration is not necessary for entering into the intentions of the author. These are the Straussian commentators. Not a plain and clear declaration, but rather a plain and clear contradiction would suffice to establish something of the author’s intentions, from which can be inferred the true teaching hidden beneath the surface. The reason for this is the assumption that a philosopher of great caliber (such as Locke) could not fail to see a plain and clear contradiction. For that reason the presence of such contradictions suggests that they are deliberate and that they must be understood to announce a subterranean teaching.97 The contradiction that Strauss and the best of his followers claim to find is that between Locke’s epistemology and the requirements for a valid natural law theory. The promulgation condition of the natural law requires that divine rewards and punishments be known to be actual. Yet on Locke’s epistemology the soul cannot be known to be immortal and therefore known to be subject to eternal rewards and punishments. Hence Locke’s epistemology renders his natural law in a crucial respect unknowable, hence not promulgated, and hence nonexistent.98 The proof texts for these claims are E I.ii.5, 6, 13, II.xxviii.8, and RC 144, 150-51. I consider this interpretation in Appendix B. My conclusions are: a contradiction obtains only when it is required that the rewards and punishment be known to be actual; but the cited texts show that it is at most required that the rewards and punishments be known to be possible, and Locke’s epistemology allows one to know the possibility of the rewards and punishments. Therefore there is


98 See note 53 above. Pangle, Spirit of Modern Republicanism, 201 states the issue most clearly: “Locke’s failure to prove the existence (or even to give a quasi-rational argument, however exiguous, for the bare possibility of the existence) of future reward and punishment, happiness and misery, is so naked and clear, and the task at which he fails has been so built up by him in importance, that we are compelled to reconsider that importance.”
no such claimed contradiction,99 and there is no ground to suppose that Locke would have
recognized those material aspects of his demonstrative morality that he worked out to be so
inadequate as to be unable to ground the demonstrative morality.

There were several different grounds for doubting the possibility of finding the
demonstrative morality in the *Second Treatise*. The epistemological challenges to proving God’s
existence, the convenience of revelation or probability, the apparent argumentative incongruities
between the *Second Treatise* and *An Essay*, the failure to find the demonstrative morality in the *Second
Treatise*, and finally Locke’s own declaration that he had not produced the demonstrative morality all
prompt suspicion that the demonstrative morality cannot be found in the *Second Treatise*. Yet the
doubts dissipate so soon as they are examined in detail. The curious incongruities between the
*Second Treatise* and *An Essay* and Locke’s declaration to his friends can be explained as attempts to
protect and to hide his identity—in fact, given the extent of his caution, such measures should be
expected. Revelation is not so secure and probability not so convenient as to replace the service
only a rationalist ethics can provide, at least not on Locke’s terms. Finally, for lack of a clear
admission that epistemological difficulties halted Locke’s efforts in rational ethics, the claim that
they did remains too speculative to carry any force. As these reasons for doubt fade away, the prima
facie reasons for believing the demonstrative morality to be in the *Second Treatise* transform into a

99 Consider for instance *TT* II.7: “And that all Men may be restrained from invading others
Rights, and from doing hurt to one another, and the Law of Nature be observed, which willeth the
Peace and Preservation of all Mankind, the Execution of the Law of Nature is in that State, put into every
Mans hands, whereby every one has a right to punish the transgressors of that Law to such a Degree,
as may hinder its Violation. For the Law of Nature would, as all other Laws that concern Men in this
World, be in vain, if there were no body that in the State of Nature, had a Power to Execute that Law.”
Locke says only that there must be a capable enforcer of the law, not that there must be actually
enforced. Had Locke said the latter, he would have run into the absurdity that the natural law is
valid only when it is observed.
reasonable expectation that it is. With that transformation, we gain hope of finding the justification for Locke’s ethics of belief in the *Second Treatise*.

### 3.3. The Promulgation of the Natural Law in the *Second Treatise*

The result of Chapter One was that the justification of Locke’s ethics of belief should appear as a theorem (so to speak) of Locke’s demonstrative morality. The result of the immediately proceeding section is that there is good reason to search for the demonstrative morality in the *Second Treatise*. The confidence that the *Second Treatise* contains the demonstrative morality comes also with the knowledge that should the *Second Treatise* contain it, it will not contain it in an obvious way and perhaps not completely. For that reason, the justification for Locke’s ethics of belief will at best be speculative, fragmentary, and perhaps only suggestive. The result of Chapter Three was that Locke’s ethics of belief rested on the assumption that the moral law is somehow or other clear or readily accessible to the unaided human intellect. The connection between this assumption and certain passages of the *Second Treatise* was used in Section 3.1 above to motivate a search for the justification of Locke’s ethics of belief in the *Second Treatise*. With Section 3.2.3, the motivation has turned into a reasonable expectation. The present section strengthens this expectation by establishing connections between the presuppositions of Locke’s ethics of belief and the promulgation of the natural law in the *Second Treatise*. I argue here that the *Second Treatise* contains the view that the moral law is clear and readily accessible to the unaided human intellect, or in other words, that humankind’s original epistemic condition is one of clarity.
The previous chapter sought the presuppositions of Locke's ethics of belief through a comparison of Locke’s recommended practices for belief formation with those of Grotius, Descartes, and Pascal. The comparison with Grotius revealed a tension in Locke’s thought. There are passages where Locke declares that inherited opinion cannot function as a guide to assent, because moral disagreement is too widespread, which in turn suggests that the moral law is obscure to reason. Yet there are also passages where Locke appears committed to the view that the moral law is somehow clear to reason. The use of inherited opinion should therefore be permitted as a guide to assent. As a means of resolving this tension, I supposed that Locke incorporated some view of the Fall into his philosophy: humankind’s original epistemic condition is one of clarity, while humankind’s acquired epistemic condition is one of obscurity. The comparison of Locke to Descartes and Pascal suggested that Locke is at least in some way committed to epistemic clarity. In Section 3.3.1 just below I return to An Essay and integrate Locke’s apparent commitment to epistemic clarity to his natural law theory and argue that the moral law is clear or readily accessible to the unaided human intellect, because the natural law is promulgated directly to reason. In Section 3.3.2 I argue that such a conception of promulgation can be found in the Second Treatise.

3.3.1. Intimations of Epistemic Clarity in An Essay

As a natural law theorist, Locke is committed to the view that the natural law is promulgated, which means that at least some of the precepts of the natural law are in at least some way within the grasp of unaided human intellect. For that reason, it should not come as a surprise that Locke

100 See Chapter Two, Section 2.2.4.
appears to be committed to some kind of thesis that the content of the moral law is somehow or other “clear” or “readily accessible” to human reason. As a point of contrast, I review the traditional conception of the natural law as expressed in the thought of Thomas Aquinas. According to Aquinas, all mankind knows the first and most general precepts of the natural law.\textsuperscript{101} These precepts are “clear” and “readily accessible” to the unaided human intellect. The natural law becomes obscure or difficult to access, he claims, only with regard to secondary precepts or the particular application of the precepts. Yet it was precisely on the basis of the view that all humankind knew the first principles of the natural law that Aquinas also held that the natural law could never be abolished from the hearts of men.\textsuperscript{102} Locke therefore appears to stand squarely in this tradition when he writes in the Second Treatise that the natural law is “writ in the Hearts of all Mankind,” (\textit{TT} II.11). The same can be said for his frequent identifications of the natural law with the dictates of right reason.\textsuperscript{103}

The parallels do not go much farther than that, however. According to the traditional Thomistic view, the first precept of the natural law is that good is to be pursued and evil to be avoided. The secondary precepts are the injunctions identifying the particular goods that are to be pursued and the particular evils to be avoided. The particular goods that are to be pursued are those that natural inclination urges—in his discussion of natural law in the \textit{Summa theologiae}, Aquinas lists

\textsuperscript{101} \textit{Summa theologiae}, I-II, 94, 4.

\textsuperscript{102} \textit{Summa theologiae}, I-II, 94, 6.

\textsuperscript{103} \textit{TT} II.8, 10, 16, 25, 30-32, 52, 57, 96, 118, 172, and 181.
self-preservation, reproduction, learning, knowledge, reasonable action, society, and courteousness among others.\footnote{See especially \textit{Summa theologiae}, I-II, 94, 2 and 3.}

In Locke’s thought, what occupies the place of Aquinas’s first precept is “a desire for Happiness, and an aversion to Misery.” These “innate practical Principles . . . do continue constantly to operate and influence all our Actions, without ceasing,” \textit{(E I.iii.3)}, and hence cannot be abolished from the hearts of men. In Locke’s hedonism, however, happiness is linked rather to pleasure simply. Given, furthermore, Locke’s skepticism about the real essence of human nature, and given also his views on the plasticity of human nature, he could only with considerable hesitation name some inclinations “natural.” Yet Locke does not even go that far: those inclinations that he is close to calling natural—which amount to two or three, namely, the inclination to preserve and cherish children,\footnote{“If any can be thought to be naturally imprinted, none, I think, can have a fairer Pretence to be innate, than this; \textit{Parents preserve and cherish your Children},” \textit{(E I.iii.12)} and “God hath made it their business to imploy this Care on their Offspring, and hath placed in them suitable Inclinations of Tenderness and Concern to temper this power [paternal power], to apply it as his Wisdom designed it, to the Childrens good, as long as they should need to be under it” \textit{(TT II.63)}.} the inclination to join into society,\footnote{“GOD having designed Man for a sociable Creature, made him not only with an inclination, and under a necessity to have fellowship with those of his own kind; but furnished him also with Language, which was to be the great Instrument, and common Tye of Society,” \textit{(E III.i.1)} and “GOD having made Man such a Creature, that, in his own Judgment, it was not good for him to be alone, put him under strong Obligations of Necessity, Convenience, and inclination to drive him into Society, as well as fitted him with Understanding and Language to continue and enjoy it” \textit{(TT II.77)}.} and perhaps the love of truth\footnote{“For the natural tendency of the Mind being towards Knowledge,” \textit{(E II.xxxii.6)}, “Truth, whether in or out of fashion, is the measure of knowledge, and the business of the understanding,”}—are not quite called natural and are not quite said to yield secondary precepts of the natural
law. On Locke’s terms, the inclinations are bare inclinations. There is nothing in the inclinations themselves that can distinguish a “natural” inclination from an acquired inclination, a view that Locke’s trouble with the association of ideas famously attests to. (Yet as we will see just below, Locke is confident that we can identify acquired inclinations.) Far from being indications of the natural law, inclinations need to be ratified, as it were, by antecedent knowledge of the natural law. As Jeremy Waldron explains, “What we need, before we think it right to follow such an innate appetite is some assurance that it guides us as we ought to be guided . . . These are not given in the inclination themselves; they have to be brought to it by reason.”108 Waldron says that this is the lesson of E I.iii.3 and 13, and TT I.58. But it is also the lesson of E I.iii.6 (where knowledge of the law and compliance with the law are marked as two quite separate affairs) as well as of TT I.86:

I grant the existence of God, is so many ways manifest, and the Obedience we owe him so congruous to the Light of Reason, that a great part of Mankind give Testimony to the Law of Nature: But yet I think it must be allowed [my italics], That several Moral Rules, may receive, from Mankind, a very general Approbation, without either knowing, or admitting the true ground of Morality; which can only be the Will and Law of a God, who sees Men in the dark, has in his Hand Rewards and Punishments, and Power enough to call to account the Proudest Offender. (E I.iii.6)

For the desire, strong desire of Preserving his Life and Being having been Planted in him, as a Principle of Action by God himself, Reason, which was the Voice of God in him, could not but teach him and assure him, that pursuing that natural Inclination he had to preserve his Being, he followed the Will of his Maker. (TT I.86)

Locke’s natural law is promulgated and knowable, but it is not signaled by any inclination. Otherwise stated, Locke’s natural law is not promulgated through human nature as the traditional Thomistic natural law is. How, then, is it promulgated? We saw in the previous chapter’s

(CU §24), and “From whence it is evident that the right use and conduct of the understanding, whose business is purely truth and nothing else,” (CU §42).

108 Waldron, God, Locke, and Equality, 161.
comparison of Locke to Grotius that the natural law is not promulgated indirectly through inherited opinion. We also saw in Section 3.2.3 above that Locke does not accept supernatural revelation as the only way in which the natural law is promulgated. If not through nature, nor through society, nor only through divine revelation, then it appears that the natural law must be promulgated directly to reason. Hence the numerous identifications (thirteen by my count) of the natural law with reason in the Second Treatise.

Already in the previous chapter we encountered some textual evidence for this view. At *E* I.iii.6 Locke writes, “I grant the existence of God, is so many ways manifest, and that a great part of Mankind give Testimony to the Law of Nature,” and at *E* III.ix.23, “the Precepts of Natural Religion are plain, and very intelligible to all Mankind, and seldom come to be controverted.” As a matter of fact, statements to the effect that the moral law is somehow or other clear or readily accessible to the unaided human intellect pepper *An Essay*. These statements, all to the effect that

---

109 See *E* I.i.5: “How short soever their Knowledge may come of an universal, or perfect Comprehension of whatsoever is, it yet secures their great Concernments, that they have Light enough to lead them to the Knowledge of their Maker, and the sight of their own Duties”; *E* II.xxiii.12: “We are furnished with Faculties (dull and weak as they are) to discover enough in the Creatures, to lead us to the Knowledge of the Creator, and the Knowledge of our Duty; and we are fitted well enough with Abilities, to provide for the Conveniences of living: These are our Business in this World”; *E* II.xxiii.13: “God has no doubt made us so, as is best for us in our present Condition. He hath fitted us for the Neighbourhood of the Bodies, that surround us, and we have to do with: And though we cannot by the Faculties we have, attain to a perfect Knowledge of Things; yet they will serve us well enough for those ends abovementioned, which are our great Concernment”; *E* IV.iii.19: “I doubt not, but from self-evident Propositions, by necessary Consequences, as incontestable as those in Mathematicks, the measures of right and wrong might be made out, to any one that will apply himself with the same Indifference and Attention to the one, as he does to the other of these Sciences”; *E* IV.x.1: “But though this [God’s existence] be the most obvious Truth that Reason discovers; and though its Evidence be (if I mistake not) equal to mathematical Certainty; yet it requires Thought and Attention”; *E* IV.xi.13: “So having the Idea of GOD and my self, of Fear and Obedience, I cannot but be sure that GOD is to be feared and obeyed by me”; *E* IV.xii.11: “From when it is obvious to conclude, that since our Faculties are not fitted to penetrate into the internal Fabrick and real Essences of Bodies; but yet plainly discover to
mankind’s intellectual “Faculties [are] sufficient to direct” (E IV.xx.3) “any one” (E IV.iii.19) “into a full and clear discovery of [one’s] Duty,” (E IV.xii.11) are complimented by statements to the effect that this most important knowledge could be had if only one were willing to “take the pains.”

It is difficult to state precisely what sort of “clarity or ready accessibility” is at work in these passages. The mind does not simply know the law, neither innately nor inevitably; work is required. Yet the work required is neither impossible nor even (it seems) especially difficult, because no one is incapable of accomplishing it, neither on account of their particular nature or on account of their social or economic status. I suggest that there is a kind of logical gravity at work: the understanding cannot fail to have an idea of itself as finite and hence created, and as if by the weight of the ideas themselves the understanding would be moved to an idea of an eternal creator, thence ontological dependence, thence moral obligation, thence the rest of the law. Of course, this does not happen

us the Being of a GOD, and the Knowledge of our selves, enough to lead us into a full and clear discovery of our Duty, and great Concernment”; E IV.xiii.13: “He also hath the Idea of an intelligent, but frail and weak Being, made by and depending on another, who is eternal, omnipotent, perfectly wise and good, will as certainly know that Man is to honour, fear, and obey GOD, as that the Sun shines when he sees it”; E IV.ix.14: “It may suffice us, that he hath made known to all those, who are capable of Instruction, Discourse, and Reasoning, that they shall come to an account, and receive according to what they have done in this Body”; E IV.xx.3: “GOD has furnished Men with Faculties sufficient to direct them in the Way they should take, if they will but seriously employ them that Way, when their ordinary Vocations allow them the Leisure. No Man is so wholly taken up with the Attendance of the Means of Living, as to have no spare Time at all to think of his Soul, and inform himself in Matters of Religion.”

110 See E IV.iii.19: “[T]he measures of right and wrong might be made out, to any one that will apply himself with the same Indifference and Attention to the one, as he does to the other of these Sciences”; E IV.xiii.3: “But yet these Truths, being never so certain, never so clear, he may be ignorant of either, or all of them, who will never take the Pains to employ his Faculties, as he should, to inform himself about them.”

111 Harris, Mind of Locke, 273 points out that in Locke’s time it was largely taken for granted that a bestowed benefit (say, existence) entailed an obligation. Tillotson and Seldon took so much for granted, he claims.
in every case. Adjusting my suggestion accordingly: It is as if the understanding would come to knowledge of the law, if only the obstacles obstructing or interfering with the understanding’s “natural drift” were removed.  It must be stressed that the source of this natural drift of the understanding is not intrinsic to the understanding. It is rather that the understanding is pulled by the ideas themselves: “Ideas in our Minds, when they are there, will operate according to their Natures and Circumstances,” (E II.xxxiii.13). The idea of finitude agrees with createdness, and so the understanding is pulled to recognize itself as a creature. The idea of itself as a creature agrees with the idea of a creator, so the understanding is pulled to recognize a creator. The idea of creator agrees with the ideas of power and benefit, so the understanding is pulled to recognize obedience and obligation. The acquisition of knowledge of the most important things, then, does not consist in an arduous climbing of steep slopes, but rather “in clearing Ground a little, and removing some of the Rubbish, that lies in the way to Knowledge” (“Epistle,” 9). I take this to be Locke’s meaning when he writes in respect to knowledge of God, “When I say that we know, I mean there is such a Knowledge within our reach, which we cannot miss, if we will but apply our Minds to that, as we do to several other Enquiries,” (E IV.x.6).

There is a temptation to infer from this a justification of the ethics of belief: A study of the understanding reveals the “natural drift” of the understanding; the understanding and nature are good; so the conduct of understanding we ought to adopt corresponds exactly to the course the understanding would take were it not by cultural accident brought into disorder. This seems to have been the thought process of Locke’s successors, the French philosophes. For this point, see Peter A. Schouls, *Descartes and Enlightenment* (Kingston and Montreal: McGill-Queen’s University Press, 1989) 64-70. This could not have been Locke’s thought process, however. Inclinations themselves, the “natural drift” of the understanding included, do not give testimony to either their naturalness or their goodness. Locke’s ethics of belief might amount to the imperative to recover this “natural drift,” but an argument is still required that shows the “natural drift” to be the conduct of the understanding required by morality.
One can raise two objections to this interpretation of Locke’s views on the ease of
gain of moral knowledge. First, when the natural law is promulgated through human nature,
then ignorance of the natural law presents no especially great challenge to the natural law theory:
reason being at some remove from the law, ignorance of the law is unsurprising. When, however,
the natural law is promulgated directly to human reason, then ignorance of the natural law presents a
great challenge: reason being in close proximity to the law, ignorance of the law is very surprising
indeed. How can one fail to know it? Second, Locke appears to be committed to the view that
there is a “differential rationality” among human beings. By “differential rationality,” I mean simply
that (to borrow from Descartes) good sense is not naturally equal in all men. There are some human
beings whose reason is stronger than that of others. But if there are differentials of rationality, then
ideas in the mind do not “operate according to their Natures and Circumstances,” (E II.xxxiii.13).
Locke appears to suggest so much at E IV.xx.5:

There are some Men of one, some but of two Syllogisms, and no more; and others that can
but advance one step farther. These cannot always discern that side on which the strongest
Proofs lie; cannot constantly follow that which in it self is the more probable Opinion. . . .
This is evident, that there is a difference of degrees in Men’s Understandings,
Apprehensions, and Reasonings, to so great a latitude, that one may, without doing injury to
Mankind, affirm, that there is a greater distance between some Men, and others, in this
respect, than between some Men and some Beasts.

On the other side is this objection: If the natural law cannot fail to be known—if it is
writ on the hearts—then does not Locke’s natural law theory become a variant of the doctrine of
innate ideas, which in turn presents a fatal contradiction to his presentation? Sabine, Laslett, and
Myers raise this objection. See, respectively, A History of Political Theory, 518; Laslett, introduction to
Two Treatises, by Locke 81; Myers, Our Only Star and Compass, 41-49. However, a contradiction is
generated only by exaggerating the meaning of “writ on the heart.” Harris suggests another way of
understanding the phrase: “Since ‘heart’ suggests effective reception of an idea, regardless of the
mode of transmission, we need not suppose, for instance, that many years after Locke decried
innatism he capitulated to it: when he wrote of Cain, ‘he cries out, Every one that findeth me, shall
slay me; so plain was it write in the Hearts of all Mankind,’ he used a phrase to underlne the
liveliness of Cain’s belief, for ‘Cain was so fully convinced’ of his own iniquity.” Mind of John Locke,
31.
Similar sentiments are to be found in his *Reasonableness of Christianity*: “The greatest part cannot know, and therefore they must believe,” (RC 157-58). If Locke doubts that “Day-Labourers and Tradesmen, the Spinsters and Dairy Maids [can be made] perfect Mathematicians,” (RC 157), then on what can he base his confidence that “any one,” (E IV.iii.19) can come to “a full and clear discovery of [one’s] Duty,” (E IV.xi.12)? There appears, then, to be two tensions in Locke’s thinking about moral clarity. First, everyone should be capable of knowledge of the moral law, yet most are ignorant of it. Second, everyone should be capable of knowledge of the moral law, yet most seem incapable of it.

It is not possible to respond to the one without also responding to the other. I begin with the second tension; the response to the first will appear as we work through the second. There seems no avoiding the possibility that some humans are incapable of knowledge of the law. Locke denies every variation of the theory of natural kinds that implies that all those that bear the appearance of a human being have the rationality that is capable of knowledge of morality (see E III.vi.26-27). Locke also affirms that knowledge of the real essences of things is impossible, so he has no solid ground to claim that only those living bodies that bear the appearance of a human being can have the rationality that is capable of moral knowledge (see E II.xxvii.8 and III.xi.16). Thus, “When we say that *Man is subject to Law*: We mean nothing by *Man*, but a corporeal rational Creature: What the real Essence or other Qualities of that Creature are in this Case, is no way

---

considered,” (E III.xi.16). There may be living beings that look like humans, but are incapable of knowledge of the moral law, and there may be living beings that do not at all look like human beings, but are quite capable of knowledge of the moral law. There are, then, indeed differentials in rationality in the class of beings that bear the appearance of a human being, as well as in the class of things who do not. It must also be granted that there are differentials in rationality in the class of rational beings: mathematicians and logicians have honed their rational abilities to perform tasks that the laborer and man of two syllogisms simply cannot do.

