

SIR ROBERT FILMER

Filmer's political claims, like those of Locke in the *Two Treatises*, are set out not in a deductive philosophical system but as a critical commentary on a political theory which was charged with being distinctively novel.¹ As a commentary it is almost as coherent in argument and fully as repetitive in style as that which Locke wrote to refute it. It would be as hard to construct Locke's philosophy and theology from the *Two Treatises* as it is to construct any epistemologically coherent philosophy from *Patriarcha* or the other *Political Tracts*. This, however, scarcely constitutes sufficient reason for us to follow Professor Greenleaf² in elevating the latter work to the status of philosophy. For the reason why it is sensible to inquire into the philosophical location of the *Two Treatises* is not any self-evidently taut and systematic character in the work itself. The work has a place as a literary component of that historian's reification, the 'philosophy of Locke', precisely because there exist independently the most deeply etched philosophical contours within which it can be located. The precise conceptual geography may be, indeed *is*, highly dubious; but however blurred the boundaries may have been, it is clear that there must have been some boundaries. It is the known existence of a high degree of conceptual definition in some areas at some points in time which encourages the historian to grope for a similar definition of outline in other areas. No such high degree of definition is known ever to have existed in any of Filmer's reflections and there is no reason to suppose that it ever did exist.³

¹ Robert Filmer, *Patriarcha and other Political Works*, ed. Peter Laslett (Oxford, 1949), p. 53 and esp. p. 277: 'Since the growth of this new doctrine, of the limitation and mixture of monarchy, it is most apparent, that monarchy hath been crucified (as it were) between two thieves, the Pope and the people,' etc. Cf. John Locke, *Two Treatises of Government*, Preface, p. 136; 1, §§ 4, 5.

² W. H. Greenleaf, *Order, Empiricism and Politics* (London, 1964), pp. 87 and 94.

³ This does not of course mean that Filmer's views can be supposed not to have made sense to him; i.e. to have been part of a coherent way of looking at the world. But such a degree of subjective rationality hardly constitutes a philosophical

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The degree of coherence imposed upon Filmer's premises seems closer to the existent incoherence of a system of social values than to the formal articulations of a philosopher. The tactics of his polemic consist more in skirmishing against elevated and exposed positions from the tangled and intricate undergrowth of systematic social prejudice than in the formal array of a set of countervailing notions. This did not prevent him from adopting the tone, and indeed the pose, of the scholar.¹ Nor did it mean that he rejected scholastic procedures in his critical method: he had been educated at Cambridge at a time² when the curriculum was uniformly scholastic in character.³ But there is nothing in his works which at any point suggests the sort of taxonomic effort which one can trace through Locke's manuscripts from the first surviving attempt in 1661⁴ through to the finally approved text of the *Essay* in the various divisions of the sciences. Filmer's method, instead, is one of persistent attrition—to lay out what he claimed would be the implications of contractarian thought, to gibe at the gross discontinuity between these and the assumptions of the contemporary social order, and to cast derision upon the authorities produced to support these novel positions.

Such a procedure is no way demanded the support of a coherent metaphysic. The charge of novelty which Filmer, with evident sincerity, levelled against the contractarians put upon them the dialectical burden of proof, a man claiming to assert merely what others already know not only can afford to, but indeed must, achievement, being shared in principle with any human subject of psychological, sociological or anthropological investigation whom the investigator does not presume resolutely insane (and perhaps many whom most people would so consider; cf. R. D. Laing, *The Divided Self* (London, 1960) and the whole enterprise of existential psychiatry of which that is a part).

¹ See Filmer, *Patriarcha*, p. 79, where he notes an omission from the text of Aristotle in several of the most popular editions and translations; and the statement on p. 202 that Aristotle 'breaks the rule of method, by delivering the faults of commonwealths, before he teach us what a commonwealth is'; 'he observes no method at all, but in a disorderly way, flies backward and forward from one sort to another ... where he comes to discourse of particular forms, he is full of contradiction, or confusion, or both ...'; see also p. 303 oh Aristotle's 'crabbed and broken passages'.

² *Ibid.* pp. 1-2.

³ William T. Costello, S.J., *The Scholastic Curriculum in Early Seventeenth-Century Cambridge* (Cambridge, Mass., 1958), *passim*.

⁴ Bodleian MS Film. 77, sides 2-5, and see *Two Tracts on Government*, pp. 54, 62.

appeal to values at a level at which they are experienced by his audience. A 'philosophical' account of the Filmerian position by its very explicitness would have been as likely to impair as to enhance its plausibility. The ideological purchase of his writing came precisely from its odd combination of tactical brilliance and strategic nescience, the capacity to express eloquently but altogether recognizably misgivings and enthusiasms of which his audience were already conscious in themselves.

The dialectical fulcrum as well as the emotional core of his persuasion lay in its interpretation of divine providence. The existent social world embodied the providence of God. It must surely have shared this embellishment with every previous stage of human history—and pre-eminently with that which immediately followed the creation of the human race in the person of Adam. Would it not, he demanded fiercely, 'derogate from the providence of God Almighty, to ordain a community which could not continue? Or doth it not make the act of our forefathers, in abrogating the natural law of community by introducing that of property, to be a sin of a high presumption?'¹ The central axiom of his argument was always the necessary continuity and homogeneity of the relationship between man and God. The law of nature specifies a unitary set of duties. No change in social or political form can alter the categorical content of duties. To claim, with Grotius, that there can be community of property at one stage and private property at another stage of social organization is explicitly to assert that God makes self-contradictory demands upon human beings.² Either all men never had any natural right

¹ *Patriarcha*, p. 65.