The pertinent issue, however, concerns the rational capacity to know the law of nature. If being a perfect mathematician or trained logician is required to know the law of nature, then there exists a differential rationality among beings capable of moral knowledge to such a degree that for some of these being moral knowledge is not “clear or readily accessible” to them. Where, then, is the threshold requirement in rationality for knowing the natural law? Must one be a trained mathematician or logician, or is it sufficient to be a novice in mathematics and logic? One does not need to be a perfect mathematician in order for the law of nature to be “clear or readily accessible.” One might even be a tradesman or dairymaid, encumbered with daily work. The reason is the following: to be subject to law, one must be a person, and to be a person it is sufficient to possess the power of abstraction115 and of perceiving the agreement or disagreement between ideas. Perfected forms of rationality as in the expert mathematician and logician are not required.

The subject of the natural law is one to whom the natural law has been promulgated. Locke calls the subject a “person,” which “is a Forensick Term appropriating Actions and their Merit; and so belongs only to intelligent Agents capable of a Law, and Happiness and Misery,” (E II.xxvii.26).

---

Locke also takes “person” to refer to “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,” (E II.xxvii.9). The common ground to both of these definitions of “person” is the power of abstraction. It is by this power that one is able to bring the idea of some particular thing, e.g., an action or a present actor, into relation to the idea of something general, e.g., a rule regulating that action of a past or future actor. It is this power that makes a living being a person: “This, I think, I may be positive in, That the power of Abstracting is not at all in them [animals]; and that the having of general Ideas, is that which puts a perfect distinction betwixt Man and Brutes; and is an Excellency which the Faculties of Brutes do by no means attain to,” (E II.xi.10). If a given living body is capable of recognizing “it self as it self,” then it is capable also of lawful behavior as well as of knowledge of the law. Such a power of abstraction is certainly not reserved only to the expert mathematicians and logicians. As Locke writes,

If Syllogisms must be taken for the only proper instrument of reason and means of Knowledge, it will follow, that before Aristotle there was not one Man that did or could know any thing by Reason; and that since the invention of Syllogisms, there is not one of Ten Thousand that doth.

But God has not been so sparing to Men to make them barely two-legged Creatures, and left it to Aristotle to make them Rational. (E IV.xvii.4)

The power of abstraction is not enough, however. One must also be capable of perceiving the agreement or disagreement between ideas, which I here refer to as the power of discernment. In order for one to conceive oneself as a person, one must be able to abstract from one’s present self and connect the idea of one’s present self to a future or past self, and one must be able to make the correct connection. In short, one must be capable of recognizing “it self as it self” and then actually do recognize “it self as it self.” This is accomplished not through the power of abstraction, but through

---

116 Locke spells out his theory of personal identity at E II.xxvi.6-27.
the power of discernment. How does this power factor into the issue of differentials of rationality? In order to be a person, and hence be subject to law and be one to whom the law is promulgated, one must be able to connect one’s present self to the actions of the past self. For instance, in order that I, the author of this study, be a person, I must be able to connect my present self, namely, the self writing this sentence, to the self that wrote the previous sentences and previous chapters. As before, Locke’s epistemological and ontological principles entail that he must admit the possibility that some living beings who bear the appearance of human beings and who might also be capable of abstraction are incapable of discernment. Madness does in fact exist: “mad Men put wrong Ideas together, and so make wrong Propositions, but argue and reason right from them: But Idiots make very few or no Propositions, and reason scarce at all,” (E II.xi.13; see also E II.xxxiii.9). If madness is especially prevalent, or if madness itself came in degrees, then one could suppose that there are indeed differentials of rationality among those capable of knowing the moral law. I find two reasons to doubt that madness entailed any great difficulties, at least any difficulties Locke recognized.

The first reason concerns the correct identification of one’s present self with a past or future self: Locke seems to be unconcerned with it. He appears to take it for granted that rational beings capable of abstraction and self-awareness also correctly identify their present self with their past and future selves. Here Locke might indeed rely on providence.

---

117 He is concerned with the question of personal identity and whether abiding self-consciousness is alone sufficient to establish identity, or whether the material or immaterial substrate of self-consciousness is also required. The particulars of Locke’s theory of personal identity is not my concern in this study.

118 “But is not a Man Drunk and Sober the same Person, why else is he punish’d for the Fact he commits when Drunk, though he be never afterwards conscious of it? Just as much the same Person, as a Man that walks, and does other things in his sleep, is the same Person, and is answerable for any mischief he shall do in it. Humane Laws punish both with a Justice suitable to
The second reason concerns the ability to discern correctly: Locke attributes a great deal of errors in discernment not to an internal failure of reason, but rather to custom and education. “Some of our Ideas have a natural Correspondence and Connexion one with another,” he affirms, while “besides this there is another Connexion of Ideas wholly owing to Chance or Custom,” (E II.xxxiii.5). A musician, upon hearing a few notes of a tune recalling all the rest (E II.xxxiii.6), a person being made physically ill at the name “honey” (E II.xxxiii.7), children fearing the dark, ghosts, and spirits (E II.xxxiii.10), children being pained upon the seeing of schoolbooks (E II.xxxiii.15), and the conceiving of God as corporeal (E II.xxxiii.17), as well as many others, are all caused by custom, Locke says. While these associations “[are] really Madness,” (E II.xxxiii.4), they are caused by custom, rather than by a defect intrinsic to the discerning power or even by the absence of it.

We get the following picture from these two reasons. In order to be subject to the law, and therefore in order to be one to whom the law has been promulgated, one must be capable of abstraction and discernment. In order to be capable of abstraction, it is not necessary to be an expert mathematician or logician. In order to be capable of discernment, it is necessary only not to be mad. When Locke considers madness, he finds its cause to be custom more often than nature, and he seems little concerned with the prevalence or implications of natural madness for moral responsibility. There appear, therefore, no widespread natural differentials of rationality that bear their way of Knowledge: Because in these cases, they cannot distinguish certainly what is real, what is counterfeit; and so the ignorance in Drunkenness or Sleep is not admitted as a plea. For though punishment be annexed to personality, and personality to consciousness, and the Drunkard perhaps be not conscious of what he did; yet Human Judicatures justly punish him; because the Fact is proved against him, but want of consciousness cannot be proved for him. But in the great Day, wherein the Secrets of all Hearts shall be laid open, it may be reasonable to think, no one shall be made to answer for what he knows nothing of; but shall receive his Doom, his Conscience accusing or excusing him,” (E II.xxvii.22; see also II.xxvii.26).
upon the promulgation of Locke’s natural law. There is a natural differential between “Man and Brutes,” (E II.xi.10), and the power of abstraction establishes it. There are also differentials of rationality between madmen and the sane, and the power of discernment establishes it. The natural differential between madmen and the sane, however, is rare. The frequently occurring differential between madmen and the sane is established by custom, and so corrected by education.

I return, then, to the two apparent tensions in Locke’s thought regarding the promulgation of the natural law: according to the first, everyone should be capable of knowledge of the moral law, yet most are ignorant of it, and according to the second, everyone should be capable of knowledge of the moral law, yet most seem incapable of it. On Locke’s terms, the natural incapacity for knowledge of the moral law is rare, and if there is any frequent incapacity for or ignorance of the moral law, then it is an acquired incapacity and ignorance. Thus Locke can say that there is no widespread incapacity for knowledge of the natural law.119 And so, even if dairymaids or tradesman cannot be made perfect mathematicians, they have enough reason for knowledge of basic precepts of the natural law.120

---

119 Waldron, God, Locke, and Equality 78 and 93, respectively: “[I]n the case of all standard-model humans, each of them has intellect enough, for some fundamental purpose, whatever the intellectual differences between them,” and “Locke’s pessimism about scholarly reason, then, is not intellectual nihilism. He accepted the premise of what I am calling the philosopher’s fallacy: philosophical reasons has important work to do. He just didn’t draw the conclusion—that therefore the possession of philosophical reason is an important credential or the basis of any important entitlement in social and political life.”

120 The men and women of Locke’s England might have had their powers of discernment corrupted by culture. Locke’s Reasonableness of Christianity might therefore provide a way of bringing these men and women to knowledge of the natural law, despite the corruption of their reason—despite, in other words, being unable to know and being required to believe (RC 157-58). Waldron’s comments on this problem are instructive: “anyone above the threshold [i.e., any one with capacity for abstraction and discernment] has the power to relate the idea of such a law [the natural law] to what is known by faith and revelation about God’s commandments, and is in a position therefore to
Locke’s texts provide no strong reason to believe that the majority is by nature incapable of knowledge of the natural law. In responding to the two objections above, an explanation for the widespread ignorance of the natural law comes to light: custom obstructs the natural drift of the understanding toward knowledge of the natural law.\textsuperscript{121} Ignorance of the natural law is the result of an artificial cause, rather than a natural cause. Recall from Chapter Two that deduction and inference are, in a manner, automatic processes. Deduction and inference proceed by the perception or presumption of agreement or disagreement, and the perception or presumption follow involuntarily upon the contents of ideas.\textsuperscript{122} The freedom of the mind consists merely in the ability to suspend the march of reason from one idea to the next, and to turn reason’s focus to another direction. We saw there the same thing that we are seeing here: reason drifts in one or another direction. If corporeal rational understanding (such as that possessed by most humans), when left undisturbed, cannot fail to conceive itself as itself, as finite, as created, as dependent, and as obligated, then there is a natural drift toward the natural law. If corporeal rational understanding fails to arrive at knowledge of the natural law, then it is because the drift of the understanding has

\textsuperscript{121} There are other causes of confusion. To be sure, these are too numerous to mention. They are as many as are the ways humans learn, render assent, and share what they believe and doubt. Many of these (e.g., inconstant diction, vague ideas) are too remote from the present concern to discuss, the present concern being reason’s natural view of the natural law.

\textsuperscript{122} See Chapter One Sections 1.2.2 and 1.2.3.
been diverted. Custom is one of the main causes of diversion.\textsuperscript{123} Locke repeats this with nearly the same frequency that he affirms that the natural law is clear to human reason.\textsuperscript{124}

\textsuperscript{123} See also Schouls, \textit{Reasoned Freedom}, 92-94.

\textsuperscript{124} See \textit{E} I.iii.25: “Custom, a greater power than Nature, seldom fail[s] to make them worship for Divine, what she hath inured them to bow their Minds, and submit their Understanding to”; \textit{E} I.iii.26: “It is easy to imagine, how by these means it comes to pass, that Men worship the Idols that have been set up in their Minds”; \textit{E} I.iv.22: “\textit{God having fitted Men with faculties and means, to discover, receive, and retain Truths, accordingly as they are employ\textquoteright d}. The great difference that is to be found in the Notions of Mankind, is, from the different use they put their Faculties to, whilst some (and those the most) taking things upon trust, misemploy their power of Assent, by lazily enslaving their Minds, to the Dictates and Dominion of others, in Doctrines, which it is their duty carefully to examine; and not blindly, with an implicit faith, to swallow”; \textit{E} II.xxi.45: “The ordinary necessities of our lives, fill a great part of them with the uneasiness of \textit{Hunger, Thirst, Heat, Cold, Weariness} with labour, and \textit{Sleepiness} in their constant returns, etc. To which, if besides accidental harms, we add the fantastical uneasiness, (as itch after \textit{Honour, Power}, or \textit{Riches}, etc.) which acquir\textquoteright d habits by Fashion, Example, and Education have settled in us, and a thousand other irregular desires, which custom has made natural to us”; \textit{E} II.xxi.69: “Fashion and the common Opinion having settled wrong Notions, and education and custom ill habits, the just values of things are misplaced, and the palates of Men corrupted”; \textit{E} IV.xvi.4: “How can we imagine that he should renounce those Tenets, which Time and Custom have so settled in his Mind, that he thinks them self-evident, and of an unquestionable Certainty; or which he takes to be impressions he has received from GOD himself, or from Men sent by Him?”; and \textit{E} IV.xx.9: “There is nothing more ordinary, than that \textit{Children} should receive into their Minds Propositions (especially about Matters of Religion) from their Parents, Nurses, or those about them: which being insinuated into their unwary, as well as unbiass\textquoteright d Understandings, and fastened by degrees, are at last (equally, whether true or false) rivted there by long Custom and Education beyond all possibility of being pull\textquoteright d out again. . . . For Men, when they are grown up . . . look on them as the \textit{Urim and Thummim} set up in their Minds immediately by GOD himself, to be the great and unerring Deciders of Truth and Falshood, and the Judges to which they are to appeal in all manner of Controversies. (\textit{E} IV.xx.9). \textit{E} I.iv.22 should be compared with Descartes, \textit{Discourse} 1: “[T]he power of judging well and distinguishing the true from the false—which is what we properly call ‘good sense’ or ‘reason’—is naturally equal in all men, and consequently that the diversity of our opinions does not arise because some of us are more reasonable than others but solely because we direct our thoughts along different paths and do not attend to the same things” (CSM I.111). \textit{E} II.xxi.69 should be compared with \textit{TT} II.37: “This is certain, That in the beginning, before the desire of having more than Men needed, had altered the intrinsick value of things, which depends only on their usefulness to the Life of Man; or [Men] had agreed, that a little piece of yellow \textit{Metal}, which would keep without wasting or decay, should be worth a great piece of Flesh, or a whole heap of Corn; though Men had a Right to appropriate, by their Labour, each one to himself, as much of things of Nature, as he could use.”
In two places Locke takes the belief in the infallibility of individual persons (whether the pope or some inspired puritan) as an illustration of the problem that customs poses for reason. The example occurs among several illustrations of “madness,” that is, the customary union of two ideas, which, by their natures, do not agree with one another. He explains at *E II.xxxiii.17* that when “the idea of infallibility [is] inseparably joined to any person, and these two constantly together possess the mind,” then whatever “that imagined infallible person dictates” will “be swallowed for a certain truth by an implicit faith.” The customary union of two ideas that do not by nature agree becomes in the mind a measure of probability, and thus has the power to determine the great courses of this person’s thinking.\(^{125}\) Locke returns to this example at *E IV.xx.10*: on the basis of a supposed infallibility of his church, “an intelligent Romanist” is “prepared easily to swallow, not only against all probability, but even the clear evidence of his senses, the doctrine of transubstantiation.” As he says there also of the puritans, “Let an enthusiast be principled, that he or his teacher is inspired, and acted by an immediate communication of the divine spirit, and you in vain bring the evidence of clear reasons against his doctrine.” (The *Two Treatises* make it plain that it is not just in these two places in *An Essay* that Locke is concerned with claims about inequality.) Thus custom sets up obstacles that interrupt the natural drift of the understanding and prevents it from arriving at an at least basic knowledge of the natural law.

With this account of ignorance of the natural law, we return to the tension noted in the previous chapter\(^{126}\) between the expressed view that inherited opinion is an unreliable guide to moral belief and the suggestion that inherited opinion contains fundamental precepts of the natural law. I

---

\(^{125}\) This is Locke’s foundationalism. See Chapter One, Section 1.2.3.

\(^{126}\) See Chapter Two, Section 2.2.4.2.
proposed there that Locke had integrated into his philosophical thought some version of The Fall: man’s original epistemic condition was one of clarity, but man’s acquired epistemic condition is one of confusion. Here we see confirmation of this from An Essay.\footnote{This result agrees with the view advanced by W. M. Spellman, \textit{John Locke and the Problem of Depravity}, 4: “Without Locke the supremacy of reason and the malleability of the human mind, so much a part of enlightened thought during the eighteenth century, would have been practically inconceivable.” Interestingly, this is the impact of Locke despite the fact that, as Rogers notes, “The Messianic optimism which some have found in Bacon, and which was certainly present in England in the mid-century, never finds expression in Locke’s writings.” G. A. J. Rogers, “Locke and the Skeptical Challenge,” 54.}

Locke’s views on natural epistemic clarity are of theoretical interest, but they are of little practical value if the original epistemic condition is in no way recoverable. Since, of course, we are all born into society and educated into some culture, the original epistemic clarity seems unrecoverable or at least unavoidably blurred. Yet Locke has in his conceptual arsenal a tool that may be able to induce artificially an approximation of original epistemic clarity: the state of nature. As a hypothetical state that captures human life (largely) prior to human social artifice (property laws, systems of government, perhaps culture and learning at large), it is perhaps also a state that captures and recovers humankind’s original epistemic condition.\footnote{The state of nature only \textit{largely} captures human life prior to human social artifice: Locke’s state of nature is not a pre-social state, nor even a pre-linguistic state, as \textit{TT} II.77 indicates.}

3.3.2. Epistemic Clarity in the \textit{Two Treatises}

The purpose of this chapter has been to make the case that the justification for Locke’s ethics of belief is likely to be found in Locke’s \textit{Second Treatise}. Two reasons are given for why one should look in the \textit{Second Treatise} for the justification: the demonstrative morality (which should
contain the justification) is likely to be found in the *Second Treatise*, and the presuppositions of Locke’s ethics of belief (the “clarity or ready accessibility” of the law to unaided reason) appear to be present in the *Second Treatise*. The section immediately above argued that the natural law is clear or readily accessible to unaided human intellect because it is promulgated directly to human reason. I suggest, therefore, that the presuppositions of Locke’s ethics of belief are present in the *Second Treatise*, if the *Second Treatise* provides evidence that the natural law is sufficiently promulgated. I will argue in this section that the *Second Treatise* does indeed provide this evidence.

It can easily be assumed that Locke’s *Second Treatise* does indeed provide evidence that the natural law is sufficiently promulgated: if we can take Locke at his word, then since Locke’s word in the *Second Treatise* is that of a natural law theorist (if nonetheless of a peculiarly modern variety) the natural law is promulgated. This is simplest evidence for sufficient promulgation. Two words of caution must be stated, however. First, it is an error of interpretation to suppose straightaway that—assuming that we can take Locke at his word—the promulgation present in the *Second Treatise* is that kind of promulgation suggested by *An Essay* and presupposed in Locke’s ethics of belief. While it is true that Section 3.2.3 lists several instances of congruence between *An Essay* and the *Second Treatise*, notably the promised demonstrative morality, it remains possible that one finds no overlap with respect to promulgation. Second, it should not speak against sufficient promulgation that Locke does not explicitly and with abundant clarity state exactly how the natural law is promulgated in the *Second Treatise*. He writes at *TT* II.12, it was “besides [his] present purpose, to enter here into the particulars of the Law of Nature,” so perhaps we cannot fault Locke for failing to provide the systematic exposition of the manner of promulgation. Therefore I suggest that in order to show that the natural law is promulgated directly to reason, it is enough that the presentation of
the state of nature be consistent with what is said in An Essay and presupposed in Locke’s ethics of belief. In other words, it is not necessary that Locke declare in the Second Treatise what he declares in An Essay; it is enough that what he says in the Second Treatise overlaps with what he declares in An Essay.

I draw from these preliminary considerations two argumentative requirements. First, arguments must be provided that what can be surmised from the Second Treatise regarding the promulgation of the natural law agrees with what is implied in An Essay and presupposed in Locke’s ethics of belief about promulgation. Second, arguments must be provided that we can “take Locke at his word” in the Second Treatise, at least about the natural law. This second requirement amounts to responding to claims that the surface teaching of the Second Treatise is not the actual teaching. The claim to a subsurface teaching trace back to Leo Strauss, who provides the most impressive arguments not to take the surface teaching of the Second Treatise as Locke’s actual teaching. To show that Strauss’s arguments are unsound is one and the same as to show that the surface teaching of the Second Treatise can be taken as the actual teaching. I respond to Strauss’s claim that Locke is not a natural law theorist in Appendix B. I have summarized my response above at the end of Section 3.2.3. Below I respond in particular to his allegation that the law of nature is not knowable in the state of nature.

I begin with the first argumentative need: the agreement of the Second Treatise and An Essay. I find three reasons to believe that the Second Treatise overlaps with An Essay and the presuppositions of Locke’s ethics of belief. The first is Locke’s frequent and persistent identification of the law of nature with reason itself. The claims that “any one comes not to such a degree of Reason, wherein he might be supposed capable of knowing the Law,” (TT II.60), “his having Reason, which is able to
instruct him in that Law he is to govern himself by,” (TT II.63), and “till they come to the use of Reason, or a state of Knowledge, wherein they may be supposed capable to understanding . . . the Law of Nature,” (TT II.170) read like statements of natural law promulgation. However, the lines “And Reason, which is that Law, teaches all Mankind, who will but consult it,” (TT II.6) and “so plain was it [the law] write in the Hearts of all Mankind,” (TT II.11) come quite close to an unequivocal declaration that it is reason that is the primary witness to the law of nature, rather than a nature (human nature) that must be studied. Finally there is Locke’s frequent insistence that the “law of nature” is one and the same as the “law of reason” (TT II.8, 10, 16, 25, 30-32, 52, 57, 96, 118, 172, and 181). Grotius and Aquinas can term the law of nature the law of nature, because it is through nature promulgated and in nature operative. Locke’s terming “the law of nature” “the law of reason” mirrors the epistemological and metaphysical shifts that occurred between Grotius’s time and Locke’s: it is the law of reason, because it is promulgated to reason and binds corporeal rationalities rather than particular species with particular essences.

The second reason is Locke’s derivation of the natural law in TT II.6. In this passage Locke draws out the first precepts of the law of nature, and he does it according to the procedure of An Essay’s demonstrative morality: from the reckoning of the idea of humankind as rational and created and the idea of a powerful and wise creator God, the precept to preserve mankind in general is inferred. Locke’s language in this passage evokes the image of a philosopher stating what an ordinary intellect could not on its own discover. This image, however, runs contrary to the actual content of the passage. Locke prefaces the derivation of the first precept of the natural law in this passage thus: “The State of Nature has a Law of Nature to govern it, which obliges every one: And Reason, which is that Law, teaches all Mankind, who will but consult it,” (TT II.6). With this
statement Locke signals that the derivation of the natural law given in that paragraph is the derivation that is open to every rational person. In other words, the way that Locke makes the natural law known in this paragraph is the way that the law of nature would be known to any one, if only they would take the pains to consult reason. But if all that is required in order to know the law of nature is merely to consult reason, then it very much appears that the natural law is promulgated to all who possess reason.

The third reason is that one finds in the *Two Treatises* exactly the view given in *An Essay* regarding the original and acquired epistemic conditions of humankind. Mankind’s *original* epistemic condition is one of clarity. Presumably this was the condition of those in the state of nature, who could be taught the law of nature if they would just consult reason, and who would learn from reason exactly the lesson Locke gives in *TT* II.6. Mankind’s *acquired* epistemic condition is one of confusion, and the primary cause of this confusion is culture. The condition of confusion is brought about by culture and civilization, which obstruct reason’s natural drift by inculcating false notions or establishing artificial connections among ideas. Just this view of mankind’s original (natural) and acquired (cultural) epistemic condition is found in the *First Treatise*, where the corruptive influence of cultural is emphasized forcefully:

Thus far can the busie mind of Man carry him to a Brutality below the level of Beasts, when he quites his reason, which places him almost equal to Angels. Nor can it be otherwise in a Creature, whose thoughts are more than the Sands, and wider than the Ocean, where fancy and passion must needs run him into strange courses, if reason, which is his only Star and compass, be not that he steers by. The imagination is always restless and suggests a variety of thoughts, and the will, reason being laid aside, is ready for every extravagant project; and in this State, he that goes farthest out of the way, is thought fittest to lead, and is sure of most followers: And when Fashion hath once Established, what Folly or craft began, Custom makes it Sacred, and ‘twill be thought impudence or madness, to contradict or question it. He that will impartially survey the Nations of the World, will find so much of

---

129 A derivation of the natural law is sketched in Chapter Four, Section 4.2.1
their Governments, Religions, and Manners brought in and continued amongst them by these means, that he will have but little Reverence for the Practices which are in use and credit amongst Men, and will have Reason to think, that the Woods and Forests, where the irrational untaught Inhabitants keep right by following Nature, are fitter to give us Rules, than Cities and Palaces, where those that call themselves Civil and Rational, go out of their way, by the Authority of Example. (TT I.58)

Here Locke contrasts the epistemic conditions of “civilized and rational” human beings with the epistemic condition of “irrational and untaught” human beings, and he judges that the latter is nearer to the original and correct epistemic condition of humankind. The causes of degeneration are said to be imagination, passion, and custom. Custom is unequivocally marked as the worst of these offenders, because it makes error incorrigible by making it inviolable. The same view is expressed in An Essay:

This is evidently the case of all Children and young Folk; and Custom, a greater power than Nature, seldom failing to make them worship for Divine, what she hath inured them to bow their Minds, and submit their Understandings to, it is no wonder, that grown Men, either perplexed in the necessary affairs of Life, or hot in the pursuit of Pleasures, should not seriously sit down to examine their own Tenets. (E I.iii.25)

One finds in the Second Treatise a passage that is nearly parallel to the above passage from the First Treatise. During Locke’s sketch of the history of nations (TT II.106-12) he remarks that the early rule of patriarchal monarchies was a “Golden Age,” (TT II.111). This “golden age” was also “the first [of] Ages,” (TT II.108), and though it was “poor,” it had “Innocence and Sincerity” (TT II.109) and in times of peace “very little Dominion,” the rulers wielding “a very moderate Sovereignty,” (TT II.108). The people of this age “had more virtue, and consequently better governors, as well as less vicious subjects,” (TT II.111). This was an age in which lived the “irrational and untaught” (TT I.58) whose epistemic condition approximated if not completely (presumably) overlapped with mankind’s original and correct epistemic condition. Also during this sketch Locke identifies the causes of degeneration. In the first ages, the “want of People and Money
gave Men no Temptation to enlarge their Possessions of Land, or contest for wider extent of Ground” (TT II.108). So with the invention of money and the increase of people, “vain Ambition, and amor sceleratus habendi, evil Concupiscence, had corrupted Mens minds into a Mistake of true Power and Honour,” (TT II.111). Custom is not directly blamed for corrupting men’s minds, that is, for transforming their epistemic condition from one of clarity to one of obscurity; money is directly blamed. However, in blaming money, custom is implicated. It is money that allows for the increase in population and possessions (TT II.36, 45, 48), which in turn lead to the desire for dominion.130 But money is not natural. Money is an invention (TT II.36, 48), and the value of it is established by consent (TT II.36, 45, 50). Money is a cultural artifact, and its invention institutes an artificial connection between the idea of labor and the idea of value: it “alter[s] the intrinsick value of things,” (TT II.37).131 Thus the Second Treatise and An Essay agree: custom is the cause of epistemic decay.

The Second Treatise and An Essay largely overlap on the difference between humankind’s original and acquired epistemic conditions, and thus indicate, according to the suggestion I made above, that the natural law is sufficiently promulgated in the Second Treatise. On the assumptions outlined at the beginning of this section, this means that the natural law of the Second Treatise is promulgated directly to reason. In order that this view be fully legitimate, however, it is necessary to

130 A further parallel between the discussion of money in “Of Property” and the first ages of ST 106-112: “Thus in the beginning all the World as America, and more so than that is now; for no such thing as Money was any where known,” (TT II.49).

131 See Casson, Liberating Judgment, 233-38 for discussion of this point. See also Tully, Discourse on Property, 150-51
reply to the powerful objections put forward by Leo Strauss. Strauss’s claim is that Locke’s natural law is not promulgated in the state of nature.\footnote{Strauss, \textit{Natural Right and History}, 223-226.}

He reasons as follows. In order for the natural law (the natural law that one finds on the surface of the \textit{Second Treatise}) to obtain, the natural law must be effective. In order for the natural law to be effective, the state of nature \textit{must not} be a state of perpetual conflict and \textit{must not} be a state of scarcity. It must not be a state of conflict due to the content of the natural law: “Every one as he is \textit{bound to preserve himself}, and not to quit his Station wilfully; so by the like reason when his own Preservation comes not in competition, ought he, as much as he can, to preserve the rest of Mankind,”\footnote{Strauss, \textit{Natural Right and History}, 225.} (\textit{TT II.6}). If the state of nature were a state of perpetual conflict, then one would constantly give preference to one’s own preservation over the preservation of others. As a result, no one would work to preserve others, and the natural law would cease to be in effect. The state of nature must not be a state of scarcity due to the fact that scarcity leads to conflict. If there is perpetual scarcity, there is also perpetual conflict, and for like reasons the natural law ceases to be in effect. But Strauss finds that there is neither plenty nor peace in the state of nature: “Far from being a state of peace, it is a state in which peace and quiet are uncertain. The state of peace is civil society; the state antedating civil society is the state of war.”\footnote{Strauss, \textit{Natural Right and History}, 225.} On Strauss’s reading, the state of nature collapses into a state of war. The conflation of the state of nature with the state of war has consequences for promulgation. As “there is no \textit{habitus} of moral principles, no \textit{synderesis} or conscience, all knowledge of the law of nature is acquired by study.”\footnote{Strauss, \textit{Natural Right and History}, 225.} The natural law is promulgated only on the condition
that human beings can adequately study and learn the natural law in the state of nature. However, if the state of nature is a state of scarcity and perpetual danger, then it is not possible to study and to learn the law of nature. The end effect is that the law of nature is neither known nor knowable, and hence is not promulgated. With the disintegration of the surface natural law teaching, Strauss reconstructs Locke’s natural law: it is not through reason that the natural law is known, but rather through desire, specifically, the desire for self-preservation. What results is a new moral epistemology, one in which the rationalist tendencies of Locke’s *An Essay* are either jettisoned or wholly subsumed to his empiricism.

---

135 Strauss in fact gave three reasons why the natural law cannot be said to be promulgated, yet I named only one. Here is why: As his first reason, Strauss cited RC 157-58, which states that dairymaids and day laborers do not have the time or capacity to the study the natural law, yet as he states at TT II.41, dairymaids and day laborers are better off than kings of the Americans. He reasons that if dairymaids and day laborers cannot know the natural law, then even less could a king of the Americans. As his second reason, he cites TT II.94, which describes the “first ages” (those ages that are presumably nearest to the state of nature) as states of “negligence and unforeseeing innocence.” His third reason is stated above. I omitted the first two reasons, because they contradict TT I.58, quoted above: the epistemic condition of the kings of the Americans is likely better than that of day laborers and dairymaids in England, and the days of “negligence and unforeseeing innocence” belong to those that are of, again, a better epistemic condition. (One can add that at RC 157-58 Locke doubts only that dairymaids and day laborers can be made into perfect mathematicians. He does not doubt that they can come to a basic knowledge of the natural law.) Interestingly, Strauss does not mention TT I.58 in his interpretation of Locke.

136 Strauss’s interpretation has been subject to extensive and detailed expansion. See Myers, *Only Star and Compass*, 114-120; Pangle, *Spirit of Modern Republicanism*, 187; and Zuckert, *Natural Rights and the New Republicanism*, 240, 260-66. The basic structure of his interpretation remains unchanged, however.

137 Strauss, *Natural Right and History*, 226-27: “The desire for happiness and the pursuit of happiness have the character of an absolute right, of a natural right. . . . Since the right of nature is innate, whereas the law of nature is not, the right of nature is more fundamental than the law of nature and is the foundation of the law of nature.”

I mention the implications that Strauss’s reading of Locke’s state of nature have for his moral epistemology because it presents an alternative to the moral epistemology sketched in this chapter. This alternative moral epistemology thus appears as an objection to the interpretation
I make three responses here. The first consists in simply denying that the state of nature utterly collapses into the state of war. The crux of Strauss’s contention regarding promulgation is that outside of civil society, war must obtain at all or at most times, or in other words, that peace either never or only rarely occurs. It is on such an interpretation that ignorance of the law is a necessary feature of the state of nature, rather than a contingent feature. Strauss is doubtlessly correct that the state of nature must become a state of great inconvenience and uncertainty if the state of civil society would appear preferable to the state of nature. Yet his contention leaves no room for stages of increasing degeneration in the state of nature. As seen just above, the institution of money transforms not only social and economic conditions; it changes epistemic conditions as well. According to the histories Locke provides, the institution of money is an event independent of the institution of civil society, even though the money, like civil society, is instituted by consent. The institution of money can appear therefore as a decisive moment in the history of the state of nature, and introduce the great inconveniences that lead to the institution of civil society.

advanced in this chapter, and hence calls for a response. Yet I do not address the alternative moral epistemology here, because the alternative interpretation is warranted only on the collapse of the surface natural law teaching of the Second Treatise. If Strauss is mistaken about the collapse of the surface natural law teaching, then no alternative moral epistemology is required. Thus the competing moral epistemology is placed on one side, and attention is given exclusively to Strauss’s claim that the state of nature collapses into to the state of war.

A fourth response can be made. Strauss alleges that the natural world is penurious, which leads to conflict. This allegation can be corrected by a careful reading of Locke: it is human nature that is penurious, meaning (roughly) “needy,” whereas the natural habitat is plentiful and not at all scarce. As this response would be lengthy, and so distract from the present efforts, I mention it here, but do not develop it.

Casson, Liberating Judgment, 233-38. Several commentators have emphasized that there are several different stages of the state of nature and that a variety of different social arrangements can exist in the state of nature. See Wolin, Politics and Vision, 275-76; Simmons, On the Edge of Anarchy,
Second, Strauss’s contention, if even granted, does not entail that the epistemic conditions of individuals in the state of nature is one of epistemic confusion. In other words, his contention does not show that the law of nature is not promulgated to reason. Strauss does not trace ignorance of the natural law back to problems internal to individuals and their reason, which would be required to show that the natural law is not promulgated to reason. Rather, he traces ignorance of the natural law back to problems external to individuals, namely, to the social and economic conditions in which they find themselves. While it might be contended that the stresses of the state of nature would warp minds, Strauss does not make this case and Locke leaves little invitation to do so. To this point, another can be added. According to Locke’s theory of action, the natural law can be known but still disobeyed, when actions that conform to the natural law are not seen to be choice-worthy. Recall the distinction between judgment and assent. The power of judgment is evaluative and measures how likely to be true some proposition is, whereas the power of assent is elective and takes up a proposition as true. On Locke’s view these are not naturally and not necessarily coordinated. Passions can prevent one from assenting to what is seen to be probable. The natural law might be promulgated to reason, but it is not, so to speak, promulgated to the will: epistemic clarity and moral confusion might be simultaneous. A state of nature that is indeed one of perpetual conflict is consistent with active promulgation of the natural law to reason.

As a third response I call the logic of Strauss’s interpretation into question. Locke’s presentation of the state of nature throughout the *Second Treatise* is far from systematic. It at times appears as a piece of conjectural history, at other times actually documented history, at other times

---


140 Dunn, *Locke*, 68.
as a thought experiment, and at other times an description of possible moral relations. Locke furthermore does not put forward a great effort to explain how the state of nature is distinguished from the state of war. These doubtlessly serve Strauss’s interpretation. However, it is far from obvious that Strauss’s way of reconciling all the tensions and possible contradictions in Locke’s depiction of the state of nature is the correct way interpreting the state of nature in the Second Treatise. In order for these tensions and possible contradictions to serve Strauss’s interpretation, it is necessary that the tensions be shown to be actual contradictions, and also shown that the actual contradictions signal a teaching other than what appears on the surface. I contend that the tensions in Locke’s Second Treatise are not clear contradictions, and further that if they were in fact contradictions, that they would not necessarily imply an esoteric teaching. Strauss requires some fact outside of the Second Treatise that satisfies these two requirements. Strauss claims to find that fact in the contradiction between the theological dimensions of Locke’s natural law theory and his epistemological principles. This claim was discussed at the end of Section 4.2.3 above: I do not find any such claimed contradiction between Locke’s natural law theory and his epistemological principles. Therefore Strauss’s interpretation of the state of nature is not strong enough to stand on its own. It is therefore no obstacle to the interpretation I am developing here.

I believe that the two argumentative requirements have been satisfied. There is plain evidence indicating that the Two Treatises overlaps with An Essay and the presuppositions of Locke’s ethics of belief in respect to humankind’s original epistemic condition: all three hold that it is one in which the moral law is clear or readily accessible to unaided human reason. In the language of this chapter, the natural law is promulgated directly to reason. Further, the arguments that would suggest that the surface of Locke’s Two Treatises cannot be taken at face value are shown to be both
unconvincing and irrelevant to the specific kind of promulgation that is here the subject of discussion. The connections thus drawn between *An Essay*, Locke’s ethics of belief, and the *Two Treatises*, one can search in the *Second Treatise* for the justification of Locke’s ethics of belief.

3.4. Conclusion

The evidence suggests that *An Essay*’s demonstrative morality is contained, if perhaps fragmentarily, in Locke’s *Second Treatise*, and it suggests also that the clarity and accessibility of the natural law to the unaided human intellect, which sits at the foundation of Locke’s ethics of belief, is present in the *Second Treatise*, because the natural law of the *Second Treatise* is promulgated directly to reason. This gives confidence that the justification of Locke’s ethics of belief can be found in the *Second Treatise*. The extraction of that justification is the subject of the next chapter. The *Second Treatise* is a work of no great clarity, but the results of the present chapter provide two threads by which one can work through the *Second Treatise*. 
Chapter Four

Locke’s Ethics of Belief in the *Second Treatise of Government*

We have been searching for Locke’s reason why there is a moral obligation to conduct the understanding well in an evidentialist manner in the ethical order, that is to say, for Locke’s reason why one ought to form ethically-significant beliefs only on the evidence that directly reveals those beliefs to be true. All the pieces are now in place to search for the justification for Locke’s ethics of belief in the *Second Treatise of Government*. From Chapter One we learned that the justification for the ethics of belief would probably appear as a theorem of Locke’s demonstrative morality, the hope for which he had announced in *An Essay*. From Chapter Two we learned that Locke’s ethics of belief rests on the assumption that the rules of morality are clear or readily accessible to the unaided human intellect. This, it seems, is what makes Locke’s ethics of belief practicable. Chapter Three combined these two results to narrow the search for the justification of the ethics of belief to the *Second Treatise*: the *Second Treatise* probably contains at least a portion of the demonstrative morality, and the mode of promulgation of the *Second Treatise*’s natural law—promulgation directly to reason—agrees with the presuppositions of Locke’s ethics of belief.

In this chapter I attempt to reconstruct the justification of the ethics of belief, from the *Second Treatise*. This chapter has three parts. In the first I give a brief statement of how I will read the *Second Treatise* and justify why I will read it in this way. In the second part I construct from the *Second Treatise* an ethics of belief. I do this in several steps. I trace the steps by which Locke derives the law of nature in *TT* II.4 and 6, and then the steps by which Locke derives the right to executive
power from the law of nature in TT II.7. I then argue that the right to executive power entails what I term a “right of judgment,” which is the right to judge and interpret the law of nature. I argue that the right of judgment comes with certain terms of use, and that these terms of use generate an ethics of belief. The second part of this chapter concludes with the detailing of the terms of use of the right of judgment. In the third part of this chapter, I judge how far the ethics of belief of the Second Treatise agrees with that of An Essay, and hence how far the Second Treatise works to justify the ethics of belief of An Essay.

4.1. The Demonstrative Morality in the Plan of the Second Treatise

My purpose in this section is to adduce a few rules of interpretation for the Second Treatise. I do this by mapping the demonstrative morality onto the purpose and basic plan of the Second Treatise. Locke states this purpose and plan in TT II.1-4 and 6.

The Second Treatise is conceived to serve three purposes, the third purpose having a double aspect. Locke’s efforts are “[to] find out [1] another rise of Government, [2] another Original of Political Power, and [3] another way of [3.a] designing and [3.b] knowing the Persons that have it, then what Sir Robert F. hath taught us,” (TT II.1). Locke’s efforts in accomplishing the first of these purposes are historical and also biblical. The bulk of Locke’s biblical effort appears in the First Treatise of Government, which directly attacks the political theology of Sir Robert Filmer, according to whom government began immediately with Adam. Locke rejects Filmer’s account, and in rejecting it takes on the task of showing how government in fact came to be. Locke accomplishes this task by
providing an account of the historical origins of nations and customs. This account is scattered throughout the Second Treatise, however.¹

Locke’s efforts with regard to the second and third purposes are normative rather than historical. In other words, his effort is to explain what political power is (the second purpose), and to provide measures for judging whether a given person or entity’s possession or exercise of political power is legitimate (the third purpose). Notice that the third purpose has two aims. Locke intends to provide (3.a) “another way of designing the persons that have it [political power],” and (3.b) “another way of knowing the persons that have it [political power].” The normative efforts in (3.a) are more strictly moral or political in focus. Locke intends to tell us what the correct way of behaving politically is—in other words, to tell us how governments should be structured such that they comply with the law of nature. The normative efforts in (3.b), however, are more epistemic in focus. Locke intends to tell us what the correct way of evaluating political behavior is. Of course, any moral philosopher fulfills such an epistemic purpose simply by providing a moral rule: the moral rule functions as a criterion by which to evaluate whether a given action is right or wrong. The pertinent question to the present study of the Second Treatise, however, is whether Locke provides in addition to the criteria of judgment given in (3.a) further rules concerning the kinds of evidence that ought to be employed when evaluating uses and locations of political power. I suggest that he does.

Now, all stated purposes converge on political power, which Locke defines thus:

Political Power then I take to be a Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property, and of employing the force of the Community, in the Execution of such Laws, and in the defence

¹ See TT II.31, 36-38, 43, 45, 50, 74, 76, 94, 101, 102, 105-112, 115, and 162; and perhaps also 87, 95-99, and 123.
of the Common-wealth from Foreign Injury, and all this only for the Publick Good. (*TT* II.3).

Therefore the overarching purpose of the *Second Treatise*—the purpose that embraces the four purposes identified above—is to account for this definition.

Locke states no plan for how he will accomplish his historical aims. As is evident from his argument in the *Second Treatise*, Locke draws from biblical and classical history and also from contemporary travel literature (which he had in abundance in his personal library²) to show the origin of various political societies and also to craft an speculative anthropology. Locke’s plans for accomplishing his normative aims, however, are stated explicitly. These plans appear in *TT* II.2, 4, and 6. There are two parts to Locke’s plan. First, he will derive political power from its source, which is the natural state of all humankind. Second, he will distinguish political power from a variety of non-political powers (parent over child, employer over employee, and so forth).

I offer a rather basic sketch of the first part of Locke’s plan here. In order to “derive it [political power] from its Original,” Locke will “consider what State all Men are naturally in,” (*TT* II.4). The natural state of humankind, Locke explains, is a state of freedom, because it is a state of equality: “Creatures of the same species and rank promiscuously born to all the same advantages of Nature, and the use of the same faculties,” humans are naturally “equal one amongst another without Subordination or Subjection,” (*TT* II.4).³ The faculties to the use of which humans were

---


³ The citation continues, “unless the Lord and Master of them all, should by any manifest Declaration of his Will set one above another, and confer on him by an evidence and clear appointment an undoubted Right to Dominion and Sovereignty.” The *First Treatise* argues that God did no such thing.
born are the rational faculties, presumably the powers of abstraction and discernment. Natural human beings are not simply born, however; they are created as well: “For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker; All the Servants of one Sovereign Master, sent into the World by his order and about his business,” (TT II.6). Therefore when Locke derives political power from its source, the source is not human beings simply insofar as they are born of one and the same species, but insofar as they are created members of one and the same species. Thus the natural human being is a rational creature, and the natural state of humankind is one in which all human beings are equal to one another and equally subordinate to one creator God. According to Locke’s plan, he will account for political power by drawing out the consequences of the relations that obtain in mankind’s natural state—natural equality among human beings, and equal subordination of all human beings to God. This much of the plan follows the blueprint of Locke’s demonstrative morality, the presence of which in the Second Treatise was argued in the previous chapter. The demonstrative morality begins from ideas of ourselves as created and God as creator; the Second Treatise begins with the ideas of human beings insofar as they are the workmanship of God. Duly note that by this plan the portion of the demonstrative morality that is in the Second Treatise is (at least) that portion that specifically targets the above definition of political power. I will come back to this fact shortly.

To explain the emergence of political power from natural equality among human beings and equal subordination of human beings to God is one part of Locke’s plan. The other part of Locke’s

---

4 I infer this from the following passage: “Besides the Crime which consists in violating the Law, and varying from the right Rule of Reason, whereby a Man so far becomes degenerate, and declares himself to quit the Principles of Human Nature,” (TT II.10).

5 See Chapter Three, Section 3.3.1.
The plan is to distinguish “the Power of a Magistrate over a Subject,” i.e., political power in civil society, “from that of a Father over his Children, a Master over his Servant, a Husband over his Wife, and a Lord over his Slave,” (TT II.2). It is clear from Locke’s argument that he arrives at an account of these non-political relations in much the same way he arrives his account of the political relation of magistrate and subject: he provides on the one hand an historical account, and on the other a normative account. More need not be said about this part of the plan, for reasons given immediately below.