² 'If there hath been a time when all things were common, and all men equal, and that it be otherwise now; we must needs conclude that the law by which things were common, and men equal, was contrary to the law by which now things are proper and men subject' (*Patriarcha*, p. 262); and '... dominion, he saith, was brought in by the will of man, whom by this doctrine Grotius makes to be able to change that law which God himself cannot change, as he saith. He gives a double ability to man; first to make that no law of nature, which God made to be the law of nature; and next, to make that a law of nature which God made not; for now that dominion is brought in, he maintains, it is against the law of nature to take that which is in another man's dominion. Besides, I find no coherence in these words, by the law of nature it was right for every man to take his own by force, before laws made, since by the law of nature no man had anything of his own; and until laws were made, there was no propriety according to his doctrine' (*Ibid.* p. 266); and '... Grotius saith, that by the law of nature all things were at first

to property or the legitimacy of all government is inherently defensible by the will of any single individual.¹

The claim is that God must have provided for human beings at every point of their existence a set of rules for social behaviour and that these rules must at all points have been embodied in institutions of social control. Furthermore, these institutions must have been subject to a single supreme authority at every point and all rights held under them must have been determinations of his will. And because *all* rights *and* all powers are determinations of his will, because it is the sole locus of legitimate human authority, his power must be transferable.² Dominion is a form of perpetual property.³ It belongs to God, is conferred by him upon individual men, and transferred from one man to another by his will.

The easiest way of understanding this divine performance is to examine the history of the first, and most unequivocally direct, divine conferment of authority, the gift of the world to Adam. The simplicity of the situation and its historical authenticity make

common, and yet teacheth, that after propriety was brought in, it was against the law of nature to use community. He doth thereby not only make the law of nature changeable, which he saith God cannot do, but he also makes the law of nature contrary to itself' (*Ibid.* p. 274).

¹ 'So that if any one man in the world, be he never so mean or base, will but alter his will, and say, he will resume his natural right to community, and be restored unto his natural liberty, and consequently take what he please and do what he list, who can say that such a man doth more than by right he may? And then it will be lawful for every man, when he please, to dissolve all government, and destroy all property' (*Ibid.* p. 274).

² It is at this sort of point that the idea of a coherent structure in Filmer's ideas becomes most misleading. The maxim of the necessary continuity of political authority is related to that of the transferability of power both as premise (it is needed to lend plausibility to the idea that the words of Genesis do in fact constitute God's political mandate to the human race) and as conclusion (why else should anyone suspect the diversity of political authority in the surrounding world to be uniformly consequent on God's bequest to Adam?). The grounds for believing in the transferability of Adamic authority are predicated on a maxim whose force depends upon there being sufficient grounds to believe in the transferability of Adamic authority. This sort of circularity is typical of Filmer's forms of argument. It would be tedious to point it out with any frequency. But it should at least be noted. Cf. Greenleaf, *Order, Empiricism and Politics*, p. 87, on 'the philosophical basis' and the grounds for the 'cogency' of Filmer's position.

³ '... Father and King are not so diverse, it is confessed that at first they were all one... fatherly empire, as it was of itself hereditary, so it was *alienable* by the parent, and *seizable* by a usurper as other goods are; and thus every King that now is hath a paternal empire, either by inheritance, or by translation or usurpation, so a Father and a King may be all one' (*Patriarcha*, p. 256).

it much easier to be clear about the nature of the event than the later and more damaged traditions of antiquity could do. It is scarcely surprising that the unfortunate Aristotle should have so confused the issues and it is not difficult to excuse him for having done so.¹ But when Christians fail to conduct any serious analysis of their privileged historical data in elaborating their political theories, the ineptness is altogether more reprehensible.² Yet even without the benefit of the Judaic or Christian revelations, contractarian political theories can be seen to be internally inconsistent and dangerous in more naturalistic terms. Even Filmer himself generally conceives of political institutions primarily in terms of their putative consequences for human experience on earth rather than for their predetermined theological sanction. Even theologically, they are discussed at times less as authoritarian determinations of the divine will than as instances of God's

¹ 'We cannot much blame Aristotle for the uncertainty and contrariety in him about the sorts of government, if we consider him as a heathen; for it is not possible for the wit of man to search out the first grounds or principles of government (which necessarily depend upon the original of property) except he know that at the creation one man alone was made, to whom the dominion of all things was given and from whom all men derive their title. This point can be learnt only from the scriptures' (*ibid.* pp. 203-4). For the continuity of this position see Bishop Blackall on Hoadly's conception of the state of nature: 'those *Wilderness-States*, which you make mention of two or three times in your Letter, but of which, I own, I do not know quite so much, as I think I do of the Ante Diluvian Political State of Mankind' (Ofspring Blackall, *The Lord Bishop of Exeter's Answer to Mr Hoadly's Letter*... (London, 1709), p. 17) and *Divine Institutes of True Religion and Civil Government* (anon.) (London, 1783); chapters 3 and 4.