The plan and the purpose of the Second Treatise, then, is this: to use humankind’s natural condition to show the historical development, moral character, and legitimacy of political relations, and to distinguish the relation of magistrate over subject with other relations of inequality. This plan and purpose understood, the results of the previous chapter’s discussion of Locke’s ethics of belief and its relation to the Second Treatise allow one to pick out in advance the relevant parts of the Second Treatise. In the remainder of this section, I map the results of the previous chapters onto Locke’s plan in the Second Treatise and derive three interpretative guidelines that will shape the remainder of the chapter.

The demonstrative morality (or at least a portion of it) satisfies the second and third purposes of the Second Treatise. The first interpretative guideline, then, is that the historical elements of Locke’s Second Treatise can be set aside as largely irrelevant. The demonstrative morality is the abstract deduction of moral rules from the idea of God as wise, powerful, and good creator, and the idea of ourselves as rational and created. The rules derived from the relation of these ideas, Locke alleges, obtain even if no one in history acted in accordance with the rules. Therefore when

---

6 See Chapter Three, Section 3.2.1.
attempting to trace Locke’s argument concerning moral and political obligation, one can bracket the passages of specifically historical (or biblical) purpose.

To be more specific, the historical elements are largely irrelevant rather than completely irrelevant. The historical elements of the Second Treatise may prove relevant so far as the state of nature is one of the Second Treatise’s historical elements. The state of nature is a state of moral relations, specifically, relations such that “all the Power and Jurisdiction is reciprocal,” (TT II.4) and such that “All [are] Servants of one Sovereign Master, sent into the World by his order and about his business,” (TT II.6). This is the precise idea Locke has in mind when he describes the state of nature as a state of equality—equality among members of the human species, equal subordination of that species to God. As a set of moral relations, the state of nature can be considered in its ideality, or it can be considered insofar as particular human beings instantiate the moral relations that comprise the “state of nature,” that is to say, it can be considered in its historicity. Already, then, the state of nature can be distinguished into an ideal state of nature and an historical state of nature. Yet since the moral relations comprising the state of nature can be instantiated by a variety of particular individuals, there are potentially innumerable different historical states of nature. The prince of one nation exists in a state of nature with the princes of other nations (TT II.14, 147), the subject of one prince exists in a state of nature with the subjects of other princes (TT II.145), anyone of mature reason who has not consented to join one or another political community exists in a state of nature with all those who did (TT II.123-31), and also others. Of all the different possible historical states of nature, there exists one that is absolutely unique. This is the state of “first ages”7 from which the first governments were formed. This state of nature is the state that precedes all states of civil

society. Other states of nature exist alongside various states of civil society. I introduce, therefore, a
distinction in the historical state of nature: I will call “the original state of nature” that state of
nature that obtained prior to the formation of the first government, and I will use “the factual states
of nature” to refer to all other instantiations of the moral relations that constitute the state of nature.

There are, then, three kinds of states of nature: the ideal state of nature, the original state of
nature, and the factual states of nature. The present study chiefly concerns the ideal state of nature.
The factual states of nature are irrelevant. The original state of nature is important, but in a narrow
way: the inhabitants of all factual states of nature have received an education and a culture, whereas
all inhabitants of the original state of nature have received either no education and culture or have
received an education and culture only to a minimal extent. This means (one can only presume)
that the inhabitants of the original state of nature possess the original epistemic condition of clarity,
whereas the inhabitants of the factual states of nature possess an acquired epistemic condition of
one or another degree of confusion. The historical dimensions of the Second Treatise are relevant
only to the extent that the difference between the original epistemic condition and all acquired
epistemic conditions are relevant to this study. I return to this point in Section 4.3 below.

The first interpretative guideline I derived was that the historical dimensions of the Second
Treatise can be set aside, with the caveat that the original state of nature may prove relevant. The
second interpretative guidelines I derive is the following: Locke’s analysis of the relations of parent

---

8 TTII.106-07—the place where one catches clearest sight of Locke’s thoughts on the
original state of nature—appear to suggest the original state of nature was extremely short-lived.
The second generation of human beings, he seems to say, submitted almost immediately and at any
rate unreflectively to their father(s). Presumably the father(s) were born wholly human, and the
children received whatever education it could have been that their father(s) provided.

9 See Chapter Three, Section 3.3.2 for the discussion of these states.
and child, husband and wife, master and servant, and lord and slave can largely be set aside. Locke’s analyses of these relations serve a mainly negative function in the plan of his work: they say what the political relation of magistrate and subject is not. These analyses do provide various criteria by which to evaluate whether a given political act or institution is legitimate or not, and such criteria are at least in principle relevant to the ethics of belief. However, these criteria are useful for this study only so far as they provide support for or against the imperative to believe evidentially. No great argument is required to show that these analyses are to no great extent useful for this purpose. The principles Locke uses to distinguish these relations are more useful to the present study than the distinctions themselves.

Fitting the demonstrative morality to the purpose and plan of the Second Treatise narrows considerably the scope of study of the Second Treatise. However it also reveals a necessary limitation in the study of the Second Treatise. This limitation is the third interpretative guideline: the reconstruction of the justification of Locke’s ethics of belief is necessarily partial. The demonstrative elements of the Second Treatise are geared entirely toward an account of legitimate political power. They are not geared toward a full exposition of the complete rules of morality. Locke is rather explicit about this: “It would be besides my present purpose, to enter here into the particulars of the Law of Nature,” (TT II.12). This gap between what Locke set out to accomplish demonstratively in the Second Treatise and what Locke could have accomplished is the cause of several problems in the scholarship on Locke’s moral theory. The third interpretative guidelines, then, amounts to the following: One must not expect a plain announcement and explanation of epistemic obligations in the Second Treatise. Whatever justification one finds in the Second Treatise must be reconstructed, and perhaps must remain to some extent partial.
Three interpretative guidelines have been devised. First, the historical (and biblical) elements of Locke’s argument can be bracketed. The interest falls on the deduction of rules from ideas of creator God and created man, rather than on speculations concerning the factual origins of government. Second, the analyses of the relations of parent and child, husband and wife, and master and servant can be bracketed. These are important for constructing the concept of political power, but they have little relevance for epistemic obligation. Third, one must be satisfied with a partial reconstruction from the *Second Treatise of An Essay*’s ethics of belief. The argument of the *Second Treatise* aims at explaining political power, rather than the duties of man, so the *Second Treatise* offers at most a partial view of Locke’s total moral vision.

Two parts of the chapter remain. In the next section I extract from the *Second Treatise* an ethics of belief, and thereby I produce evidence from the *Second Treatise* for Locke’s view that each individual is morally responsible for conducting his or her judgment in an evidentialist manner. In the final section, I ascertain how far the ethics of belief thus constructed out of the *Second Treatise* agrees with that of *An Essay*.

4.2. The Ethics of Belief of the *Second Treatise*

The present section has two purposes: I intend to extract from the *Second Treatise* an ethics of belief, and I intend to present the philosophical justification the *Second Treatise* supplies for that ethics of belief. My procedure is something of the reverse. I first argue that there is an obligation to judge well, and then give shape to this obligation. I begin with Locke’s state of nature and the natural law. I then move from his natural law through the right to executive power to the ethics of
belief. The ethics of belief that I claim can be found in the *Second Treatise* is, so to speak, the “terms of use” of the right to executive power. The right to executive power cannot by consent be fully surrendered to another, but it can be forfeited through misuse. Locke makes clear throughout the *Second Treatise* that much of the proper use of executive power, depends on the conduct of the understanding that leads to the use of this right to executive power. In this way, one’s right to executive power comes to depend on how well one forms one’s beliefs about how and when to use violent force. Now, the right to executive power derives from the law of nature, which commands that human beings be preserved as far as possible. The obligation to employ executive power well, stemming from the law of nature, transfers over to the ethics of belief: there is an obligation to form one’s beliefs well. Thus the connection between the *Second Treatise*’s ethics of belief and the *Second Treatise*’s natural law through the right to executive power yields the moral justification for the ethics of belief of the *Second Treatise*.

The construction of Locke’s ethics of belief requires the collection of various passages from across the *Second Treatise*. The characterization of the right to executive power as a contingent rather than absolute right does as well. Even the elucidation of the derivation of the right to executive power requires considerable reorganization of *TT* II.4, 6, and 7. For the sake of clarity of presentation, this section will have several subsections, each addressing a particular aspect of the ethics of belief (e.g., one of its constituent parts or one of its connections to the natural law). The subsection headings will chart out the main steps in the justification of the ethics of belief of the *Second Treatise*. The subsection headings in this way chart the logical steps whereby one moves from Locke’s conception of the state of nature to Locke’s morally obligatory evidentialist practices of belief formation.
Before entering into the construction of the ethics of belief from the *Second Treatise*, I offer two prefatory notes. First, my aim is not at analytic rigor or precision, nor is my effort to evaluate critically the argument or reproduce the strongest possible version of it. My aim instead is to bring together various parts of Locke’s thought and produce a general outline of the argument that could show why Locke’s evidentialist ethics of belief is morally obligatory. Second, although the effort in the following subsections centers on the *Second Treatise*, I will often refer to *An Essay*. This is for the purpose of establishing connections between the ethics of belief one finds plainly stated in *An Essay* and the ethics of belief one must tease out of the *Second Treatise*. The references to *An Essay* throughout Section 2 will facilitate the work of Section 3, in which I argue that the ethics of belief one finds plainly stated in *An Essay* is (at least largely) the same ethics of belief that one must tease out of the *Second Treatise*.

4.2.1. From the Idea of Oneself and the Idea of God to the Natural Law

“[T]he fundamental Law of Nature” is “the preservation of Mankind,” (*ST* 135). What follows is a speculative reconstruction of the steps whereby one comes to knowledge of the command to preserve humankind. I suggest that there are three main steps: (1) self-preservation is obligatory, and (2) humans are equal, so (3) by parity the preservation of all humankind is obligatory. This reconstruction follows the blueprint of Locke’s demonstrative morality. In doing so it is necessary to rearrange the sequence Locke gives to his thoughts in *TT* II.4 and 6, though I claim that this does not alter the logical order of his thoughts. If the fundamental law is the preservation of humankind
generally, self-preservation is nonetheless the fundamental premise whereby one comes to know that command.\textsuperscript{10}

The first step in Locke’s derivation of the natural law is the derivation of self-preservation. In Chapter Three, I argued that the demonstrative morality (which I also argued is found in the Second Treatise) begins with the idea of oneself and the idea of God. I suggest that the command to preserve oneself is learned roughly as follows: In the course of time, one comes to know oneself as a needy creature that is also rational and capable of abstraction and discernment. One learns that one is finite, indeed is created, and hence comes to know the creator, God, and even catches a glimpse of some of the creator’s features (power, intelligence, goodness, and so on). Since one knows oneself to be created, one knows that it was not up to oneself to come into existence or not, and so one extrapolates that it is likewise not up to oneself to determine when one goes out of existence. One knows oneself to be created and so dependent. Knowing oneself to be dependent one knows that one is obligated to that which created oneself. One thereby learns that one is obligated to preserve oneself. This movement of the mind from its idea of itself to the idea of its creator to the idea of its obligation to its creator receives sometimes more, sometimes less attention and explication in An Essay. This movement is given no full exposition or defense in the Second Treatise. I suggest, rather, that it is simply carried over from An Essay, and the cogency of the argument is simply assumed. But I also suggest that it finds some expression in TT II.6:

\textsuperscript{10}Lock’s presentation of the argument in Second Treatise 6 can give the impression that the preservation of oneself is a special case of the preservation of all, rather than the foundation of the preservation of all. Locke’s repeated statement that the “fundamental law of nature” is the preservation of mankind in general (see TT II.16, 134, 135, 159, and 183) works to strengthen this impression. Several scholars endorse this impression as the truth. See, for instance, Ashcraft, Locke’s Two Treatises, 108; Haakonssen, Natural Law and Moral Philosophy, 55; Seliger, The Liberal Politics of John Locke, 62; Simmons, A Lockean Theory of Rights, 336; Tully, An Approach to Political Philosophy, 26; and Tully, A Discourse on Property, 45.
For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker; All the Servants of one Sovereign Master, sent into the World by his order and about his business, they are his Property, whose Workmanship they are, made to last during his, not one anothers Pleasure . . . . [So] Every one . . . is bound to preserve himself, and not to quit his Station willfully . . .

This, then, is the first step: one knows oneself to be created, and so knows that one ought to preserve oneself.

The second step establishes natural equality among human beings. Before analyzing this step, one must be clear about what specific kind of equality Locke targets in this step. The equality that Locke targets looks a bit like a political equality: in the state of nature there is no “Subordination or Subjection,” and no one particular individual has any “Right to Dominion and Sovereignty,” (TT II.4). Yet while none has a right to command others, each has “a Power to Execute that Law, and thereby preserve the innocent and restrain offenders,” (TT II.7). It is by this right to executive power that “one Man comes by a Power over another,” (TT II.8). The state of nature appears, then, to be a state in which individuals are politically equal and equal wielders of political power. However, the dignities and powers of the members of the state of nature cannot be political in the proper sense, or at least in the sense given in Locke’s definition of political power:

[A] Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property, and of employing the force of the Community, in the Execution of such Laws, and in the defence of the Common-wealth from Foreign Injury, and all this only for the Publick Good. (TT II.3)

Political power in the proper sense exists only in the state of civil society. The state of nature is such that no one individual has the right of making such laws, though the right of making laws might be said to be in some way potential or analogical so far as the members of the state of nature can through consent establish government, which certainly has political power in the proper sense. The kind of dignities and powers that members of the state of nature have clearly approximate the
dignity and power of government, which is political, yet they remain distinct. Given these brief considerations I suggest the definition of political power given in *Second Treatise* 3 should be termed “instituted political power,” whereas the kind of power members of the state of nature have should be termed “natural political power.” Locke does not term the equality he aims at in *TT* II.4, but given this distinction it seems appropriate to term that equality “natural political equality.”¹¹

The second step of Locke’s derivation of the natural law has two movements. First, Locke moves from the recognition of species-sameness to rational equality. Second, Locke moves from rational equality to natural political equality. To my knowledge, the first movement is given no attention in *An Essay*: Locke nowhere explains how one comes to know the existence of other minds, although it is clear that he is to some degree concerned about this.¹² It is taken for granted at several places in the *Second Treatise*, first and most notably at *TT* II.4: “Creatures of the same species and rank promiscuously born to all the same advantages of Nature, and the use of the same faculties,” where “faculties” likely refers to the rational faculties.¹³ He returns to the issue twice in Chapter VI, “Of Parental Power,” and he again takes the entailment of rational equality from species-sameness again as in no urgent need of explanation: “Children, I confess are not born in this full state of Equality, though they are born to it,” (*TT* II.55) and “Thus we are born Free, as we are born Rational; not that we have actually the Exercise of either: Age that brings one, brings with it the other too,” (*TT* II.61).

¹¹ This can be contrasted with the inequality one finds in commonwealths—“instituted political inequality”—as well as all the kinds of inequalities that Locke considers in the *Second Treatise* (parental, economic, intellectual, and others) and judges to be consistent with the law of nature.

¹² See *E* II.xi.16 and III.vi.26, 39.

¹³ See *TT* II.10.
In the second movement of the second step Locke moves from rational equality to natural political equality. Locke justifies this movement with two claims. First, he declares that “there [is] nothing more evident,” (TT II.4) than that creatures of the same species should be accorded the same rights. It is evident, it appears, that rational equality entails political equality. One finds several passages in *An Essay* where Locke connects rationality with political dignity, most notably in his definitions of moral personhood. In terms more Lockean, the idea of rational equality agrees with the idea of natural political equality. Yet Locke’s second claim makes it clear that the two ideas do not agree necessarily, but rather only contingently. Locke explains that the ideas agree and can be taken to demonstrate moral truth only on the condition that “the Lord and Master of them all, [does not] by any manifest Declaration of his Will set one above another, and confer on him by an evident and clear appointment and undoubted Right to Dominion and Sovereignty,” (TT II.4). Rational equality entails natural political equality unless God says others. Two questions about this condition emerge: how does Locke arrive at this conditional, and does God in fact by an evident and clear appointment establish any natural political inequalities? To the first question, Locke appears to have assumed the kinds of considerations that led to the command to preserve oneself. Other members of the species being God’s creatures just as much as oneself, their coming into existence or going out of existence is just as much up to them as it is up to oneself—not at all). And “so by the like reason,” (TT II.6) what is to become of any one individual is ultimately up to God and not “anothers Pleasure,” (TT II.6). It might be evident that rational equality agrees with political equality, but it is not self-evident that the former entails the latter. To the second question, the whole of the *First Treatise* and

---

14 See E II.xxvii.9, 17 and Section 4.3.1 above for discussion.

15 This phrase is very significant for the third step in Locke’s derivation of the natural law, but it seems that the principle behind the phrase is applicable here as well.
significant portions of the *Second Treatise* argue that God did not appoint evidently and clearly any particular individual to rule over other individuals. The *First Treatise* examines the supernaturally revealed declarations of God’s will, while the *Second Treatise* examines the naturally revealed declarations of God’s will: the Bible does not establish any one individual to rule over others, and the natural differences between male and female, parent and child, and rich and poor do not establish any right to rule either. The agreement between rational equality and natural political equality is thus cemented by the facts that all are God’s property and that God did not reveal any natural political inequalities. I note here that the conditional that all are equal *unless* God clearly and evidently declares otherwise appears to capture the evidentialist spirit of Locke’s ethics of belief. One ought to believe that one ought to rule another only on the basis of very strong evidence.

The first step reveals that one is bound to preserve oneself, and the second step reveals that all those that are rationally equal are also naturally politically equal. The third step draws the consequences of these two steps: “Every one as he is bound to preserve himself, and not to quit his Station wilfully; so by the like reason when his own Preservation comes not in competition, ought he, as much as he can, *to preserve the rest of Mankind,*” (*TT* II.6). The phrase “so by the like reason” is the critical phrase: it signals that in coming to know the law of nature one moves from knowledge of one’s duty to preserve oneself to knowledge of one’s duty to preserve humankind generally, *rather than* from the knowledge of one’s duty humankind generally to the knowledge of one’s duty to preserve oneself. Notice also that Locke does not move from a natural political equality rooted in God’s ownership directly to the command to preserve all mankind. The phrase “by the like reason” communicates the principle that what holds for one holds also for all those equal to one. Natural political equality rooted in God’s ownership entails only that “no one ought to harm another in his
Life, Health, Liberty or Possessions,” (TT II.6). But the law of nature appears to command active preservation of others: “Every one as he is bound to preserve himself . . . so by the like reason . . . ought he . . . to preserve the rest of Mankind,” (TT II.6). One does not preserve oneself simply by refraining from harming oneself in one's life, health, liberty, or possessions; one preserves oneself by actively acquiring the goods that preserve oneself. I suggest, therefore, that Locke’s argument works as follows: if one is bound to preserve oneself by acquiring goods, then one is bound also to preserve others by acquiring (and sharing) goods. I cannot see how Locke moves from the obligation to preserve oneself to the obligation to preserve others without incorporating Second Treatise 4’s notion of equality: if there is no evident and clear reason for preferring oneself to others, then whatever one does to preserve oneself ought also, as far as possible, to be done for others. In general, Locke appears to be concerned not to interfere with any of God’s creatures, “but where some nobler use, than [their] bare Preservation calls for it,” (TT II.6) and where it is consistent with natural law.

To complete this part of the reconstruction of Locke’s derivation of the natural law, it is necessary to account for the qualification that Locke gives to the command to preserve mankind in general. One ought to preserve mankind in general, “when his own Preservation comes not in competition,” (TT II.6). On the basis of what can this qualification be known? I begin with the fact that the unqualified obligation one has to preserve oneself can come into competition with, and

---

16 Recent scholarship has shown that the interpretation of Locke as an advocate of what Macpherson termed “possessive individualism” inappropriately downplays or overlooks Locke’s commitment to charity, which is evident in other writings. For the restoration of Locke’s charity, see in particular Steven Forde, “The Charitable John Locke,” The Review of Politics 71, no. 3 (Summer 2009): 428-458, and Waldron, God, Locke, and Equality, 151-87. Thus, while Locke is only explicit about the obligation not to harm others in TT II.6, it is nevertheless appropriate to understand Locke’s natural law as mandating charity to others. As Forde explains, “Locke has a tiered moral theory that separates justice from charity. His economic and political theories focus on justice, masking Locke's actual devotion to charity.” “The Charitable John Locke,” 151.
indeed flatly contradict, the unqualified obligation to preserve others. In order to avoid competition and eventual contradiction, it is necessary to qualify one or another obligation. Since the obligation to preserve mankind in general is the entailment of the obligation to preserve oneself (according to my reconstruction of Locke’s derivation of the natural law), it is appropriate that the obligation to preserve mankind in general be qualified. This is due to the fact that as a logical entailment of the obligation to preserve oneself, the obligation to preserve mankind in general must be logically consistent with the obligation to preserve oneself. In other words, the obligation to preserve oneself has logical priority. One way of qualifying the obligation to preserve mankind in general such that it is consistent with the obligation to preserve oneself is to restrict the obligation to preserve mankind in general only to those occasions wherein one’s own preservation is not threatened. It is exactly this qualification that one finds in *TT* II.6.17

The first three steps of Locke’s argument can be summarized as follows. First, given what one knows about oneself and one’s dependency on and obligation to God, one knows with demonstrative certainty that one ought to preserve oneself. Second, given what one knows about the members of one’s species and what one know about God’s express declarations in scripture and nature, one knows with demonstrative certainty that all members of one’s species are naturally politically equal. Third, given these two facts, one knows with demonstrative certainty that what one ought to do for oneself one ought likewise to do for others. In other words, one ought to preserve

17 Simmons, *A Lockean Theory of Rights*, 336ff provides an interesting, rule-consequentialist derivation of the qualification. He claims, “Mankind will be most effectively preserved, then, if each tends to oneself first, and only afterwards to the needs and plans of others,” (337). As Locke’s moral theory blends utilitarian and deontological elements, such thinking might have been at work in Locke’s derivation of the qualification to the obligation to preserve mankind in general.
others as one preserves oneself. In this way, Locke’s argument follows exactly the pattern he suggests at E IV.xi.13: “having the Idea of GOD and my self, of Fear and Obedience, I cannot but be sure that GOD is to be feared and obeyed by me: And this Proposition will be certain, concerning Man in general, if I have made an abstract Idea of such a Species, whereof I am one particular.”

4.2.2. From the Law of Nature to the Right to Executive Power

In this section I have two aims. The first is to derive the right to executive power from the law of nature. The derivation runs thus: from the law of nature commanding self-preservation comes a right to preserving oneself, and the right to executive power is one such right. The second is to elucidate the character of this right. The target of my elucidations is the following feature of this right: it cannot through consent be fully surrendered to another, but it can be forfeited. This latter fact leads to the terms of use of the right, which in turn leads to proper manner of belief formation. The proper manner of belief formation is the subject of the succeeding two sections.

Executive power is the right to “punish the transgressors of that Law [of nature],” (TT II.7). According to Locke, all have the right to executive power. Locke derives it straightaway in TT II.7, but the presentation does not perfectly reflect the actual logic of his derivation. According to the presentation of his argument in TT II.7, Locke moves from the concept of law to a universal right of

---

18 At E I.iii.4 Locke declares “that most unshakable Rule of Morality, and Foundation of all social Virtue,” to be “That one should do as he would be done unto.”
executive power. Just as, for instance, a law that is not promulgated is not a law, so also a law that is not enforced is not a law. This enables Locke to say that there must be some person in the state of nature who has power to enforce the law. Yet “where naturally there is no superiority or jurisdiction of one, over another, what any may do in Prosecution of that Law, every one must needs have a Right to do,” (TT II.7). The principle expressed by “so by the like reason” in TT II.6 is at work in this paragraph as well. This argument is problematic. Although Locke had previously argued that there is an obligation to preserve oneself and mankind generally, he had merely termed this obligation the “law of nature,” (TT II.6). Therefore the derivation of the right to executive power in TT II.7 appears to rely on an assumed and unwarranted premise: the concept of law is employed without first accounting for how the previously known obligation is recognized to be a law, or for why the assumed concept of law necessarily includes such enforcement as that Locke had given to it.20

Yet Locke’s doctrine of individual executive power is not necessarily unfounded; rather, it is founded squarely on the obligation to preserve oneself. A passage from Chapter XIII, “Of the Subordination of the Powers of the Commonwealth,” suggests that the natural right to executive power derives directly from the obligation to preserve oneself. If this is true, then Locke’s derivation of individual executive power does not rely on an unwarranted premise. At TT II.149, Locke writes,

For no Man, or Society of Men, having a Power to deliver up their Preservation, or consequently the means of it, to the Absolute Will and arbitrary Dominion of another;

19 “[N]o body can be under a law, which is not promulgated to him,” (TT II.57).

20 Note, however, that at E I.iii.12 Locke states that law cannot be conceived without an enforcer.
whenever any one shall go about to bring them into such a Slavish Condition, they will always have a right to preserve what they have not a Power to part with; and to rid themselves of those who invade this Fundamental, Sacred, and unalterable Law of Self-Preservation, for which they enter’d into Society.

This passage makes clear the connection between self-preservation and executive power: “they will always have a right to preserve what they have not a Power to part with.” This is consistent with the lesson of *TT* II.6, where the law of nature is derived: it is not up to me when I come into or go out of existence, so it is not up to me to part with what keeps me in existence. Indeed Locke says so much twice in *Second Treatise* 6: “For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker,” they are (1) “made to last during his, not one another’s pleasure,” and (2) “bound to preserve [themselves], and not to quit [their] Station wilfully.” This is repeated also in Chapter IV, “Of Slavery”:

This *Freedom* from Absolute, Arbitrary Power, is so necessary to, and closely joyned with a Man’s Preservation, that he cannot part with it, but by what forfeits his Preservation and Life together. For a Man, not having the Power of his own Life, cannot, by Compact, or his own Consent, *enslave himself* to any one, nor put himself under the Absolute, Arbitrary Power of another, to take away his Life, when he pleases. No body can give more Power than he has himself; and he that cannot take away his own Life, cannot give another power over it. (*TT* II.23)

---

21 This passage has long troubled Locke’s commentators, for Locke says immediately after affirming the prohibition on suicide, “whenever he finds the hardship of his Slavery out-weight the value of his Life, ‘tis in his Power, by resisting the Will of his Master, to draw on himself the Death he desires,” (*TT* II.23). Has Locke just contradicted himself? Perhaps he has, but I am skeptical. I offer here only a few thoughts about how to resolve the issue. The “sedate [and] settled” violation of the law of nature “puts [one] in a State of War,” (*TT* II.16). When the unjust aggressor is conquered and held captive, the state of war nonetheless continues, and its continuance “is the perfect condition of *Slavery*,” (*TT* II.24). The violation of the natural law, leading to slavery, *is* the act of suicide. It amounts to such, because by the act of war the aggressors have “forfeited their Lives, and with it their Liberties, and lost their Estates,” (*TT* II.85; see also *TT* II.181 for the same). In other words, they have forfeited their personhood. This is a peculiar notion of suicide, for it targets not the self-inflicted destruction of one’s body, but rather the self-inflicted destruction of one’s personhood and dignity under the law. With this notion of suicide in play, no contradiction as is often supposed results.
Rather than assume a concept of law, a concept which is said to include required enforcement, Locke stipulates that the idea of obligatory self-preservation necessarily agrees with the idea of the power to preserve oneself. We have here a variation of the *ought* implies *can* principle: if individuals are required to preserve themselves, then they must be permitted the means of doing so. As it happens, the right to executive power is only one of the powers of preserving oneself that follow directly from the obligation to preserve oneself. The power to acquire property and wealth is another such power, and its relation to the right to preserve oneself is clearly announced in the very first sentence of Chapter V, “Of Property”; the relation of rights to property to the obligation to preserve oneself is only one step further removed. The right to executive power is another such right that follows from the law of nature through the general right to preserve oneself, but whereas the right to property concerns the competition between penurious human nature (TT II.32) and the fruitful earth (TT II.41), the right to executive power concerns the competitions that arise among human beings. Locke is clear about this in the early part of Chapter III, “Of the State of War”:

“For by the Fundamental Law of Nature, Man being to be preserved . . . one may destroy a Man who makes War upon him, or has discovered an Enmity to his being,” (TT II.16). I conclude from all this that the right to executive power does not derive from the law of nature insofar as it requires enforcement (which TT II.7 appears to suggest), but rather insofar as the law of nature commands self-preservation and enables the means to that: “He that is Master of himself, and his own Life, has a right too to the means of preserving it,” (TT II.172).23

22 “Whether we consider natural Reason, which 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,” (TT II.25).
The right to executive power answers to the need to preserve oneself in the face of competition among human beings. The “greater part” of the human species being “no strict observers of equity and justice,” (TT II.123), self-preservation requires that offenders of the law of nature be punished, would-be offenders be dissuaded, and the peace of the human community be maintained. Locke’s “strange Doctrine,” (TT II.13) that the universal right to executive power is the solution to the problems attendant upon competition among human beings rests on two premises. The first, which is not stated in the text, is that God does not enforce the law of nature in this life. One reason behind this premise might be that it is assumed that God reserves the enforcement of the law of nature for the afterlife. This view is scattered (and scarcely developed) in An Essay. As another reason that God does not enforce the natural law in this life, Locke might have reckoned there is no “manifest Declaration” or “evident and clear appointment” that establishes some individual or group as God’s lieutenant, and confers “an undoubted Right to Dominion and Sovereignty,” (TT II.4). In other words, the “strange Doctrine” might follow as a consequence from the same considerations that led one from rational equality to natural political equality. Therefore if God does not enforce the law of nature in this life, then enforcement must fall on at least some members of the human species. This leads to the second premise: if any one individual in the state of nature has executive power, then by parity all individuals in the state of nature have executive power, for “in that State of perfect Equality, where naturally there is no superiority or jurisdiction of

---

23 On my interpretation of TT II.7 Locke’s use of the concept of law is not meant to serve a strictly logical purpose, but is instead used to represent an underlying and unstated logic. Against this interpretation—which already requires reading certain passages more as short-hand references for unstated arguments—one could invoke E I.i.12, where Locke asserts that by the agreement of ideas one is led from the idea duty to the idea of a lawmaker and rewards and punishments. That is to say, one is led from the idea of obligation to the idea of law and the idea of enforcement of the law. Perhaps. Yet it appears that my interpretation provides the details of this movement.
one, over another, what any may do in Prosecution of that Law, every one must needs have a Right
to do,” (TT II.7). The principle at work here is the same that establishes the obligation to preserve
humankind in general from the obligation to preserve oneself.

I turn now to the character of the right to executive power. On Locke’s argument, the right
to executive power agrees with the general right to preserve oneself (and others), which in turn
agrees with the law commanding the preservation of oneself and the preservation of others. This
train of agreements makes a demonstration. One would expect that since one is not permitted to
forgo one’s obligation to preserve oneself, one is not permitted fully to surrender one’s right to
executive power. This is exactly what one finds in the Second Treatise: no one can “quit his Station
willfully,” (ST 6); no one can “by Compact, or his own Consent, enslave himself to anyone,” (TT II.23);
no one can “deliver up their preservation, or consequently the means of it,” (TT II.149); and no one
can or give another man such an arbitrary power over it [his own life],” (TT II.172). The right to
executive power cannot be wholly surrendered by consent. Indeed even in civil society, where the
right has been curtailed, it remains in varying ways in force. The judgments and enforcements of the
law made by the commonwealth “indeed are [one’s] own Judgments, they being made by himself, or
his Representative,” (TT II.88). Further, should the commonwealth ever violate the trust for which
it was instituted, “they [the people] have a liberty to appeal to Heaven [Locke’s euphemism for the
use of executive power], whenever they judge the Cause of sufficient moment,” (TT II.168). Thus
the right to executive power cannot be fully surrendered through consent.

Yet though the right cannot be surrendered, it can be forfeited. The forfeiture comes
through the breach of the law of nature. Yet it does not come by any breach whatsoever. One’s
right to executive power is forfeited upon only those breaches of the law of nature that amount to war:

The *State of War* is a State of Enmity and Destruction; And therefore declaring by Word or Action, not a passionate and hasty, but a sedate seted Design, upon another Mans Life, *puts him in a State of War* with him against whom he has declared such an Intention, and so has exposed his Life to the others Power to be taken away by him, or any one that joyns with him in his Defence, and espouses his Quarrel: it being reasonable and just I should have a Right to destroy that which threatens me with Destruction. (*TT* II.16)

That war is such a breach of the natural law that it results in the forfeiture of one’s right to preservation is repeated throughout the *Second Treatise*: “a Criminal, who having renounced Reason . . . may be destroyed as a *Lyon* or a *Tyger*,” (*TT* II.11); “one may destroy a Man who makes War . . . for the same Reason, that he may kill a *Wolf* or a *Lyon*,” (*TT* II.16); “and therefore it is Lawful for me to treat [a thief], as one who has put *himself into a State of War* with me, *i.e.* kill him if I can,” (*TT* II.18); and so on. 24 The character of the breach of the natural law is considered in detail below. For the present, it is important only to observe that the right to executive power on the one hand cannot be surrendered through consent but on the other hand can be forfeited through certain breaches of the law of nature. Evidently, the right to executive power comes with terms of use, which if not honored result in the forfeiture of the right. This is the door to the ethics of belief of the *Second Treatise*. We will see below that as the breach of the natural law that makes war concerns the calm, dispassionate use of force, it is the misuse of the rational faculties that results in war.

---

24 See also *TT* II.23, 85, 172, 178, and 181-83.
4.2.3. From the Right to Executive Power to An Ethics of Belief

In this section, I move from the right to executive power to the construction of the ethics of belief of the *Second Treatise*. This section consists of six subsections. The reason why the present section is organized in this manner is the following. The analysis of Locke’s *Second Treatise* has so far followed his argument until *TT* II.8. The space that this argument occupies is a little more than a third of Chapter II, “Of the State of Nature.” I have thus suggested that in *TT* II.4 and 6-8 Locke derives the natural law, and I have argued that several steps are hidden or assumed and that the presentation of the argument does not reflect the actual logic of the argument. I suggest now that Locke’s formal, or at least express, derivation of the precepts of natural law ceases in *TT* II.8. In the remainder of Chapter II Locke responds to objections to the “strange Doctrine” of his natural law theory (the universal right to executive power). In the subsequent six chapters Locke targets different kinds of inequality: in Chapters III, “Of the State of War,” and IV “Of Slavery,” the inequalities introduced through violation of the natural law; in Chapter V, “Of Property,” the inequalities introduced through the right to acquire the means of preservation; in Chapter VI, “Of Paternal Power,” the inequalities introduced through reproduction; and in Chapter VII, “Of Political, or Civil Society,” the inequalities introduced through consent. All the chapters that follow Chapter VII can be described as studies in constitutional government.

That Locke turns his attention away from the natural law and to the different kinds of inequalities and thence to constitutional government is his prerogative. Moreover it is perfectly consistent with the plan of the *Second Treatise* given at *TT* II.2, of which he reminds the reader when he writes at *TT* II.12, “it would be besides my present purpose, to enter here into the particulates of
the Law of Nature.” But while that may be well and good for Locke, it renders the present task burdensome: my goal is to arrive at particular precepts of the natural law, namely, those that concern the conduct of the understanding, but Locke’s derivation of the precepts of the natural law ceases at *TT* II.8 and is nowhere resumed, at least not in a manner so clear and express. All the same I suggest that my targeted precepts can be made out. However, to make them out it is necessary to cobble together various scattered remarks about the proper use of executive power. For ease of presentation and comprehension, these remarks are gathered and organized under the six headings below. The right to executive power entails a right of judgment (Section 2.3.1), which if not properly employed results in forfeiture of one’s right to self-preservation (Section 2.3.2 and 2.3.3). The proper use of the right of judgment requires compliance with a procedure of belief formation (Section 2.3.4) such that one uses specific kinds of evidence (Section 2.3.5) and form beliefs only on the evidence (Section 2.3.6).

4.2.3.1. The Right of Judgment

The movement of Locke’s argument from the law of nature to the right to executive power is as follows: the law commanding preservation entails a right to preservation, and the right to preservation entails two powers, one which permits material acquisition and leads to property, and one which permits enforcement of the law of nature through violence. Consistent with Locke’s own

---

25 That said, one could connect the various parts of the *Second Treatise* to the natural law theory of Chapter II in the following way. Locke’s natural law says that the human species is to be preserved as far as possible, and: Chapters III and IV concern the *executitional* means of preserving the human species; Chapter V the *technological* means; Chapter VI the *biological* means; Chapter VII through XIX the *constitutional* means.
terminology, I have termed the latter power the right to executive power. The right to executive power appears to have several dimensions or perhaps even branches. To begin, it appears to branch into two rights. There is what I term a “right of judgment,” which consists in the power to judge whether the law of nature has been broken and to decide how to handle offenders of the law of nature, up to and including punishment. And there is what I term a “right of self-defense.” Locke seems to make this distinction at *TT* II.88, which serves as a summary of the principles of Locke’s liberal politics. He writes, “[Man] hath by Nature a Power, not only to preserve his Property, that is, his Life, Liberty and Estate, against the Injuries and Attempts of other Men; but to judge of, and punish the breaches of that Law in others,” (*TT* II.88). It is not clear whether the distinction Locke prepares and I draw is substantive or merely verbal, but it does echo an earlier remark.26 In any case, my focus will be specifically on the “right of judgment.”

This right has epistemic and punitive dimensions. Locke’s various statements about the right of judgment sometimes emphasize the epistemic aspects of the right of judgment, while others emphasize the epistemic and punitive dimensions equally. I review several instances. At *TT* II.9 and 13 Locke raises two different objections to his “strange Doctrine” of the right to executive power. The right of judgment makes its first appearances in these two paragraphs. At *TT* II.9 Locke responds to an attack on the novelty of the doctrine by remarking, “if by the Law of Nature, every Man hath not a Power to punish Offences against it, as he soberly judges the Case to require, I see not how the Magistrates of any Community, can punish an Alien of another Country.” Here the right of judgment appears in the qualifying phrase, “as he soberly judges.” Its appearance here seems to

26 See *TT* II.10: “And any other Person who finds it just, may also joyn with him that is injur’d, and assist him in recovering from the Offender, so much as may make satisfaction for the harm he has suffer’d.”
indicate the difference between the epistemic and the punitive dimensions of the right of judgment. Further, the phrase itself indicates that the right comes with certain terms of use, will occupy us in later sections. *TT II.13*, the right of judgment appears in the formulation of an objection: “I doubt not but it will be objected, That it is unreasonable for Men to be Judges in their own Cases,” (*TT II.13*). Locke continues: it is unreasonable because they will be too partial in their use of force. Notice the expression makes no mention of the punitive dimensions. This has the effect of highlighting the centrality of the epistemic dimension of the right of judgment, for this objection, thus expressed, could only get off the ground if the epistemic dimension were so central to the right to executive power that an attack on the reliability of individual judgment is in effect an attack on the right to executive power. *TT II.88*’s explanation of how one creates or enters into civil society is also instructive. One enters society by curtailing the right to executive power: “But though every Man who has enter’d into civil Society, and is become a member of any Commonwealth, has thereby quitted his power to punish Offences against the Law of Nature, in prosecution of his own private Judgment,” (*ST 88*). The difference between the epistemic and punitive dimensions mirrors what one sees at *TT II.9*: a distinction between the two is conceived, but the distinction appears to be logical rather than real. One finds the same at *TT II.125* and *136*: Locke writes, respectively, “For every one in that state [of nature] being both Judge and Executioner of the Law of Nature,” and “especially where every one is Judge, Interpreter, and Executioner of it too, and that in his own Case.” As a final instance, I cite the conclusion of Chapter XIV, “Of Prerogative.” The passage echoes *TT II.13*, and makes clear that there is a special relationship between epistemic conduct and the right to self-preservation.

[Y]et they [members of civil society], by a Law antecedent and paramount to all positive Laws of men, reserv’d that ultimate Determination to themselves, which belongs to all
Mankind, where there lies to Appeal on Earth, \textit{viz} to judge whether they have just Cause to make their Appeal to Heaven. And this Judgment they cannot part with, it being out of a Man's power so to submit himself to another, as to give him a liberty to destroy him; God and Nature never allowing a Man so to abandon himself, as to neglect his own preservation.

We see from this that the right to executive power entails a right of judgment, which has an epistemic aspect (the right to evaluation a given deed against the law of nature) and a punitive aspect (the right to act one's evaluation with force). In the remaining sections I focus in particular on the epistemic aspect.

4.2.3.2. The Epistemic Imperative

Locke's natural law entails a right to self-preservation. The right to self-preservation, however, is not an absolute right. Rather, it comes with certain terms of use, the most basic of which is “no one ought to harm another in his Life, Health, Liberty, or Possessions,” (\textit{TT} II.6). The right to self-preservation entails other rights, for instance, the right to acquire property. Yet this right, too, is not absolute, but rather comes with terms of use: in taking the fruits of the earth, one must not take more than one can use, such that it spoils (\textit{TT} II.31), and in taking land, one must not take more than one can cultivate, such that not enough and not as good remains (\textit{TT} II.32, 33). The present section argues that the right of judgment has terms of use of its own. The purpose of the present section is only to argue that there are indeed terms of use that must be respected; it is the purpose of the subsequent sections to specify the various terms of use. The focus of this subsection falls entirely on the epistemic dimensions of the right of judgment; the punitive dimensions are
placed wholly to the side. Now, just as in the other instances, the terms of use of the right of judgment generate a kind of obligation. Thus, the terms of use of the right of judgment generate an epistemic imperative.

The argument I make in this section is that there must be terms of use for the right of judgment. The argument I make relies on four pieces of evidence, namely, what Locke says about the causes of war, about the differences between the states of nature, war, and civil society, about the inconveniences of the state of nature and what civil society is meant to palliate, and finally about the “appeal to heaven,” there must be terms of use for the right of judgment.

I begin with the causes of war. Locke describes the state of war more than he defines it. He writes,

The State of War is a State of Enmity and Destruction; And therefore declaring by Word or Action, not a passionate and hasty, be a sedate setled Design, upon another Mans Life, puts him in a State of War with him against whom he has declared such an Intention, and so has exposed his Life to the others Power to be taken away by him, or any one that joyns with him in his Defence, and espouses his Quarrel. (TT II.16)

A definition can nonetheless be extracted from this description: the state of war begins as a state of deliberate violence or the deliberate intention to do violence inconsistent with the law of nature. Locke is clear about this: war ensues from a “sedate setled Design” to use force rather than a “passionate and hasty” use of force. Thoughtless mistakes make not war. The difference between war and error, then, is the difference between an improper but dispassionate use of force and improper passionate use of force. To understand the cause of war, it is necessary to understand what an “improper but dispassionate use of force” is. A clue is found later in the same section: “one may destroy a Man who makes War upon him, or has discovered an Enmity to his being, for

---

27 This, of course, is not to say that the specifically punitive dimensions do not have terms of their use of their own; they certainty do (see, for instance, TT II.8).
the same Reason, that he may kill a Wolf or a Lyon; because such men are not under the ties of the Common Law of Reason,” (TT II.16). The use of force that makes war, it follows, is improper, dispassionate, and evidently devoid of reason. Locke stresses throughout the Second Treatise that the one who makes war breaks with the rule of reason (See TT II.10 172, 181). In what part of the soul of man should one locate the source of war? Evidently it is not in the passions. Is it in some faculty separate from both the passions and reason? Or is the source rather in varying from some standard of reason, such that the war-maker retains rational powers but misuses them? Two considerations lead me to suppose that it is the erroneous, if all the same dispassionate, use of reason, that leads to war rather than some faculty separate from both the passions and reason. The first is that I do not know any passage from the Second Treatise or An Essay (or another of Locke’s works) that gives evidence of a third faculty. The second consideration is Locke’s commentary on the “appeal to Heaven” at the end of Chapter III, “Of the State of War” and toward the end of the Second Treatise. Locke explains at TT II.21 that had there been a common judge between Jephtha and the Ammonites, “they had never come to a State of War, but we see he was forced to appeal to Heaven.” The “appeal to heaven” is Locke’s euphemism for the use of executive power, and to “appeal to Heaven” is at once to enter a state of war. Locke returns to Jephtha and the Ammonites at TT II.176. Here Locke warns,

He that troubles his Neighbour without a Cause, is punished for it by the Justice of the Court he appeals to. And he that appeals to Heaven, must be sure he has Right on his side; and a Right too that is worth the Trouble and Cost of the Appeal, as he will answer at a Tribunal, that cannot be deceived, and will be sure to retribute to every one according to the Mischiefs he hath created to his Fellow-Subjects; that is, any part of Mankind.

The person who makes the appeal to heaven, that is, who enters into a state of war, “must be sure he has Right on his side”: In other words, the one who enters a state of war must be sure that it is
in service of the law of nature rather than in violation of it. The emphasis that Locke places on assurance in this passage indicates that the cause of war revolves narrowly around the use of reason. If Locke’s discussion of the appeal to heaven in *TT* II.176 runs parallel to that in *TT* II.21, then the source of war is a misuse of reason. As the particular misuse of reason concerns how to enforce or indeed to interpret the law of nature, the misuse in question is specifically the misuse of the right of judgment. If misuse of the right of judgment leads to the violation of the law of nature, then there must be rules governing the use of the right of judgment such that the use of the right of judgment remains consistent with the law of nature.