² 'It is not probable that any sure direction of the beginning of government can be found either in Plato, Aristotle, Cicero, Polybius, or in any other of the heathen authors, who were ignorant of the manner of the creation of the world: we must not neglect the scriptures, and search in philosophers for the grounds of dominion and property...' (*Patriarcha*, p. 187). See p. 241 on Hobbes's fictive state of nature — of men 'all created together without any dependency one of another' — 'the scripture teacheth us otherwise, that all men came by succession, and generation from one man: we must not deny the truth of the history of the creation'. '... the heathens taught, that all things at first were common, and that all men were equal. This mistake was not so heinous in those ethnic authors of the civil laws, who wanting the guide of the history of Moses, were fain to follow poets and fables for their leaders. But for christians, who have read the scriptures, to dream either of a community of all things, or an equality of all persons, is a fault scarce pardonable' (*ibid.* p. 262). 'It is a shame and scandal for us Christians to seek the original of government from the inventions or fictions of poets, orators, philosophers and heathen historians, who all lived thousands of years after the creation, and were (in a manner) ignorant of it: and to neglect the scriptures, which have with more authority most particularly given us the true grounds and principles of government' (*ibid.* p. 278).

benevolent concern for the preservation of the human race. It is as embodiments of the Love as well as of the Power of God that they are acclaimed.

The framework of critical commentary in which he sets his theories lends an illusory coherence to the different styles of argument which Filmer employs. The theories of others are attacked as incompatible with a simple ahistorical reading of the Scriptures and as either internally inconsistent or disastrous in their prospective practical implications. Either their positions must be instances of a remarkable stupidity or they must be held in bad faith. If they mean what they say, their beliefs would imply anarchy. Their theories are popular precisely because the sinful mass of mankind grasps this implication—but as the theories themselves issue from men with a secure stake in the existing social order, they clearly are not intended to mean what they say. These charges, naturally, do not exhaust the range of Filmer's controversial tactics; but the remaining moves seem more purely technical or more simply polemical, scriptural exegesis or vulgar abuse. The association of non-monarchical government with the fragmentation of divine authority¹ or, more obscurely, with papism,²

¹ 'It is well said by J. M. [i.e. Milton] that all liberty doth almost consist in choosing their form of government, for there is another liberty exercised by the people, which he mentions not, which is the liberty of the peoples choosing their religion; every man may be of any religion, or of no religion; Greece and Rome have been as famous for Polytheism, or multitudes of gods, as of governors; and imagining aristocracy and democracy in heaven, as on earth' (*Patriarcha*, p. 260); see also pp. 188, 207-8 (on Venice and Holland). Cf. the comment in Filmer's most brilliant expositor and Locke's earliest systematic public critic, Charles Leslie: 'The Sum of the Matter betwixt Mr Hoadly and Me is this, I think it most Natural that Authority shou'd *Desend*, that is, be *Derived* from a *Superiour* to an *Inferiour*, from God to *Fathers* and *Kings*, and from *Kings* and *Fathers* to *Sons* and *Servants*: But Mr Hoadly wou'd have it *Ascend*, from *Sons* to *Fathers*, and from *Subjects* to *Sovereigns*; nay to God Himself, whose *Kingship* the Men of the *Right* say, is *Derived* to Him from the *People*! And the *Argument* does Naturally Carry it all that Way. For if Authority does *Ascend*, it must *Ascend* to the *Height*' (*The Finishing Stroke, Being a Vindication of the Patriarchal Scheme of Government*... (London, 1711), p. 87).

² '... what principles the papists make use of for the power of the Pope above Kings; the very same, by blotting out the word Pope, and putting in the word people, the plebists take up to use against their sovereigns. If we would truly know what popery is, we shall find by the laws and statutes of the realm, that the main, and indeed, the only point of popery, "is the alienating and withdrawing of subjects from their obedience to their prince, to raise sedition and rebellion." If popery and popularity agree in this point, the Kings of Christendom that have shaken off the power of the Pope, have made no great bargain of it, if in place of one lord abroad,

clearly had a grand ideological resonance¹ and there is every reason to suppose that it catches at the emotional heart of Filmer's picture of human life, but it is hardly worked out rationally at any point and, except in the most patronizing of senses, it would be false to say that we can still understand it today. However, such of the conceptual structure as is set out in sufficient detail to be intelligible can be reproduced in outline—and it is this structure, Filmer's explicit doctrines, to which Locke addressed himself in the *Two Treatises* and which set him the particular set of dialectical problems which his most important notions were intended to resolve.

The origin of government must be identical in character to the present basis of government.² Its origin as described in the script they get many lords at home within their own kingdoms' (*Patriarcha*, p. 277-8). 'What power soever general assemblies of the estates claim or exercise over and above the bare naked act of counselling, they were first beholding to the popish clergy for it: it is they first brought Parliaments into request and power: I cannot find in any kingdom, but only where popery hath been, that Parliaments have been of reputation: and in the greatest times of superstition they are first mentioned' (*ibid.* pp. 311-2).

So too, no doubt, did the claim that popular government implied a standing army. 'If unity in government, which is only found in monarchy, be once broken, there is no stay or bound, until it come to a constant standing army, for the people or multitude, as Aristotle teacheth us, can excel in no virtue but military, and that that is natural to them; and therefore in a popular estate, the sovereign power is in the sword, and those that are possessed of the arms. So that any nation or kingdom that is not charged with the keeping of a King, must perpetually be at the charge of paying and keeping of an army' (*ibid.* p. 199). Though in 1652 the intelligibility and force of this appeal to English constitutionalist shibboleth is not difficult to follow.

Filmer's comment on Bellarmine: 'First, he saith, that by the law of God, power is immediately in the people; hereby he makes God the author of a democratical estate; for a democracy is nothing else but the power of the multitude. If this be true, not only aristocracies but all monarchies are altogether unlawful, as being ordained (as he thinks) by men, when as God himself hath chosen a democracy' (*ibid.* p. 56). Cf., for the consequences of denying the unitary nature of the inherited authority, 'in other governments, the body of their acts and ordinances is composed of a multitude of momentary monarchs, who by the strength and power of their parties or factions are still under a kind of a civil war, fighting and scratching for the legislative miscellany, or medley of several governments. If we consider each government according to the nobler part of which it is composed, it is nothing else but a monarchy of monothelites, or of many men of one will, most commonly in one point only: but if we regard only the baser part, or bodies of such persons as govern, there is an interrupted succession of a multitude of short-lived governments, with as many intervals of anarchy; so that no man can say at any time, that he is under any form of government; for in a shorter time than the word can be spoken, every government is begun and ended' (*ibid.* p. 206).

ture was the direct providence of God. This providence continues indefinitely. No subsequent human state can be worse provided for than the Adamic state. No subsequent human state can be differently provided for.¹ God's gift of authority to Adam and God's gift of property were a single act.² All authority is property and all property depends upon authority. Hence authority must be thought of as a transferable object, a good distributed in a system in which the only autonomous agent is God.³ Since

Filmer is scarcely consistent on this point. He admits, with Locke, the possibility and indeed actuality of men living together outside government, of non-political societies. Even though these are clearly stated to be inferior communities, this is still hardly consistent with the principle of continuity. The providence of God appears to have dozed a little here. Significantly this admission is contained in the reply he makes to the challenge to show the patriarchal origins of the sovereignties of the Republic of Venice and the Confederation of the Netherlands. Laslett (*Patriarcha*, p. 13) perhaps does not adequately bring out this discontinuity. See Filmer, '... it is said that it is evident to common sense, that of old time Rome, and in this present age Venice, and the Low Countries, enjoy a form of government different from monarchy: heretofore it may be answered, that a people may live together in society, and help one another; and yet not be under any form of government; as we see herds of cattle do, and yet we may not say they live under government. For government is not a society only to live, but to live well and virtuously. This is acknowledged by Aristotle, who teacheth that the end of a city, is to live blessedly and honestly. Political communities are ordained for honest actions, but not for living together only' (*ibid.* p. 206).

... more absurdities are easily removed if on the contrary we maintain the natural and private dominion of Adam to be the fountain of all government and propriety' (*Patriarcha*, p. 71). 'The first government in the world was monarchical in the father of all flesh. Adam being commanded to multiply, and people the earth, and to subdue it, and having dominion given him over all creatures, was thereby the monarch of the whole world; none of his posterity had any right to possess anything, but by his grant or permission, or by succession from him: the earth (saith the Psalmist) hath he given to the children of men: which shows, the title comes from the fatherhood' (*ibid.* pp. 187-8).

... the paternal power cannot be lost; it may either be transferred or usurped; but never lost, or ceased. God, who is the giver of power, may transfer it from the Father to some other. ... As the power of the Father may be lawfully transferred or aliened, so it may be unjustly usurped: and in usurpation, the title of a usurper is before, and better than the title of any other than of him that had a former right: for he hath a possession by the permissive will of God, which permission, how long it may endure, no man ordinarily knows' (*Patriarcha*, pp. 231-2). See also *ibid.* p. 256 (cited above, p. 61, n. 3). Filmer's position on usurpation is extremely shifty and it is probably significant that this treatment of the theme comes in the *Directions for Obedience to Government in Dangerous or Doubtful Times* of 1652. The claim that he makes that 'though by humane laws, a long prescription may take away right, yet divine right never dies, nor can be lost, or taken away' (*Patriarcha*, p. 232), reflects some little credit on his capacity for loyalty but less on his capacity for logical coherence. It surely does 'detract from the providence of God' that his will should be sufficiently permissive to leave men with directly conflicting duties

authority is a matter of will, of the right to make choices for, and command the obedience of, others, it must be unitary—'an indivisible beam of majesty, cannot be divided among, or settled upon a multitude.'¹ The indivisibility of government and the fact that there can be no lawful criterion on earth for the exercise of supreme authority means that the idea of a tyranny is without content.² Thus authority in Filmer becomes curiously like property in Macpherson's interpretation of Locke, a good upon whose use no one but the possessor has any *prima facie* claim within the legal and moral order, whilst property itself, in this same legalistic sense, becomes the only conceivable relationship between man and natural objects. This centrality and paradigmatic quality of the analysis of property for the whole theory of politics³ is the dialectical origin of the most celebrated feature of Locke's theory. Filmer forced upon him the necessity of demonstrating that property right in origin was not simply reducible to positive law; that there are more true property-holders than just the king;⁴ that property is in principle an unequivocal right against forceful seizure by any individual including the monarch (not any sort of moral right against a starving man);⁵ that exertion could in principle lead to property differentiation (not that it would be a sufficient justification for all particular differentials in appropriation towards authority, the very eventuality against which the unequivocal terms of the Genetic charter purported to insure. (For a comprehensive statement of the see *Patriarcha*, p. 233.)