The next indication that there must be terms of use for the right of judgment, in other words, rules for the conduct of the understanding, is that the right of judgment is at the center of definitions of the state of nature, the state of war, and civil society. If the right of judgment is of such great importance that it factors into the definitions of the three possible political relations into which men find themselves, each state being opposed to the other, then there is strong reason to believe that there exist rules regulating the use of the right of judgment. The *use* of the right of judgment distinguishes the state of war from both the state of nature and civil society. We saw just above how the right of judgment comes to define the state of war, so there is no need to repeat the point here. The *location* of the right of judgment distinguishes the state of nature from civil society. In Chapter Two, “Of the State of Nature,” the state of nature is first defined as a state of perfect freedom and mutual equality. In the course of the chapter the definition shifts. The state of nature comes to be defined as a state wherein full right to enforce the law of nature is held in equal measure by all (as we learn, rational) individuals. The same definition is given in the beginning of Chapter Three, “Of the State of War”: “Men living together according to reason, without a common
Superior on Earth, with Authority to judge between them, is *properly the State of Nature.*” In subsequent definitions of the state of nature (TT II.87 91, 125, 136) it is defined with specific reference to the absence of a common judge. Naturally, then, the transition from the state of nature to the state of civil society occurs when one surrenders up one’s private judgment to a common judge: “And thus all private judgment of every particular Member being excluded, the Community comes to be Umpire, by settled standing Rules, indifferent, and the same to all Parties,” (TT II.87).

Civil society is thus defined as the state wherein individuals are united into one community and all live under the one same common judge (see TT II.87, 89, and 131).

Thus each of the three possible political relations that obtain among human beings is established with reference specifically to the right of judgment. As the right of judgment is of such serious and paramount significant, one would expect that Locke would endeavor to propose measures for the regulation of the right of judgment. In a way he does—civil society is recommended as a palliative for the problems attending the use (and misuse) of the right of judgment: “I easily grant, that *Civil Government* is the proper Remedy for the Inconveniences of the State of Nature, which must certainly be Great, where Men may be Judges in their own Case,” (TT II.13; see also TT II.90 and 136 for the same). Yet civil society is not a complete solution to the problems attendant upon the right of judgment. For even in civil society the people (and as Locke at times says, even the individual) retain enough of the right of judgment to alter or even to abolish government and make the appeal to heaven:

[Y]et the Legislative being only a Fiduciary Power to act for certain ends, there remains still in the People a Supream Power to remove or alter the Legislative, when they find the Legislative act contrary to the trust reposed in them. For all Power given with trust for the attaining an end, being limited by that end, whenever that end is manifestly neglected, or opposed, the trust must necessarily be forfeited, and the Power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security. (TT II.149)
Here, 'tis like, the common Question will be made, \textit{Who shall be Judge} whether the Prince or Legislative act contrary to their Trust? This, perhaps, ill affected and factious Men may spread amongst the People, when the Prince only makes use of his due Prerogative. To this I reply, \textit{The People shall be Judge}. (\textit{TT} II.240)

But farther, this Question, \textit{(Who shall be Judge?)} cannot mean, that there is no Judge at all. For where there is no Judicature on Earth, to decide Controversies amongst Men, \textit{God} in Heaven is \textit{Judge}. He alone, 'tis true, is Judge of the Right. But \textit{every Man is Judge} for himself, as in all other Cases, so in this whether another hath put himself into a State of War with him, and whether he should appeal to the Supreme Judge, as \textit{Jephtha} did. (\textit{TT} II.241)

If government is recommended and taken as a solution to the problems attendant upon the right of judgment, then it must be admitted that government is only a partial or provisional solution. This leads to the third piece of evidence that there are terms of use for the right of judgment. If constitutional government is proposed as a means of preserving the human species because it reduces the problems attendant upon universal rights of judgment, but if government remains only a partial or provisional palliative to those problems, then it stands to reason that Locke would propose additional means of preserving the human species beyond constitutional government. We have reason to expect, then, that Locke would propose an epistemic solution in addition to the institutional solution.

As the final piece of evidence (and surely the strongest evidence) that there must be rules for the conduct of the understanding, there are passages where Locke connects the exercise of the right of judgment to God’s and all mankind’s evaluation:

\begin{flushright}
28 See also \textit{TT} II.165, where the people judge approvingly of their government: “The People therefore finding reason to be satisfied with these Princes, whenever they acted without or contrary to the Letter of the Law, acquiesced in what they did, and, without the least complaint, let them inlarge their \textit{Prerogative} as they pleased, judging rightly, that they did nothing herein to the prejudice of their Laws, since they acted conformable to the Foundation and End of all Laws, the publick good.”
\end{flushright}
And if he that judges, judges amiss in his own, or any other Case, he is answerable for it to the rest of Mankind. (TT II.13)

That Question then cannot mean, who shall judge? whether another hath put himself in a State of War with me, and whether I may as Jephtha did, appeal to Heaven in it? Of that I myself can only be Judge in my own Conscience, as I will answer it at the great Day, to the Supream Judge of all Men. (TT II.21)

And he that appeals to Heaven, must be sure he has Right on his side; and a Right too that is worth the Trouble and Cost of the Appeal, as he will answer at a Tribunal, that cannot be deceived, and will be sure to retribute to every one according to the Mischiefs he hath created to his Fellow-Subjects; that is, any part of Mankind. (TT II.176)

Each cited passage speaks of the consequences of the ill use of right of judgment: “if he that judges, judges amiss,” “Of that I myself can only be Judge in my own Conscience,” and “must be sure he has Right on his side.” What is more, each passage refers to the acts of judgment to two different executors of a law, which in both cases is the law of nature. In the first passage, the cited executors are all members of the human species, which Locke shows at TT II.7 to be equal executors of the law of nature, at least as far as this earthly existence is concerned. In the latter two passages, the cited executor is God himself, whose judgment is inescapable. As Locke explains at E II.xxviii.7, the divine law is one of the three laws to which we refer our actions and out of which we generate obligations. It follows from this that there is indeed a moral obligation to conduct the understanding well.

To sum up: The Second Treatise gives four reasons for believing that there are such rules for the use of the right of judgment that there must exist an epistemic obligation. First, the ill use of the

29 Compare TT II.21 and 176 to E II.xxvii.22: “But in the great Day, wherein the Secrets of all Hearts shall be laid open, it may be reasonable to think, no one shall be made to answer for what he knows nothing of; but shall receive his Doom, his Conscience accusing or excusing him.”

30 In Chapter Three I argued that “the divine law” of An Essay and the “law of nature” of the Second Treatise name one and the same law.
right of judgment is the source of war. Second, the right of judgment plays a definitive role in all three possible kinds of political relations. Third, constitutional government is at best a provisional solution to the inconveniences of the state of nature, which all trace back to the right of judgment. Fourth, one is answerable to all mankind and especially to God for one’s use of the right of judgment. From all this we can confidently conclude that there is an obligation to conduct the understanding well.

4.2.3.3. A Moderate Epistemic Imperative

Beginning here and continuing into the remaining subsections I give specific shape to the epistemic imperative. The first dimension of the epistemic imperative I consider is its scope. I suggest that the scope of the epistemic imperative of the Second Treatise is like that of An Essay. It is a moderate epistemic imperative, meaning that the imperative does not hold for all beliefs at all times, but rather only for some beliefs some of the time.

An Essay is more or less clear that the epistemic imperative of its ethics of belief is moderate. The epistemic imperative holds only for beliefs that are ethically significant. The basis for this is E IV.xx.16:

[W]here the Assent one way or other, is of no Importance to the Interest of any one, no Action, no Concernment of his following, or depending thereon, there ‘tis not strange, that the Mind should give it self up to the common Opinion. . . . But where the Mind judges that the Proposition has concernment in it; where the Assent, or not Assenting is thought to draw Consequences of Moment after it, and Good or Evil depend on chusing, or refusing the right side, and the Mind sets it self seriously to enquire, and examine the Probability: there, I think, it is not in our Choice, to take which side we please, if manifest odds appear on either. (E IV.xx.16).
This passage is a piece of descriptive psychology. Where a proposition is of no great concern or importance, there the mind will likely yield to whatever opinion it pleases. But where a proposition is of great concern and importance, there the mind will take care to measure its truth by, of course, the measures it has for determining truth. As Locke explains elsewhere in *E* IV.xx, the mind can take up wrong measures of probability. In matters of concern and importance, wrong measures of probability can lead to bad things. This piece of descriptive psychology is given normative force by the command to adopt specific measures of probability. These points are developed in Chapter One, Section 1.3.3.

There are no passages in the *Second Treatise* where Locke announces any such qualification as we find in *An Essay*. If one goes by the spirit of the *Second Treatise*, then one can only assume that the epistemic imperative that regulates the right of judgment is a moderate imperative. As seen in Section 4.3.1, the source of war is the ill use of reason that leads to the use of violence, the inconveniences of the state of nature are violent inconveniences, and the decisions for which we are accountable to God are decisions concerning the use of violence—it is very hard to conceive how poor use of judgment concerning matters as trivial as the shape of a dead king’s back (Locke’s example at *E* IV.xx.16, omitted from the above citation) should lead to war and cause such great inconveniences as to draw God’s notice and vengeance. If one goes by the letter of the *Second Treatise*, then Locke suggests only that those judgments that lead to the use of violence require regulation. Other uses of judgment might require regulation, but he does not say so. However one approaches the *Second Treatise*, the only judgments said to call for regulation are those that concern the use of violent force. One can safely suppose that the epistemic imperative of the *Second Treatise*
is moderate, though the possibility (improbable as it appears) that the imperative is strict cannot be ruled out.

4.2.3.4. The Procedural Requirement

I have argued that the Second Treatise holds that for beliefs of ethical significance it is morally obligatory to conduct the understanding well. But what does it mean to conduct the understanding well? Does one conduct the understanding well when one arrives at the correct judgment, or rather when one forms the judgment in the correct way, regardless if one arrives at the actually correct judgment? Or must one judge well and correctly? In other words, is the epistemic obligation a content obligation, a procedural obligation, or a combination of the two? An Essay answers these questions rather straightforwardly. The obligation of its ethics of belief is a procedural obligation:

[H]e that makes use of the Light and Faculties GOD has given him, and seeks sincerely to discover Truth, by those Helps and Abilities he has, may have this satisfaction in doing his Duty as a Rational Creature, that though he should miss Truth, he will not miss the Reward of it. (E IV.xvii.24)

The Second Treatise is not so straightforward as An Essay, but according to the preponderance of the evidence, the epistemic obligation of the ethics of belief of the Second Treatise is also a procedural obligation.

On the one hand, in speaking about the use of the right of judgment, Locke lays great stress on the process whereby one arrives at a judgment. First consider Locke’s statements regarding the right to executive power. At TT II.8 Locke explains that it is through the individual right to executive power that “one Man comes by a Power over another.” But he explains that the inequality that executive power introduces into the state of nature is not that of “Absolute or Arbitrary Power,” for
the lawful executor of the law of nature is not permitted to use the violator of the law of nature
“according to the passionate heats, or boundless extravagancy of his own Will, but only to retribute
him, so far as calm reason and conscience dictates.” The judge of the law has right on his side so long as his decision is preceded by calm reason and conscience. The same thought is expressed in *TT*
II.9: If individuals have not “a Power to punish Offences against it [the natural law], as he soberly judges the Case to require,” then, Locke argues, magistrates have not that power, either. Here we see again that the judge of the law has right on his side so long he judges soberly. Consider also statements regarding the use of the right of judgment in civil society. If the people are “persuaded in their Consciences, that their Laws, and with them their Estates, Liberties, and Lives are in danger,” then Locke sees “how they will be hindered from resisting illegal force,” (*TT* II.209). This passage is descriptive: action follows upon judgment. As descriptive, it carries no normative weight. However, *TT* II.176 legitimates this movement of human nature: resistance of illegal force by violence is legitimate provided that the people who employ such force against the established government are “sure [they] have Right on [their] side; and a Right too that is worth the Trouble and Cost of the Appeal,” (*TT* II.176). One is reminded of Grotius: “But this we are first to take notice of, that tho’ an Action be in itself lawful, yet if upon weighing all its Circumstances, he who performs it is of Opinion that it is unlawful, that Action is vicious and bad.”31 The use of the right of judgment is legitimate, then, when he who employs that power employs first “calm reason” and “sober judgment,” and is “persuaded in his conscience” and “sure” that his use of force is legitimate. The emphasis that Locke places here on the confidence in one’s process of judgment and the

---

31 *RWP* II.xxiii.2. See Chapter Two, Section 2.2.2 for discussion of this and related passages.
correlative insignificance of the correctness of the judgment mirrors what Locke says at E IV.xvii.24, quoted at the beginning of this subsection.

On the other hand, Locke nowhere says that those who employ the right of judgment must arrive at the correct judgment. Locke does not say that he who makes the appeal to heaven must indeed have right on his side; rather, he says only that he must be sure that he has right on his side.

Consider his first examination of the appeal to heaven:

[W]here the question is put, who shall be Judge? It cannot be meant, who shall decide the Controversie; every one knows what Jephtha here tells us, that the Lord the Judge, shall judge. Where there is no Judge on Earth, the Appeal lies to God in Heaven. That Question then cannot mean, who shall judge? whether another hath put himself in a State of War with me, and whether I may as Jephtha did, appeal to Heaven in it? Of that I my self can only be Judge in my own Conscience, as I will answer it at the great Day, to the Supream Judge of all Men. (TT II.21)

God ultimately decides whether the use of the right of judgment had in fact been correct. Our concern, Locke says, is to be sure that we have judged as well as we could have. This also mirrors what Locke says at E IV.xvii.24.

This view of things is also reflected, though now more dimly, in the objections that Locke raises against his doctrine of the individual right to executive power. Early in the Second Treatise Locke raises the objection that “it is unreasonable for Men to be Judges in their own Cases, that Self-love will make Men partial to themselves and their Friends. And on the other side, that Ill Nature, Passion and Revenge will carry them too far in punishing others,” (TT II.13). Later in the Second Treatise this objection is in some way vindicated, as Locke cites this problem as one of the inconveniences of the state of nature:

[T]he State of Nature wants a known and indifferent Judge . . . For every one in that state being both Judge and Executioner of the Law of Nature, Men being partial to themselves, Passion and Revenge is very apt to carry them too far, and with too much heat, in their own Cases. (TT II.125)
For the Law of Nature being unwritten, and so no where to be found but in the Minds of Men, they who through Passion or Interest shall mis-cite, or misapply it, cannot so easily be convinced of their mistake where there is no establish’d Judge. (TT II.136)

So far as these passages draw attention to self-love and passion, they confirm what we saw just above: the processes of belief formation are chief among Locke’s concerns.

But while TT II.13, 15, and 136 give credence to the view that the Second Treatise acknowledges procedural obligations, they appear also to give credence to the view that it acknowledges content obligations as well. One problem with the doctrine of individual executive power is that beliefs are formed in inappropriate ways, but another problem—so the cited passages suggest—is that the beliefs that have been formed are wrong beliefs—they carry individuals “too far” in the execution of the law. The belief they have formed disagrees with the law of nature. An imbalance thus appears between the, let’s say, “positive” descriptions of the right of judgment, where the proper use of this right is described, and the “negative” descriptions of the right, where objections to the right are stated. When Locke discusses the proper use of the right to executive power, his emphasis falls on the manner of belief formation rather exclusively, whereas when Locke discusses the improper use of the right, his emphasis appears to fall more or less equally on the manner of belief formation and on the belief that has been formed. The imbalance might be explained in the following way. Improper manners of belief formation are almost guaranteed to lead to wrong beliefs, whereas proper manners of belief formation do not carry such a danger. Perhaps it is on account of the intrinsic connection between wrong measures of probability and wrong beliefs that Locke stresses in the same breath the danger of improper manners of belief formation and the danger of wrong beliefs.
The previous three sections lead to this: for ethical issues of so much significance that the use of violent force is a possibility, one is obligated to form one’s judgments well. But with what, if anything, is one obligated to forms one’s beliefs well? We saw in Chapter One and Two the variety of types of evidence Locke could have permitted for decision about the use of violent force— inherited opinion in the manner of Grotius, inherited opinion in the manner of Descartes’ provisional morality, and the pragmatics of Pascal’s wager. We saw also that An Essay Locke permits none of what Grotius, Descartes, or Pascal made available. Instead, Locke permits a rather narrow range of evidence types as guides to belief and action. For matters of fact, one could make use of one’s experience or the testimony of the experience of another (provided the other is trustworthy). But in the ethical order, one is permitted to make use only of one’s own knowledge. I proposed that Locke’s conception of evidence for belief in the ethical order be characterized as that which directly contributes to showing that a proposition is true. Revelation and opinion indirectly reveal a proposition to be true, and pragmatic reasons for belief (such as one finds in Descartes’ provisional morality or Pascal’s wager) sort of side step the issue of truth. It was on the basis of this conception of evidence and this range of admissible kinds of evidence that I judged Locke’s ethics of belief to be an evidentialist ethics of belief.

Locke is by no means direct about the recommended kinds of evidence in the Second Treatise, and if he is indirect he is certainly obscure. Nonetheless there are a variety of passages of varying degrees of promise in the Second Treatise that suggest that adherence to evidentialist practices of belief
formation are part of the right of judgment’s terms of use. All together, these passages suggest that the use of executive power requires prior evidentialist belief formation.

First, and at the most general and least promising level, there is the status that reasonableness occupies the Second Treatise. In regard specifically to the right to executive power, and therefore also the right of judgment, Locke remarks frequently about the reasonable and passionate uses of these rights. We saw in Section 4.2.3 that the use of the right of judgment is legitimate on the condition that one conducts the understanding well, and we saw in Section 4.2.3 that this means that one must form one’s beliefs in the appropriate way. From these two texts alone, it is clear that Locke commands reasonableness. Reasonableness is further commanded when Locke writes that in violating the law of nature, that is, in “declar[ing oneself] to live by another rule than that of reason,” (TT II.8; see also TT II.10, 11, 16, 172, and 181), one forfeits one’s rights and may be destroyed as a wild beast. And we have already seen that Locke frequently identifies the law of nature with reason (see TT II.6, 8, 10, 16, 25, 30, 31, 32, 52, 57, 96, 118, 172, and 181). Thus there are thus numerous instances where Locke holds up conformity to reasonableness as obligatory. If Locke had anywhere in the Second Treatise stated precisely what he meant by “reasonableness,” and if he intended something along evidentialist lines, then all these instances could be marshaled as evidence that the Second Treatise contains an evidentialist imperative. Yet Locke did not. One could assume that the notion of reasonableness found in the Second Treatise is the same as that found in An Essay. Given the correspondences between An Essay and the Second Treatise noted in the previous chapter and developed in this chapter, such an assumption seems rather justified. However to make that assumption would introduce logical difficulties for extracting from the Second Treatise the justification of the ethics of belief of An Essay. The present effort is to understand why the model of
reasonableness proposed in *An Essay* is morally obligatory. To find the justification for the ethics of belief by assuming that when Locke says “sober judgment,” in the *Second Treatise* he means “evidentialist belief formation” is in the end to beg the question. All the same, given the stress Locke places on reasonableness in the *Second Treatise*, it would be surprising that he intended something other than the evidentialist practices recommended in *An Essay*.

Rather more promising are the instances of such terms as “evident” and “demonstration” in the *Second Treatise*. “Evident” appears fourteen times in the *Second Treatise* (at TT II.5, 24, 44, 74, 90, 118, 149, 170, 213, 218, 219, 230 each once, and twice at TT II.4 and at TT II.102), and “demonstration” appears twice (at TT II.113 and 219). Each appearance of either term is used to mark some proposition that is seen plainly to be true,32 rather than merely likely or even more probable than not. Locke’s use of the term “evident” or “demonstration,” then, conforms to the conception of evidence one can extract from *An Essay*. A few examples will suffice to show this.

“[T]here being nothing more evident,” Locke explains at TT II.4, than that creatures that are born of the same species and to the use of the same faculties and powers are also equal to one another, unless God should “confer on [one] by an evident and clear appointment an undoubted Right to Dominion and Sovereignty,” (TT II.4; compare with TT II.102). Summarizing his argument for the origin of property, Locke writes, “From all which it is evident, that though the things of Nature are given in common, yet Man . . . had still in himself the great Foundation of Property,” (TT II.44).

Summarizing his account of the origin of civil society, Locke writes, “Hence it is evident, that *Absolute Monarchy* . . . is indeed inconsistent with Civil Society, and so can be no Form of Civil

32 More precisely stated, they are plainly seen to be true on the basis of what one can know about oneself and God (or in other words, on the basis of the state of nature doctrine). Recall Locke’s foundationalism (Chapter One, Section 1.2.3).
Government at all,” (TT II.90). Consider finally TT II.218, where Locke writes that it “is evident” how the prince that abuses executive power dissolves government. In the latter three instances, “evident” is employed as part of the conclusion of a demonstration whose premises relate to the law commanding self-preservation. In the first instance, the term is employed as part of a demonstration whose premises relate to what one can know about oneself and God. Recall that these premises also ground the law commanding self-preservation. From these examples it can be surmised that “evident” roughly means “shown to be true,” and thus that the “evidence” in these demonstrations are those things that “show propositions to be true.” To this extent, the general spirit of the An Essay’s conception of evidence is in the Second Treatise. Significantly, the kinds of evidence deployed in these demonstrations align with the kinds of evidence that An Essay recommends: all four propositions cited above are shown to be true on the basis of what one can know about oneself and about God. Thus, these ethically significant propositions are, according to the Second Treatise, made evident on the basis of one’s own knowledge (or at least on the basis of what one is in principle capable of knowing for oneself). The structure of Locke’s demonstrations in these examples mirror the recommended practices of belief formation of An Essay.33

33 The other instances of “evident” and “demonstration” not discussed here largely follow the same pattern. At TT II.5, the issue is again natural equality; at TT II.24 the distinction between slavery and drudgery; at TT II.74 the distinction between political power and paternal power; at TT II.118 the power and right freely to consent to government; at TT II.213 and 230 the causes of dissolution of government. “Evident” at TT II.102 and 170 are the outliers. TT II.102 speaks of historical evidence for Locke’s account of the origin of political society. TT II.170 speaks of the inclination parents have to care for their young. Recall that the latter inclination was one of few that Locke ventured to regard as “natural”—on this point see Chapter Three, Section 3.3. “Demonstration” appears to mean much the same thing that “evident” means in the majority of cases. At TT II.113 Locke applies natural equality to prove that if any one has the right to command others, anyone has the right to command others. At TT II.219 Locke proves that the government is dissolved when the executive neglects to enforce the laws; which makes tacit use of the principle first cited at TT II.7 that a law without enforcement is no law.
It must be acknowledged that the instances of “evident” in the Second Treatise given above do not confirm that the Second Treatise recommends evidentialist practices of belief formation. It could be said that Locke is here speaking from the perspective of one with the leisure to deliberate (like a philosopher) rather than of one without such leisure (like a prince), let alone of an individual executor of the natural law. Yet Locke’s use of “evident” in the Second Treatise offers two ways toward an evidentialist imperative. First, there is one passage where Locke speaks of evidence in conjunction with the use of the right of judgment:

But if they universally have a persuasion, grounded upon manifest evidence, that designs are carrying on against their Liberties, and the general course and tendency of things cannot but give them strong suspicions of the evil intention of their Governors, who is to be blamed for it? (TT II.230)

Taking Locke’s use of the term “evidence” in this passage to conform to his uses of “evident” in other parts of the Second Treatise, we find in this passage Locke moving very close to the claim that persuasion in ethically significant areas should be based on that which directly contributes to showing some proposition to be true. What is more, since this passage in its larger context concerns the legitimate use of executive power, we find in this passage the ingredients of an evidentialist ethics of belief: one must believe only on the evidence, in other words, one must not believe other than as the truth is made visible.