¹ *Patriarcha*, p. 189. The passage continues, 'God would have it fixed in one person, not sometimes in one part of the people, and sometimes in another; and sometimes, and that for the most part, nowhere, as when the assembly is dissolved, it must rest in the air, or in the walls of the chamber where they were assembled.' See also, 'To be governed, is nothing else but to be obedient and subject to the will or command of another; it is the will in a man that governs' (*ibid.* p. 205). Filmer's use of Bodin was extensive. See *Patriarcha*, *passim*, and Constance I. Smith, 'Filmer and the Knolles Translation of Bodin', *Philosophical Quarterly*, xiii (1963).

² '... there is no such form of government as a tyranny' (*Patriarcha*, p. 229).

³ '... it is not possible for the wit of man to search out the first grounds or principles of government (which necessarily depend upon the original of property) except he know that at the creation one man alone was made, to whom the dominion of all things was given, and from whom all men derive their title. This point can be learnt only from the scriptures' (*Patriarcha*, pp. 203-4); and '... the grounds of dominion and property, which are the main principles of government and justice' (*ibid.* p. 187).

⁴ This seems to be a consequence of the Filmerian position: but cf. Laslett for what is an apparently contrary reading (*Patriarcha*, p. 13).

⁵ John Locke, *Two Treatises*, I, §§ 41-3.

tion or consumption but only that it was a necessary condition for any such being justified).¹ More searchingly, it forced him to give an account of how it could be the case that the law of nature could at one point 'prescribe community' and at another 'prescribe propriety',² and of how the human race could have alienated irrevocably their entire freedom to political institutions which under any conceivable circumstances, and *a fortiori* under the British constitution, left them substantially unfree.³ The abstract relationship which Locke employed to set out his answer, the state of nature, is the focus of the most startling of the myths and misconceptions which surround his thought. The tactics in each case were to substitute a more complicated set of relations for the unitary simplicity of Filmer's model. In place of the crude antithesis between everything belonging to everybody (with its logical incoherences so doggedly mocked by Filmer) or everything belonging to Adam or his heir, the world is presented as belonging to nobody but available for the appropriations of all.⁴

¹ But cf. C. B. Macpherson, *The Political Theory of Possessive Individualism* (Oxford, 1962), *passim*, esp. pp. 194-262.

² *Patriarcha*, pp. 262, 266, 274 (cited above, p. 60, n. 2). See also, 'If it were a thing so voluntary, and at the pleasure of men when they were free to put themselves under subjection, why may they not as voluntarily leave subjection when they please, and be free again? If they had a liberty to change their natural freedom, into a voluntary subjection, there is stronger reason that they may change their voluntary subjection into natural freedom, since it is lawful for men to alter their wills as their judgments. Certainly it was a rare felicity, that all the men in the world at one instant of time should agree together in one mind to change the natural community of all things into private dominion: for without such a unanimous consent it was not possible for community to be altered: for if but one man in the world had dissented, the alteration had been unjust, because that man by the law of nature had a right to the common use of all things in the world; so that to have given a propriety of any one thing to any other, had been to have robbed him of his right to the common use of all things' (*ibid.* p. 273).

³ Filmer comments on the Lords and Commons: 'All these graces conferred upon the Peers, are so far from being derived from the law of nature that they are contradictory and destructive of that natural equality and freedom of mankind, which many conceive to be the foundation of the privileges and liberties of the House of Commons: there is so strong an opposition between the liberties of grace and nature, that it had never been possible for the two houses of Parliament to have stood together without mortal enmity, and eternal jarring; had they been raised upon such opposite foundations: but the truth is, the liberties and privileges of both houses have but one, and the self-same foundation, which is nothing else but the mere and sole grace of Kings' (*Patriarcha*, p. 157). See also pp. 118-19, 224-8, 287 and esp. pp. 69-70.

⁴ The notable inadequacy of such a theory as a rationalization of the particular structure of property distribution in the late seventeenth century seems clear; but

The claim that the direct Old Testament revelation of God's bequest to Adam is an intelligible sample of divine positive law is subjected to the most withering (and interminable) criticism in the *First Treatise*. The intellectual tedium of this exercise was matched only by its ideological necessity; if a specific political doctrine could be extrapolated from the scripture, as Filmer's claimed to be, it clearly pre-empted any further form of political reflection. Where God had spoken, mere men must needs be silent. The ahistorical certitude of Filmer is replaced, not as he claimed by a sort of historicist supersession of divine orders,¹ but by a reading of the relevant divine injunctions within a continuing order of historical experience.² The state of nature is not of course in itself a specific historical stage; but it is intended to specify the continuing moral order within which human beings live and make their history. The notion that it must be an incompetent (and irrelevant) means of showing what men once were like or, still worse, *really* are like rests upon a failure to realize that for Locke, unlike Filmer, men *do make* history, that by their voluntary actions, however compulsive, they build the social world in which they live.

These are perhaps the elements of Locke's writing which are most liable to misunderstanding if they are not seen in confrontation with the thought of the man against whom he was writing. But they are not the only features of Filmer's ideas or strategies which help to make the specific character of the *Two Treatises* more readily intelligible. Both the type of general appeal which Filmer attempted to make to the English gentry and certain parts of his more specific arguments imposed certain demands upon a pro-

it should be noted that it is a highly successful resolution of the question which Locke states himself to be attempting to answer. See *Two Treatises*, II, §25, II, 16-19.

¹ See, for example, 'It were impiety . . . to imagine that the rules given in divers places in the gospel, by our blessed Saviour and his Apostles for obedience to Kings should now, like almanacs out of date, be of no use to us' (*Patriarcha*, p. 278).

² The enterprise of locating divine revelation within the order of human historical experience is one of the two key intellectual enterprises of Locke's life. In a sense a large part of the *Essay*, all of the *Reasonableness of Christianity* and the entire interpretative commentary upon St Paul's Epistles form a part of this enterprise. See also, for an illuminating example of how Locke employed the work of the most prominent contemporary European exponent of such an enterprise, the notebook MS Locke f 32, notes on Richard Simon. (For a helpful short account of Simon's work see Paul Hazard, *La Crise de la conscience européenne* (Paris, 1961), part 2, chapter 3, 'Richard Simon et l'Exégèse biblique', pp. 165-81.)

spective antagonist. It will be convenient to treat the latter first. Apart from the central issue of property, the most incisive demand that Filmer addressed to any prospective contractarian was that he should 'resolve the conscience, touching the manner of the peoples passing their consent; and what is sufficient, and what not, to make, or derive, a right or title from the people'.¹ Naturally, this was a demand which Locke himself noted in his preparatory workings for his reply,² though how far he did in fact conceive his reply in precisely such terms, as an effort to 'resolve the consciences' of his prospective audience, is controversial.³ It seems likely that Locke himself felt that he had resolved the Filmerian difficulties through a combination of his theory of the origins of property right and his conception of tacit consent. It is clear that the problem which was critical in his mind was the problem of the legitimacy of contemporary societies, rather than the prehistoric origin of such a legitimate order. Even in terms of the conjectural history of government which he sketches in the *Second Treatise*, it is not clear that Filmer's criticism of contractarian accounts of consent or of majority rights were particularly damaging to his argument.⁴

Certain implications which Filmer claimed followed from the contractarian account of political obligation were accepted by Locke in his writing, though seldom in the precise form in which they were urged by Filmer. The contingency of the legitimacy of any government on the right of emigration which Locke's subsequent critics, especially Hume,⁵ mocked so unmercifully can be seen as an acceptance within the contours of the Lockean analysis of property of Filmer's charge that natural freedom implied the permanent right of secession.⁶ The issue of who should judge of

¹ *Patriarcha*, p. 226. See also p. 81, 82 ('No one man, nor a multitude, can give away the natural right of another'), 189, 211, 217-18, 224-6, 243-4, 273.

² MS Locke f 28, p. 119. ³ Cf. Laslett in *Two Treatises*, p. 84 and p. 235 n.

⁴ Cf. *Patriarcha*, p. 205 and references cited above, n. 1. For accounts of Locke's position on these two issues see below, chapter 10.

⁵ David Hume, 'Of the Original Contract', *Essays, Moral, Political, and Literary* (London, 1903), pp. 461-2.

⁶ 'Since nature hath not distinguished the habitable world into kingdoms, nor determined what part of a people shall belong to one kingdom, and what to another, it follows that the original freedom of mankind being supposed, every man is at liberty to be of what kingdom he please, and so every petty company hath a right to make a kingdom by itself; and not only every city, but every village, and

the degree of oppression which justifies popular resistance to the government is the question which, however ambiguously, the *Two Treatises* are largely concerned in answering.¹ The attempt to invoke the taboo against suicide as a basic axiom of the theory of political obligation² was precisely reversed by Locke. However, the obligation to preserve God's creatures, and *a fortiori* to preserve oneself, has implications in Filmer's thought which extend beyond this single example. God's intentions in creating government,³ the grounds of the obedience which the populace owe to a

every family, nay, and every particular man, a liberty to choose himself to be his own King if he please; and he were a madman that being by nature free, would choose any man but himself to be his own governor. Thus to avoid the having but of one King of the whole world, we shall run into a liberty of having as many Kings as there be men in the world... (*Patriarcha*, p. 286). The notion that men could have no rational motive for accepting subjection to political authority seems something of a qualification of Filmer's naturalism.

'If you would know who should be judge of the greatness and certainty of the danger, or how we may know it, Grotius hath not one word of it. So that for ought appears to the contrary, his mind may be that every private man may be judge of the danger, for other judge he appoints none' (*Patriarcha*, p. 67). On Hobbes: 'Page 68. Right of defending life and means of living can never be abandoned. These last doctrines are destructive to all government whatsoever, and even to the *Leviathan* itself... every man's goods being means of living, if a man cannot abandon them, no contract among men, be it never so just, can be observed' (*Ibid.*, p. 248). On Hunton: 'Now if you ask the author who shall be judge, whether the monarch transcend his bounds, and of the excesses of the sovereign power; his answer is, "There is an impossibility of constituting a judge to determine this last controversy"... I demand of him if there be a variance betwixt the monarch and any of the meanest persons of the community, who shall be the judge?... if the King be judge, then he is no limited monarch; if the people be judge, then he is no monarch at all. So farwell limited monarchy, nay farwell all government, if there be no judge' (*Ibid.*, pp. 294-5). See also p. 300. For an analysis of the extent to which Locke's doctrine provides an answer to the question of who should be judge, and of the ambiguities of this answer, see below, chapter 13.