The second route whereby Locke’s use of “evident” in the Second Treatise leads us to the evidentialist imperative brings us at the same time to the final and perhaps most promising set of passages that reveal the evidentialist ethics of belief implicit in the Second Treatise. These are Locke’s express statements about correct measures of evidence for belief formation in the ethical order. Unfortunately he is not speaking of belief formation in general (as he is in An Essay), but rather of belief formation in particular cases. The first of these passages we have encountered a few times
already, and it appears at the starting point for all of Locke’s demonstrations in the Second Treatise—natural equality. Locke holds that it “is evident” that those born to the same species are equal with all members of that species, unless the maker of the species—God—“confer[s] on [one] by an evident and clear appointment an undoubted Right to Dominion and Sovereignty.” (TT II.4). The conditional clause is the application to a particular case of the general evidentialist rule. On this issue of natural political equality or inequality—certainly as significant an ethical issue as any\(^{34}\)—one is justified in believing that there is a natural political inequality only on the condition that there is clear evidence that God has instituted natural inequalities among human beings. Given the meaning of “evident” in this passage, custom, tradition, inherited opinion, and pragmatic reasoning do not permit one to conclude that there are natural political inequalities.\(^{35}\)

The second passage is from TT II.8, where Locke sets the limit for punishing offenders against the law of nature. One may make use of executive power only so far as calm reason and conscience dictates, what is proportionate to his Transgression, which is so much as may serve for Reparation and Restraint. For these two are the only reasons, why one Man may lawfully do harm to another, which is that we call punishment. When Locke speaks of “reasons” here, it appears that he is not speaking about evidence. He instead appears to speak about the nature of punishment and its moral grounds. However, in TT II.11 Locke can be understood to turn to the moral epistemology of punishment. He explains that right to reparation comes “by Right of Self-preservation,” and that the right to restrain comes “by the Right

\(^{34}\) Locke writes in the Preface to the Two Treatises, “[T]here cannot be done a greater Mischief to Prince and People, than the Propogating wrong Notions concerning Government,” (page 138 of Laslett’s edition).

\(^{35}\) One might wonder whether the conditional clause in this passage can be marshaled as evidence that Locke’s natural law commands an evidentialist practice of belief formation, for in the order of the argument this evidentialist requirement precedes the derivation of the natural law, and hence the derivation of any moral-epistemic obligations.
Thus the sole two reasons for punishment (TT II.9) are known solely by two precepts of the natural law (TT II.11). It appears to follow that when forming the judgment about how executive power can be used in specific regard to punishment, it is necessary to base one’s judgments on these two precepts of the natural law. If this conjecture is correct, then one is again constrained to make use of only specific kinds of evidence in forming a judgment of ethical significance (in this case, legitimate punishment), and the constraint again overlaps with Locke’s evidentialist ethics of belief. Recall how the natural law comes to be known (see Section 2.1 above): In learning the natural law, one slowly builds up a foundation of known propositions that can function as measures of probability for other propositions of ethical significance. One comes to know about oneself, about God, about natural equality; that one is to preserve oneself, and by parity, all others; and also that one means one has of preserving oneself is executive power, a right that, again by parity, all share in equal amount. It is for this reason that at TT II.11 Locke references two specific propositions that a given individual could reasonably be expected to have in their knowledge base, and that at TT II.8 Locke declares that it is only in conformity to these two propositions that punishments can legitimately be administered. It once again appears that Locke is right on the verge of declaring that for ethically significant beliefs the sole evidence one may use is one’s own set of known propositions, which, of course, is what Locke declares at E IV.xvi.4.

We find then four reasons for believing that the evidentialist requirement of Locke’s ethics of belief is present in the Second Treatise. First, Locke places great emphasis on reasonableness throughout the Second Treatise. If the reasonableness that Locke has in mind is the kind of reasonableness described in An Essay, then Locke places a great if still implicit emphasis on evidentialism throughout the Second Treatise. Second, the apparent meanings of the terms “evident”
and “demonstration” in the Second Treatise point to a conception of evidence that one finds also in An Essay. Third, this conception of evidence is intrinsically connected to legitimate uses of executive power and of the right of judgment. Fourth, Locke appears to place in the Second Treatise two particular applications of the general evidentialist rule: (1) one ought not to believe in natural inequalities except on the evidence that God instituted such inequalities, and (2) in deciding about punishment one ought to judge on the basis of the law commanding self-preservation and the preservation of mankind in general. All that said, it must be acknowledge that Locke does not quite declare an evidentialist imperative, but all the same comes quite close.

4.2.3.6. The Minimum Evidential Threshold

How much evidence is required for responsible belief formation in the ethical order? Locke’s focus in An Essay and the Conduct falls on belief rather than on action, so the determination of how probable an ethically significant proposition needs to be judged to be before one can responsibly act on it may be a matter of some speculation. As I argued in Chapter One, Section 1.2, however, an ethically significant belief is one on which one is likely to act, so the emphasis placed on belief may amount to nothing of importance. In respect simply to belief, Locke required a high evidential threshold. Therefore on the assumptions that it was Locke’s view that one ought to act only on belief and that one ought to believe only on the evidence, then An Essay and Conduct entail a high evidential threshold for action. For instance, speaking specifically of those things that by nature exceed the grasp of the understanding—in the course of An Essay, we learn that the immateriality and immortality of the soul are such things—Locke says that it would be good “to be
more cautious in meddling with things exceeding its Comprehension; to stop, when it is at the
utmost Extent of its [reason’s] Tether; and to sit down in a quiet Ignorance of those Things, which,
upon Examination, are found to be beyond the reach of our Capacities,” (E I.i.4). Locke is clearer
in the Conduct of the Understanding, that quiet ignorance, or as he terms the same there, “indifferency,”
is the attitude one should adopt even for those propositions that fall within the reach of the human
understanding but for which the evidence happens to be lacking:

We should contend earnestly for truth, but we should first be sure that it is truth, or else we
fight against God, who is the God of Truth, and do the work of the devil, who is the father
and propagator of lies; and our zeal, though ever so warm, will not excuse us; for this is
plainly prejudice. (C 11)

It is nowhere stated precisely what the threshold is, but one can confidently judge that it is high
indeed.

The threshold requirement is also imprecisely stated in the Second Treatise. Nonetheless, one
finds abundant evidence that the threshold requirement for action (whatever it precisely is) is high as
well. Locke expresses this in a variety of ways. Sometimes his expression narrows on the epistemic
state that the person who makes use of the right of judgment must be in order to use that right
legitimately. The executor must be assured or persuaded: “he that appeals to Heaven, must be sure he
has Right on his side,” (TT II.176), and “but in such Cases, as the Precedent, and Consequences
seem to threaten all, and they are perswaded in their Consciences,” (TT II.209). At other times,
Locke directs attention to the quality of the evidence. The truth of the proposition informing the
use of the right of judgment must be “manifest”: “But if they [the people] universally have a
perswasion, grounded upon manifest evidence, that designs are carrying on against their Liberties,
and the general course and tendency of things cannot but give them strong suspicions of the evil
intention of their Governors,” (TT II.230). At other times still, Locke uses visual and tactile
metaphors in place of statements either of epistemic state or quality of evidence. These are the most common descriptions of the requisite evidential threshold. They at once show that the evidential requirement is high, and that it is imprecise (or at least imprecisely stated):

But whatever Flatterers may talk to amuse Peoples Understandings, it hinders not Men, from feeling: and when they perceive, that any Man, in what Station soever, is out of the Bounds of the Civil Society which they are of; and that they have no Appeal on Earth against any harm they may receive from him, they are apt to think themselves in the state of Nature, in respect of him, whom they find to be so; and to take care as soon as they can, to have that Safety and Security in Civil Society, for which it was first instituted, and for which only they entered into it. (TT II.94)

Nor let any one think, this [the right to executive power] lays a perpetual foundation for Disorder: for this operates not, till the Inconvenience is so great, that the Majority feel it, and are weary of it, and find a necessity to have it amended. (TT II.168)

But if a long train of Abuses, Prevarications, and Artifices, all tending the same way, making the design visible to the People, and they cannot but feel, what they lie under, and see, whither they are going; 'tis not to be wonder’d, that they should then rouze themselves, and endeavour to put the rule into such hands, which may secure to them the ends for which Government was at first erected. (TT II.225)

Who can help it, if they, who might avoid it, bring themselves into this suspicion? Are the People to be blamed, if they have the sence of rational Creatures, and can think of things no otherwise than as they find and feel them? (TT II.230)

It appears, then, that the evidence must be so much that it is palpable to those who would use the right of judgment. This makes for a rather high minimum evidential threshold.

Thus it can be concluded that An Essay and the Second Treatise agree that the minimum threshold requirement for action is high (assuming the correspondence of belief and action noted above). The difference between the epistemological works and the political works on this point is one only of expression: An Essay and the Conduct command inaction for all but manifest propositions, whereas the Second Treatise permits action only when the proposition is manifest.
4.3. Does the Ethics of Belief of the Second Treatise Justify the Ethics of Belief of An Essay concerning Human Understanding?

The Second Treatise’s ethics of belief can be expressed as follows: for all propositions whose truth concerns the possible use of violent force, one is obligated to judge the truth of the proposition using as evidence those propositions that one knows for oneself to be true and to believe only on the condition that the evidence shows the propositions to be manifestly true. An Essay’s ethics of belief can be expressed in almost entirely the same words—Locke’s work is in general fuzzy enough that we can align the two ethics of belief without doing violence to either. The ethics of belief of the Second Treatise and that of An Essay both appear to be moderate in scope, are procedural, have a high threshold limit for belief, and mandate the use of only a narrow range of evidence types (at any rate, the Second Treatise appears to mandate so much). The major difference between the ethics of belief of the Second Treatise and that of An Essay concerns the scope. Both are moderate, but one wonders whether the one is narrower in scope than the other. From An Essay one could surmise that Locke requires it for ethically significant beliefs, but the Second Treatise requires evidential practices of evidential belief formation specifically for propositions for which the use of violent force is a live option. Therefore, depending on what one makes of the difference between the respective scopes of the ethics of belief of the Second Treatise and that of An Essay, the justification for the ethics of belief of the Second Treatise justifies also all or one part of the ethics of belief of An Essay.

Before considering the justification, I look briefly at a few ways of interpreting this difference. According to one interpretation, the justification for the ethics of belief of the Second Treatise justifies only a portion of the justification of the ethics of belief of An Essay, namely, that
much of the ethics of belief that pertains to the use of violent force. On this interpretation, the range of applicability of the ethics of belief of *An Essay* is much wider than that of the ethics of belief of the *Second Treatise*. But one might want to make the ranges of applicability coincide. And so, according to another interpretation, one defines areas of “concernment,” which set the range of applicability in *An Essay*, to be those areas where the use of violent force is a possibility. Another study is required to decide which of these two interpretations Locke himself would have favored. However I note that Locke’s effort in the *Letter concerning Toleration* was to separate religious faith from political power.

The justification for the *Second Treatise*’s ethics of belief can be constructed in the following way. The law of nature commands that the human species be preserved as far as possible. This law enables individuals to interpret and also to enforce the law of nature through violent force. One violates the law of nature not only when one wrongfully uses violent force; one violates the law of nature when the interpretation of the law of nature, which led to the wrongful use of violent force, is made wrongfully. Therefore one is morally obligated to judge well prior to using violent force. This is the most secure part of the justification of the ethics of belief of the *Second Treatise*.

The justification for *why* judging well means judging in accordance with the ethics of belief is not so secure. In my presentation of the ethics of belief of the *Second Treatise*, I argued that the right to judge and interpret the law of nature comes with certain terms of use. If this is the case, then compliance with those terms is obligatory. But why does the right of judgment come with specifically those terms of use? Why the procedural requirement? Why the evidential requirement? Why the high evidential threshold? I conclude this chapter with several conjectures.
Perhaps the lasting impact of Pascal explains the high evidential threshold. Locke repeatedly warns that the individual who makes use of violent force in pursuit of what they believe justice to be is accountable to God for endangering the human species. Perhaps Locke believes that the risk of incurring God’s wrath is high and is never worth any earthly reward. Therefore if one chooses to use violent force in pursuit of one’s own self-preservation, one had better be sure that one chooses rightly.

One of the reasons behind the procedural requirement might, again, stem from Locke’s thoughts on God. The Second Treatise holds (if it does not state it clearly) that our faculties are God-given. An Essay says the same, and adds that the faculties are sufficient for our purposes here. If God wants us to preserve ourselves and the species at large, and if the faculties we have (e.g., of rationality) are given to serve that purpose, then perhaps Locke would have seen it as a subversion of God’s design not to make use of the faculties with which we form beliefs. The powers God has given us include evaluative powers. Not to evaluate propositions for their likeliness to be true might be understood to be an affront on God’s creation. Alternatively, Locke might have believed that God had given us these faculties precisely for the sake of knowing and interpreting the law of nature. As seen in Chapter Three and Four, Locke rests his ethics of belief on the assumption that the natural law is promulgated directly to reason. It is not hard to imagine that Locke attached theological content to this assumption.

There is possibly another reason behind the procedural requirement, and it might help to explain the evidential requirement as well. The reason pertains to the prohibition on self-enslavement. At TT II.168 Locke raises the question as to who will judge whether executive prerogative is abused. He answers that God is the true judge of this, but he is emphatic that the
people nonetheless retain the right to appeal to heaven, maintaining “this Judgment they cannot part
with, it being out of a Man’s power so to submit himself to another, as to give him a liberty to
destroy him.” In this chapter I have argued that it would violate the law of nature to surrender
wholly to another the right of judgment. Might Locke also believe that it would violate the law of
nature to surrender to another the power of judgment, that is, the very ability (not permission) to
decide whether to appeal to heaven? At TT II.59-63 Locke’s concern is to determine at what age
children become free from the rational guidance of their parents and so come to guide themselves.
Locke judges that once a child reaches a “State of Maturity wherein he might be suppos’d capable to
know that Law, that so he might keep his Actions within the Bounds of it,” (TT II.59) the child
should govern himself, but that prior to that state it is required that he “be directed by the Will of
others and not his own,” (TT II.61). At TT II.63 Locke articulates the principle informing his views:

The Freedom then of Man and Liberty of acting according to his own Will, is grounded on his
having Reason, which is able to instruct him in that Law he is to govern himself by, and make
him know how far he is left to the freedom of his own will.

One detects a faint connection between the prohibition to surrender the right of judgment and the
power of judgment as the ground for natural freedom: to have others judge for one, is dependent
on others. It is consistent with the order of God’s nature that children are subject to the guidance
of their parents for as long as they are in a state of immaturity. Yet it appears inconsistent with the
order of God’s nature that adults, who have entered into a state of maturity, remain subject to the
guidance of others.36 To surrender one’s power of judgment, or what amounts to the same, never to
make use of one’s power of judgment, amounts to a kind of enslavement. As such it might violates

36 True, they can consent to enter civil society and hence be subject to a common judge. However, Lockean consent must be informed by reason. The subjection I consider is that which has not been validated by Lockean consent.
the law of nature. In the penultimate chapter of *An Essay*, Chapter XX, “Of Wrong Assent, or Error,” Locke writes, “They who are blind, will always be led by those that see, or else fall into the Ditch: and he is certainly the most subjected, the most enslaved, who is so in his Understanding,” (*E* IV.xx.6). To let another do one’s thinking is to enslave oneself to another. It appears that if one submits to inherited opinion without first making out the truth of that opinion for oneself, then one enslaves oneself. If this conjecture is correct, then to take inherited opinion as a guide to assent is to violate the law of nature. Grotius’s use of inherited opinion (his overlapping consensus), Descartes’ pragmatic use of inherited opinion, and even what use is required by Pascal’s wager (if testimony or tradition sets up the partition of the gamble) are thus all forbidden by the law of nature. If these types of evidence are forbidden; if it is required by the natural law that one judge freely, and if judging freely requires judging according to what one sees plainly to be true; then Locke’s evidentialism results as the only practice of belief formation that is consistent with the law of nature.
Conclusion

According to John Locke's ethics of belief, one ought to render assent only to those ethically significant propositions that are shown likely to be true on the basis of what one is capable of knowing by natural means and by oneself about oneself, God, and one's place in the world as a needy creature. The evidential requirement of this ethics of belief is a particularly stringent requirement. This study has sought to uncover the enabling grounds of this ethical imperative. On what basis could Locke propose this ethics of belief as a moral obligation? On what basis could Locke propose this ethics of belief as practicable in the ethical domain? The answer to both questions, I have argued, leads one to the natural law of the Second Treatise of Government. Compliance with the precepts of the natural law is morally obligatory. Locke's natural law grants every individual the right to executive power—one may use violent force to preserve one's existence and the existence of human kind generally. However, there are certain terms of use of the executive power. One such term of use concerns the procedure whereby one judges to use or not to use executive power. Importantly, this term of use mirrors the ethics of belief of An Essay concerning Human Understanding. Now, the natural law is no law if it is not promulgated, and Locke appears to hold to the view that the natural law is promulgated directly to reason. This is to say, Locke seems to believe that there is a natural drift of the human understanding to knowledge of the law of nature. The ideas of oneself and of God pull the individual understanding by a kind of logical gravity to knowledge of the law of nature. Locke writes as if the individual understanding would inevitably arrive at knowledge of moral duty were it not for miseducation and the corruptive forces of custom,
which interrupt this natural drift of the understanding. Locke could view his particularly stringent ethics of belief as practicable in the ethical domain, because knowledge of the precepts of the natural law was in principle very much within the reach of every individual.

Those are the main results of this study and they answer in particular to the need to account for the justification for Locke’s evidentialist ethics of belief. Against the prevailing opinion that Locke’s ethics of belief has at best a pragmatic justification and at worst no serious philosophical justification, I believe that it is shown that Locke’s ethics of belief has firm roots in his natural law theory. However, this study brings with it several other results.

Peter Laslett’s pronouncement that *An Essay* and the *Two Treatises* were written “for an entirely different purpose and in an entirely different state of mind” has wielded considerable influence, especially as it is pronounced in the introduction to his edition of Locke’s *Two Treatises*.¹ Over the past fifty years scholarship has been slowly but surely overturning Laslett’s thesis—Locke’s works were written for complimentary purposes and in a single state of mind. This study contributes to that scholarship by drawing further connections between *An Essay* and the *Two Treatises*.

Next, we see that there is good reason to suppose that Locke did indeed make good on his promises of a demonstrative morality. Very likely, the natural law argument of the *Second Treatise* is at least some portion of Locke’s demonstrative morality. If Burke’s criticisms of the liberal political theories that Locke spawned is on point,² then one has reason to wonder whether and how far Locke’s natural law has the character of modern mathematics.

---

¹ Laslett, introduction to Locke, *Two Treatises*, 84.
As a third result, the history of evidentialist ethics of belief stands in need of slight emendation. Typical histories locate the origin of evidentialist ethics of belief in Locke and Descartes. But it appears that Grotius has wielded a greater influence on Locke than Descartes, at least in respect to the moral character of the ethics of belief. For it appears that it was upon Grotius’s suggestions that Locke extended Descartes’ evidentialism of Meditation Four into the ethical domain. Locke’s ethics of belief and his doctrine of individual executive power appear to be purified forms of Grotius’s unarticulated ethics of belief and inchoate doctrine of individual executive power. Part of the effort of this study had been to show that definite political commitments underlie Locke’s ethics of belief—that at least in Locke’s mind his evidentialism and his liberalism cannot be untangled. If the influence Grotius exerted on Locke’s ethics of belief can be brought to greater definiteness and clarity, then there is stronger reason to believe that evidentialism has epistemological as well as political philosophical origins.

2 “But I cannot stand forward, and give praise or blame to anything which relates to human actions, and human concerns, on a simple view of the object, as it stand stripped of every relation, in all the nakedness and solitude of metaphysical abstraction. Circumstances (which with some gentlemen pass for nothing) given in reality to every political principles its distinguishing color and discriminating effect. The circumstances are what render every civil and political scheme beneficial or noxious to mankind.” Edmund Burke, Select Writings of Edmund Burke, ed. Walter J. Bate (New York: The Modern Library, 1960), 334-35.
Appendix A

1. L’unité jointe à l’infini ne l’augmente de rien, non plus qu’un pied à une mesure infinie. Le fini s’anéantit en présence de l’infini, et devient un pur néant. Ainsi notre esprit devant Dieu ; ainsi notre justice devant la justice divine.

Il n’y a pas si grande disproportion entre l’unité et l’infini, qu’entre notre justice et celle de Dieu.

2. Nous connaissons qu’il y a un infini, et ignorons sa nature. Comme, par exemple, nous savons qu’il est faux que les nombres soient finis. Donc il est vrai qu’il y a un infini en nombre. Mais nous ne savons ce qu’il est. Il est faux qu’il soit pair, il est faux qu’il soit impair ; car en ajoutant l’unité il ne change point de nature. Ainsi on peut bien connaître qu’il y a un Dieu, sans savoir ce qu’il est : et vous ne devez pas conclure qu’il n’a point de Dieu, de ce que nous ne connaissons pas parfaitement sa nature.

Je ne me servirai pas, pour vous convaincre de son existence, de la foi par laquelle nous la connaissons certainement, ni de toutes les autres preuves que nous en avons, puisque vous ne les voulez pas recevoir. Je ne veux agir avec vous que par vos principes mêmes ; et je prétends vous faire voir par la manière dont vous raisonnez tous les jours sur les choses de la moindre conséquence, de quelle sorte vous devez raisonner en celle-ci, et quel parti vous devez prendre dans la décision de cette importante question de l’existence de Dieu. Vous dites donc que nous sommes incapables de connaître s’il y a un Dieu. Cependant il est certain que Dieu est, ou qu’il n’est pas : il n y a point de milieu. Mais de quel côté pencherons-nous ? La raison, dites-vous, n’y peut rien déterminer. Il y a un chaos infini qui nous sépare. Il se joue un jeu à cette distance infinie, où il arrivera croix ou pile. Que gagnerez-vous ?

Par raison vous ne pouvez assurer ni l’un ni l’autre; par raison tous ne peuvent nier aucun des deux.

Ne blâmez donc pas de fausseté ceux qui font un choix; car vous ne savez pas s’ils ont tort, et s’ils ont mal choisi. Non, direz-vous; mais je les blâmerai d’avoir fait, non ce choix, mais un choix : et celui qui prend croix, et celui qui prend pile ont tous

1 The text provided here reproduces the text of Pascal’s wager available in the 1679 Lyon edition of the Pensées. The original formatting has been retained, but the spelling has been modernized.
deux tort: le juste est de ne point parier.

Oui; mais il faut parier ; cela n’est pas volontaire; vous estes embarqué ; et ne parier point que Dieu est, c’est parier qu’il n’est pas. Lequel prendrez vous done? Pesons le gain et la perte en prenant le party de croire que Dieu est. Si vous gagnez, vous gagnez tout ; si vous perdez, vous ne perdez rien. Pariez done qu’il est sans hésiter. Oui, il faut gager. Mai je gage peut-être trop. Voyons : puisqu’il a pareil hasard de gain et de perte, quand vous n’auriez que deux vies à gagner pour une, vous pourriez encore gager. Et s’il y en avait dix à gagner, vous seriez imprudent de ne pas hasarder votre vie pour en gagner dix à un jeu où il y a pareil hasard de perte et de gain. Mais il y a ici un infinité de vies infiniment heureuse à gagner avec pareil hasard de perte et de gain ; et ce que vous jouez est si peu de chose, et de si peu durée, qu’il y a de la folie à le ménager en cette occasion.

Car il ne sert de rien de dire qu’il est incertain si on gagnera, et qu’il est certain qu’on hasarde ; et que l’infinie distance qui est entre la certitude de ce qu’on expose et l’incertitude de ce que l’on gagnera, égale le bien fini qu’on expose certainement, à l’infini qui est incertain. Cela n’est pas ainsi : tout joueur hasarde avec certitude, pour gagner avec incertitude ; et néanmoins il hasarde certainement le fini pour gagner incertainement le fini, sans pécher contre la raison. Il n’y a pas infinité de distance entre cette certitude de ce qu’on expose et l’incertitude du gain ; cela est faux. Il y a à la vérité infinité entre la certitude de gagner et la certitude de perdre. Mais l’incertitude de gagner est proportionnée à la certitude de ce qu’on hasarde, selon la proportion des hasards de gain et de perte : et de là vient que s’il y a autant de hasards d’un côté que de l’autre, le parti est à jouer égal contre égal ; et alors la certitude de ce qu’on expose est égale à l’incertitude du gain ; tant s’en faut qu’elle en soit infinité de distance. Et ainsi notre proposition est dans une force infinie, quand il n’y a que le fini à hasarder à un jeu où il y a pareils hasards de gain que de perte, et l’infini à gagner. Cela est démonstratif, et si les hommes sont capables de quelques vérité, ils le doivent être de celle-là.

Je le confesse, je ‘avoue. Mais encore n’y aurait-il point de moyens de voir un peu plus clair? Oui, par le moyen de l’Écriture, et par toutes les autres preuves de la Religion qui sont infinies.

Ceux qui espèrent leur salut, direz-vous, sont heureux en cela. Mais ils ont pour contrepois le crainte de l’enfer.

Mais qui a plus sujet de craindre l’enfer, on celui qui est dans l’ignorance s’il y a un enfer, et dans la certitude de damnation s’il y en a ; ou celui qui est dans une persuasion certaine qu’il y a un enfer, et dans l’espérance d’être fauve s’il est?

Quiconque n’ayant plu ; que huit jours à vivre, ne jugerait pas que le parti est de croire que tout cela n’est pas un coup de hasard, aurait entièrement perdu l’esprit.
Or si les passions ne nous tenaient point, huit jours et cent ans font une même chose.

70 Quel mal vous arrivera-t-il en prenant ce parti? Vous serez fidèle, honnête, humble, reconnaissant, bienfaisant, sincère, véritable. A la vérité vous ne serez point dans les plaisirs empestez, dans la gloire, dans les délices. Mais n’en aurez vous point d’autres? Je vous dis que vous gagnerez en cette vie ; et qu’à chaque pas que vous serez dans ce chemin, vous verrez tant de certitude de gain, et tant de néant dans ce que vous hasardez, que vous connaitrez à la fin que vous avez parié pour une chose certaine et infinie, et que vous n’avez rien donné pour l’obtenir.

Vous dites que vous êtes fait de telle sorte que vous ne sauriez croire. Apprenez au moins votre impuissance à croire, puisque la raison vous y porte, et que néanmoins vous ne le pouvez. Travailler donc à vous convaincre, non pas par l’augmentation des preuves de Dieu, mais par la diminution de vos passions. Vous voulez aller à la foi, et vous n’en savez pas le chemin : vous voulez vous guérir de l’infidélité, et vous en demandez les remèdes : apprenez-les de ceux qui ont été tels que vous, et qui n’ont présentement aucun doute. Ils savent ce chemin que vous voudriez suivre, et ils sont guéris d’un mal dont vous voulez guérir. Suivez la manière par où ils ont commencé ; imitez leurs actions extérieures, si vous ne pouvez encore entrer dans leurs dispositions intérieures ; quittez ces vains amusements qui vous occupent tout entier.

J’aurais bientôt quitté ces plaisirs, dites-vous, si j’avais la foi. Et moi je vous dis que vous auriez bientôt la foi si vous aviez quitté ces plaisirs. Or c’est à vous à commencer. Si je pouvais je vous donnerais la foi : je ne le puis, ni par conséquent éprouver la vérité de ce que vous dites : mais vous pouvez bien quitter ces plaisirs, et éprouver si ce que je dis est vrai.

3. Il ne faut pas se méconnaître ; nous sommes corps autant qu’esprit : et de là vient que l’instrument par lequel la persuasion se fait n’est pas la feule démonstration. Combien y a-t-il peu de choses démontrées ? Les preuves ne convainquent que l’esprit. La coutume fait nos preuves les plus forte. Elle incline les sens qui entraînent l’esprit sans qu’il y pense. Qui a démontré qu’il fera demain jour, et que nous mourrons ; et qu’y a-t-il de plus universellement cru ? C’est donc la coutume qui nous en persuade ; c’est elle qui fait tant de Turcs, et de Païens ; c’est elle qui fait les métiers, les soldats, etc. Il est vrai qu’il ne faut pas commencer par elle pour trouver la vérité ; mais il faut avoir recours à elle, quand une fois l’esprit a vu où est la vérité ; afin de nous abreuver et de nous teindre de cette créance qui nous échappe à toute heure ; car d’en avoir toujours les preuves présentes, c’est trop d’affaire. Il faut acquérir une créance plus facile qui est celle de l’habitude, qui sans violence, sans
art, sans argument, nous fait croire les choses, et incline toutes nos puissance à cette créance, en sorte que nôtre amé y tombe naturellement. Ce n’est pas affiez de ne croire que par la force de la conviction, si les sensé nous portent a croire le contraire. Il faut donc faire marcher nos deux pièces ensemble ; l’esprit, par les raison qu’il suffit d’avoir veuës une fois en sa vie ; et les sensé, par la coutume, et en ne leur permettant pas de s’incliner au contraire.
Appendix B

What follows is a concentrated analysis of Leo Strauss’s interpretation of Locke’s natural law theory. According to Strauss, Locke’s natural law is not a traditional natural law; Locke’s natural law has no theological foundation. Locke’s natural theological statements were not made in earnest. A fundamental premise of my study of Locke has been that Locke’s natural theological statements are made in earnest: Locke’s natural law has a theological foundation. It is the theological foundation of Locke’s natural law that enables me to move from Locke’s demonstrative morality as it is anticipated in An Essay to Locke’s natural law as it is articulated in the Second Treatise. If Strauss is correct, then my thesis is significantly weakened, if it is not entirely overturned. Therefore to defend my thesis and the propriety of my assumptions that Locke’s theological claims are accurate expressions of his own theological convictions and play a decisive and foundational role in his natural law theory (in what follows I will use the term “sincerity” to indicate so much), I here analyze and then respond to Strauss’s reasons for doubting the sincerity of Locke’s theological statements. Yet this analysis is only concentrated, that is, is intended only to give the broad outlines of my analysis and reasons for disagreement with Strauss. Regrettably, it must for that reason remain at several points imprecise.

My contention is that the entirety of Strauss’s interpretation of Locke’s natural law depends on the premise that Locke’s epistemological principles entail that Locke’s theocentric natural law (i.e., the one at the surface of Locke’s Two Treatise) is unpromulgated and hence nonexistent. But this premise is false. However, to show that it is false it is not necessary to oppose Strauss’s
interpretation of promulgation to another (e.g., my own); it is sufficient to point out that the proof texts Strauss employs to defend his premise do not actually support his premise. If the entirety of Strauss’s interpretation of Locke’s natural law theory rests on a premise that has no textual support, then Strauss’s interpretation rests on a mirage and is therefore untenable. It also follows that the propriety of my assumption about the sincerity of Locke’s theological statements are secured at least against Strauss’s objections.¹ In the following, I show all of this by means of a concentrated and concise analysis.

Strauss’s interpretation of Locke occupies pages 202-51 of *Natural Right and History*. His study of Locke divides rather neatly in half. Pages 202-26 explain why on Locke’s own terms Locke’s natural law cannot be said to rest on a theological foundation. Pages 226-51 unearth the actual foundation of Locke’s natural law. While the first half explains why Locke must be understood to espouse a teaching that is not theologically grounded, the second half explains what that modern, atheistic political teaching is. The second half is thus logically dependent upon the first half: if it is not the case that Locke must be understood to espouse a teaching that is not theologically grounded, then the claim that he does espouse such a teaching is mere conjecture.

Strauss arrives at the conclusion that Locke’s natural law cannot be a natural law in the traditional sense at three difference places in the first half: at pages 204, 220, and 226. Each arrival at the conclusion that Locke’s natural law cannot be a natural law in the traditional sense thus marks the endpoint for three parts of the argument of the first half. One may thus suppose that Strauss arrives at the conclusion that Locke’s natural law does not have a theological foundation by three

¹ Strauss’s successors have taken over the core of Strauss’s interpretation essentially without modification. To respond to Strauss, is to respond at the same time to his successors.
different arguments. In order to distinguish these three arguments from the smaller sub-arguments that constitute them, I will hereafter refer to the three arguments of the first half as “the three parts” of the first half.

The third part (pages 220-26) looks specifically at the Second Treatise of Government. Strauss makes three arguments that the natural law of the Second Treatise “is not a law in the proper sense of the term.” First, the natural law is not in effect in the state of nature, because the state of nature is a state of conflict and scarcity. Locke’s natural law commands that one do what one can to preserve mankind in general provided that one does not risk one’s own preservation in doing so (TT II.6). Yet, Strauss alleges, Locke’s state of nature is a state of conflict and scarcity, i.e., war. Therefore the natural law is not actually in effect. Second, the law of nature is not promulgated in the state of nature. The state of nature, Strauss alleges, is like the “first ages,” which is a state of “negligence and unforeseeing ignorance,” (TT II.94) and whose kings were worse off than the day laborers of Locke’s England (TT II.41). So if the day laborers of Locke’s England are unable to study the law of nature (RC 157-58), so much less should the members of the state of nature be able to. Therefore the natural law is not promulgated. Third, Locke’s “very strange Doctrine,” (TT II.9) of individual executive power breaks with tradition. Locke’s law looks traditional, but modifies essential features of the traditional law. The thrust of Strauss’s argument in the third part is this: tensions are identified within Locke’s writings and between Locke and the tradition; the tensions are interpreted as calculated contradictions; the contradictions point to an esoteric teaching.3

---

2 Strauss, Natural Right and History, 226.

3 See Strauss, Persecution and the Art of Writing, particularly 30 for the bases of Strauss’s interpretative steps in Natural Right and History.
Let it be granted that Strauss does indeed identify tensions in Locke’s writings and between Locke and the tradition. Does the rest follow? Not necessarily. Consider first the tensions said to be internal to Locke’s writings. How else might they be interpreted? (1) As genuine contradictions, which would justify the conclusion that Locke is simply incoherent. (2) As genuine tensions, one or another term of which, however, may be jettisoned. Locke may then be interpreted on the basis of the terms not dismissed. (3) As merely apparent tensions, which can be explained away. It is not that Locke is incoherent; it is that we are not reading him correctly. Strauss, of course, elects (4): the tensions are genuine and indicative of an esoteric teaching. Strauss does not examine this array of possibilities in the third part of his argument. His argument can proceed without logical defect only on the condition that Strauss has shown that Locke is such a writer that (a) would communicate an esoteric teaching and (b) would use contradictions as a means of signaling the esoteric teaching.

Consider now the tensions said to be between Locke’s writings and the tradition. Locke certainly deviates from tradition, but Strauss assumes that Locke’s deviation is a break with the theocentric natural law tradition rather than a correction of that tradition. Locke’s strange doctrine of individual executive power, as it is expressed in the Second Treatise, has as one of its premises the claim that God did not “by any manifest Declaration of his Will set one above another,” (TT II.4) such that any one had particular power over another. Locke argues from scripture in the First Treatise that God in fact did not by any manifest declaration of his will set one above another. The third part entirely ignores the First Treatise, and therefore also ignores every way in which Locke’s strange doctrine can be understood as a correction of rather than a break with tradition. Strauss can ignore the evidence of the First Treatise at this point of his analysis only if it was known that Locke’s natural law has no scriptural basis.
Thus the argument of the third part (pages 220-26) relies on two premises not defended in the third part: first, that Locke would write esoterically and announce his esoteric teaching with various contradictions, and second, that Locke’s natural law has no scriptural basis. Strauss defends each assumption in the second part (pages 204-220) of the first half of his analysis of Locke.

The second part (pages 220-26) treats two hypotheses: first, that the Gospels contain the natural law completely, and second, that the Gospels contain the natural law partially. The Gospels contain the natural law completely, when they communicate the source, main precepts, and sanctions of the natural law. The Gospels contain the natural law partially, when they communicate just enough of the natural law as is necessary for civilization, or as Strauss terms it, “political happiness.”4 The hypotheses are falsified through a total of five arguments: (1) Locke’s Second Treatise is not a “Politique tirée des propres paroles de l’Écriture Sainte;”5 (2) revelation is validated by miracles, which are unknowable on Locke’s epistemology; (3) revelation cannot promulgate the natural law, because it is impossible to demonstrate that a revelation has occurred (meaning: it cannot be known that the natural law was promulgated by revelation); (4) Locke’s account of the origin of civil society and the nature of conjugal society do not agree with what is found in Christian scripture; (5) the people of China and Siam enjoyed “political happiness,” even though they did not acknowledge God’s existence. Thus Strauss identifies five contradictions between the hypothesis that revelation promulgates the nature law and what Locke did (as in 1) or said (as in 2-5).

The abundance of contradictions calls for an account, and Strauss provides that account also in the second part. Strauss notes Locke’s caution as a writer, and uses three data of Locke’s writing

4 Strauss, *Natural Right and History*, 214.

5 Strauss, *Natural Right and History*, 205.
to interpret the contradictions listed immediately above and characterize Locke’s caution. First: Locke frequently cited Hooker in the *Second Treatise*, but he was utterly silent about his disagreements with Hooker (which are undeniable). Second: Locke declares that God’s existence is obvious to reason, but he did nothing to strengthen the acknowledged weaknesses in his own argument for God’s existence. According to Strauss, there are thus two places where Locke expressly declares his alignment with tradition, but silently breaks from it. Third: At several points in the *Reasonableness* Locke speaks of how Jesus would obfuscate his meaning in order to protect himself and his disciples. On the basis of (1) the sum of silences and (2) Locke’s acknowledgement of the usefulness of obfuscation, Strauss concludes that the difference between what Locke (is said to have) said was possible, namely, claim that the Gospels contain the natural law, and what Locke did, namely, write the *Second Treatise*, is to be understood according to the obfuscation that Locke lauded in Jesus: Strauss thus concludes that gives to his writing a veneer of tradition that would function as protection against would-be critics. Strauss therefore characterizes Locke’s caution as that of a man who means one thing but says another.⁶ Thus Strauss can maintain that Locke’s natural law has no scriptural basis and that Locke writes esoterically.

In the second part, then, Strauss identifies a series of contradictions and provides an account for the contradictions. Strauss’s account works from three data: two concerning what Locke did as a writer, and one concerning what Locke said about Jesus. But the meanings of these data are not self-evident; they require interpretation. Concerning the first two, Locke might have been protecting himself first and foremost from royalists and only in an indirect way from natural law

⁶ This is political caution, rather than theoretical caution. See Strauss, *Natural Right and History*, 206-07 for details.
traditionalists, and metaphysics might not have been chief among Locke’s concerns nor abilities. As for the third datum, Strauss suggests that Locke’s approval of Jesus’s obfuscations is an oblique reference to his own practices. While this is likely true, this does not alone tell us why Locke would obfuscate his own meaning—is it to avoid the persecution of royalists, natural law traditionalists, for pedagogical purposes, or perhaps for something else? In order to interpret these three data, Strauss needs some independent fact of Locke’s authorship. Working backward though Strauss’s argument, there is but one possible independent fact: the contradiction between (1) Locke’s (alleged) claim that the Gospels contain the natural law and (2) and the fact that Locke gives several indications (allegedly) that the Gospels are unnecessary for knowledge of the natural law.

Therefore the argument of the second part (220-26) assumes that the Gospels play an essential role in Locke’s natural law theory; for if they do not, no contradiction such as that Strauss needs would be generated. Strauss defends this assumption in the first part of the first half of his analysis of Locke (202-04). One sees already that the first part supports the second and third parts, and thus the entirety of Strauss’s interpretation.

The first part (202-04) is brief. Strauss reviews various reasons for why Locke’s natural law appears to be traditional: the law imposes perfect duties, which are binding in states of nature as well as states of civil society; it is knowable by nature and without the help of revelation; and a science of its precepts can be elaborated. Yet as Strauss indicates, Locke “never made a serious effort to elaborate” that science. Strauss explains that Locke failed to elaborate that science because of problems he encountered in his theology:

7 See also Kennington, On Modern Origins, 269.
He [Locke] says, on the one hand, that, in order to be a law, the law of nature must not only have been given by God and be known to have been given by God, but it must in addition have as its sanctions divine “rewards and punishments, of infinite weight and duration, in another life.” On the other hand, however, he says that reason cannot demonstrate that there is another life.\(^9\)

In short, Locke’s natural law theory contradicts his epistemology. On Strauss’s terms, natural, unaided reason in principle cannot make out all that must be made out in order for the natural law to be known. Therefore “there does not exist a law of nature in the strict sense.”\(^{10}\) Since Locke’s natural law cannot be known by natural means, Strauss examines the hypothesis that it can be known by revelation. Hereby the hypothesis that the Gospels contain the natural law completely or partially, and hence also the second part of the first half of Strauss’s essay.

The supposed inability of the unaided intellect to know the natural law, the rest of Strauss’s argument follows: If the natural law is not known naturally, perhaps it is known supernaturally; yet it cannot be known supernaturally; and if it is not known either naturally or supernaturally, it is not a natural law in the proper sense of the term. And so on that claimed contradiction rests all of Strauss’s contention: the contradictions of the Second Treatise are explained by the fact that Locke wrote esoterically; and we know that Locke wrote esoterically because of the combined facts of his approval of Jesus’s obfuscation and of his own failure to explain how the Gospel promulgates the natural law, which it must if it is not promulgated to natural reason. The fundamental premise of Strauss’s reading of Locke is as follows. In order for Locke’s natural law to be promulgated, the sanctions of the natural law must be known. In order for the sanctions to be known, the sanctions

\(^8\) Strauss, *Natural Right and History*, 202.

\(^9\) Strauss, *Natural Right and History*, 204.

\(^{10}\) Strauss, *Natural Right and History*, 204.
must actually obtain.\textsuperscript{11} In order for the sanctions of the natural law actually to obtain, there must be something (the soul) to receive them. In order for the soul to receive the sanctions, the soul must be immortal. But the soul cannot be known to be immortal. As Strauss himself says, this premise is the “main point” of his interpretation of Locke.\textsuperscript{12}

Do Locke’s writings bear this premise out? That Locke’s philosophy entails that the soul cannot be known is uncontroversial. Strictly speaking, human reason cannot \textit{know} that there will be another life; so that much of Strauss’s premise is justified. But does promulgation of the natural law require that \textit{one know} that there will be \textit{actual} sanctions? I find nothing in Locke’s writings to suggest so much. As his evidence Strauss cited \textit{E I.iii.5, 6, 13, II.xxviii.8, and RC 154, 163}. A full and careful interpretation of the passages is inappropriate here. However, I trust that it is clear to the diligent reader that \textit{E I.iii.5, 6, II.xxviii.8, and RC 154, 163 at most} declare that promulgation requires that God be known to be a \textit{capable} enforcer of the law, rather than an \textit{actual} enforcer of the law. In other words, sanctions must be known to be \textit{possible}, rather than \textit{actual}. If this is all they declare, then Locke’s epistemology generates no problems for Locke’s natural law theory, for as Locke avows (and attempts to demonstrate in \textit{E IV.x}), natural reason can demonstrate the existence of an omnipotent deity. As for \textit{E I.iii.13}, it can perhaps be understood to support Strauss’s interpretation; however it seems highly improbable that it in fact does so. In any case Strauss himself performed no careful interpretation of this or any other passage defending the propriety of his fundamental assumption. Strauss merely cites these passages—to give a more precise description: he merely lists them in a footnote. Thus I conclude that Strauss’s interpretation of Locke is false. As the evidence

\textsuperscript{11} A contradiction is generated only on the condition that the sanctions must be known to be actual.

\textsuperscript{12} See Chapter Three, footnote 53 above.
he provided for his interpretation was unexplained and all but hidden in the foot, I suggest that it may be a deliberate invention.
Bibliography