On Hunton: '... if it be true that nature hath made all men free; though all mankind should concur in one vote, yet it cannot seem reasonable, that they should have power to alter the law of nature; for if no man have power to take away his own life without the guilt of being a murderer of himself, how can any people confer such a power as they have not themselves upon any one man, without being accessories to their own deaths, and every particular man become guilty of being *felo de se?*' (*Patriarcha*, p. 285). This move was a common one in authoritarian political theory. Cf., for example, Offspring Blackall, *The Divine Institution of Magistracy*... (London, 1708), pp. 5-6 and Benjamin Hoadly's embarrassed response, *Some Considerations humbly offered to the Right Reverend the Lord Bishop of Exeter*... (London, 1709), pp. 10-12.

³ 'The right of fatherly government was ordained by God, for the preservation of mankind', (*Patriarcha*, p. 232). This, and the passages on pp. 233 and 234 (see p. 71, nn. 2 and 3, below) are all taken from the work *Directions for Obedience to Government*... which Filmer published in May 1632, three months after his *Observations on Mr*

usurper¹ (even the grounds for the legal fiction that the rightful monarch authorizes the commands of the usurper),² and the source of the duties of usurper himself³ can all be expressed as instances of the duty to preserve life. However, this axiom of the law of nature does not imply either the natural hostility or the anarchic rights which Hobbes has ascribed to the human race.⁴ Rather, it is

Hobbes's *Leviathan*... (*Patriarcha*, pp. 186, 238), in which the theme of the preservation of life as a duty first becomes prominent. This does not appear to be a result of pure accident—Filmer was clearly very impressed by Hobbes.

¹ 'Every man is to preserve his own life for the service of God, and of his King or Father, and is so far to obey a usurper, as may tend not only to the preservation of self, when probably he may thereby be reserved to the preservation of the usurper himself, true superior' (*Patriarcha*, p. 232).

² 'The usurper may be so far obeyed, as may tend to the preservation of the subjects, who may thereby be enabled to perform their duty to their true and right sovereign, when time shall serve: in such cases to obey a usurper, is properly to obey the first and right governor, who must be presumed to desire the safety of his subjects' (*Patriarcha*, p. 232: my italics). Note that even at this point, no autonomous right of initiative is admitted to lie in the hands of the individual—it is only as executant of the presumed intention of the true ruler that he is authorized to act. However all the force of Filmer's own inquiries about who has the authority to judge of the legitimacy of public acts applies to this claim (see p. 70, n. 1, above). Subjectivity and the rational calculation of utility are intruded destructively into the Filmerian structure at this point. See also, 'It is to be presumed, that the superior desires the preservation of them that should be subject to him; and so likewise it may be presumed, that a usurper in general doth the will of his superior, by preserving the people by government, and it is not improper to say, that in obeying a usurper, we may obey primarily the true superior, so long as our obedience aims at the preservation of those in subjection' (*Ibid.*, p. 234).

³ 'Every man hath a part or share in the preservation of mankind in general, he that usurps the power of a superior, thereby puts upon himself a necessity of acting the duty of a superior in the preservation of them over whom he hath usurped... Thus there may be a conditional duty, or right in a usurper to govern; that is to say, supposing him to be so wicked as to usurp, and not willing to surrender or forgo his usurpation, he is then bound to protect by government, or else he increaseth and multiplieth his sin' etc. (*Patriarcha*, pp. 233-4).

⁴ *Patriarcha*, pp. 242 and 248. For Filmer (p. 242) as for Locke the presence of abundant resources of food is a precondition for human social existence. 'If such a multitude of men should be created as the earth could not well nourish, there might be cause for men to destroy one another rather than perish for want of food; but God was no such niggard in the creation, and there being plenty of sustenance and room for all men, there is no cause or use of war till men be hindered in the preservation of life...' (cf. *Two Treatises*, II, chapter V). But each man's right of self-preservation is one which he cannot have the power to enforce against the law of property: 'every man's goods being means of living, if a man cannot abandon them, no contract among men, be it never so just, can be observed' (*Patriarcha*, p. 248). (It is possible that Filmer would have regarded some contracts as void because of their 'injustice'; but he could not consistently allow any contractor, in any circumstances, to decide such an issue for himself.)

its direct sanction upon constituted human authority which is the basis of secure human social life,¹ which binds that authority more strongly than it does any private individual,² and which confers a specifically religious status on the judgement of the sovereign.³

Yet, whatever covert appeals to utilitarian considerations these elements of Filmer's thought introduce, the core of the argument remains in essence an argument from authority, as much as the force of its appeal rests upon existing structures of social authority. His most powerful arguments, those which gouged out of Locke the most explicit and central features of the Lockean doctrine, were all delivered from a dialectical emplacement very close to this structure of authority. The core of the Filmerian appeal was precisely the accusation that the contractarians denied

¹ '... positive laws may be said to bind the King, not by being positive but as they are naturally the best or only means for the preservation of the commonwealth. By this means are all Kings, even tyrants and conquerors, bound to preserve the lands, goods, liberties and lives of all their subjects, not by any municipal law of the land, but by the natural law of a Father, which binds them to ratify the acts of their forefathers and predecessors in things necessary for the public good of their subjects' (*Patriarcha*, p. 103).

² '... every Father is bound by the law of nature to do his best for the preservation of his family. But much more is a King always tied by the same law of nature to keep this general ground, that the safety of his kingdom be his chief law' (*Patriarcha*, p. 96); 'the prerogative of a King is to be above all laws, for the good only of them that are under the laws' (*ibid.* p. 105). See also the passage quoted from Bodin, 'the law of God, whereunto all princes are more straitly bound than their subjects' (*ibid.* p. 321). This insistence on the total responsibility of the ruler for his actions places him, in this respect, in a moral situation identical with that of an absolute monarch in the *Two Treatises*. In a sense, it is an indication of the limitation of Filmer's providentialism (hinted at above, p. 65, n. 1), when set against an unequivocal providentialist divine-right theory, such as that of William Sherlock (cf. the (misleadingly titled) article by Gerald M. Straka, 'The Final Phase of Divine Right Theory in England, 1688-1702', *English Historical Review*, LXXVII (1962), 638-58, and his *Anglican Reaction to the Revolution of 1688* (Madison, Wisconsin, 1962), and Quentin Skinner, 'History and Ideology in the English Revolution', *Historical Journal* viii, 2 (1965), 171-6). The combination of providential glossing of all terrestrial events and of the restriction of morally autonomous and proper action to the ruler could lead to very far-reaching instances of the claim that the king could do no wrong in a moral and not merely legal sense. See, for a considerably later example, 'in the heyday of Lockean Liberalism', Edward Young's *An Apology for Princes*... (London, 1729), pp. 26-7: 'Princes not quite guilty of Faults they Commit'—because their actions must be seen as the judicial correction of the people by God, they cannot be considered as properly voluntary actions for which the rulers as physical agents are fully responsible.

³ '... natural equity... cannot fully be comprised in any laws, but is to be left to the religious arbitrament of those who know how to manage the affairs of state...' (*Patriarcha*, p. 96; my italics).

the very existence of this structure of authority—hence the clumsy alternation between simple incredulity that they could in fact mean what they appeared to be saying and the frightened, but often pungent, denunciation of them for the purposeful advocacy of anarchy. The assumption that there was a symmetry of authority relationships from top to bottom of the society gave to this argument a mordant controversial edge. However much a man might like to give free rein to his own desires on the political stage, it was inconceivable that he would abandon his own expectations of authority on the domestic stage. The most extreme radicals were all too likely, as Charles Leslie charged,¹ to be domestic tyrants. In the ritual, incantatory affirmation of the structure of authority in the society, in formal theology as in vulgar social practice, all power was rendered personal and intimate and the most intimate of relationships were asserted as structures of power. All kings were fathers and all fathers ruled. Just how great a purchase this muddled insistent formula may have had is hard to tell now. The nagging repetition may be as reliable an indicator of the precariousness of the moral plausibility of the society as of its crushing ideological weight. A sense of savage, inarticulate outrage is as possible a background to the persuasion as one of blithe moral acquiescence. If the relationships of authority are personal relationships, they are easier to charge with feeling than those we have towards the abstracted confusing bureaucracies of today—few love or hate a rural district council. And in a universe of gross deprivation, the feeling must often have

¹ 'These Men whose chief Topick is the Liberty of the People, and against Arbitrary Power, are the most Absolute of any other in their Families, and so Proportionably as they rise Higher. If they Believe'd Themselves, or their own Pretences, they wou'd go Home, and call a Council of their Wives, Children and Servants, and tell them that the Master of a Family was ordain'd for the Good of those that were put under his Government, that it was not to be Suppos'd such a Number of Persons, equal to Him self in Nature, were all Created merely for his Lasts and Pleasures; and that they must be the best Judges of what was for their own Good; And therefore, that they shou'd Meet and Consult together, as oft as they thought fit; and set him Rules for the Government of his Family: Which, if he Broke, or that they thought so, for they are the Judges of that; then that they shou'd Abrogate him; and Choose another Master for Themselves... can any Believe, that a Tyrant in a Family would not prove the same upon a Throne? It has ever prov'd so. And I desire no other Test for these Publick Patrons for Liberty, than to look into their Conversation and their Families' ([Charles Leslie], *The New Association of those Called Moderate-Church-Men*... (London, 1703), Part II, Appendix, pp. 6-7).

been most immediately one of hate. Hence the need to weight the immediate aggression with a heavy sense of guilt, to train the most deprived in the endless responsibility to love their rulers.

Such a crude picture of the 'ideological' needs of such a society, of the form which political socialization had to take, makes it easier to understand how persuasive Filmer could be. When the children in the villages learnt from their parish priests, in those paradigms of Professor Oakshott's 'cribs', the catechism books, that crude abridgement of their society's moral teaching, they learnt just that doctrine which Filmer claimed to explicate. All duties towards authority were specified in the fifth commandment — 'Honour thy Father...', as they are still indeed specified today.¹

For Filmer, as for a more self-conscious intellectual like Bishop James Ussher,² as for the committee set up by the general court in distant Massachusetts to consider the misdeeds of selectman

¹ This does not, of course, indicate that this section was as emotionally meaningless in the seventeenth century as it is today. It is not its occurrence in the catechism books but the way in which it is constantly referred to in disputes concerning proper social attitudes that shows its emotional force in the life of the community. The importance of the text of the fifth commandment was emphasized by Laslett in his edition of Filmer (*Patriarcha*, p. 26) and more recently and extensively in Peter Laslett, *The World We Have Lost* (London, 1965), pp. 20, 176-8, etc. The universality of its occurrence in seventeenth-century English catechism books and something of the importance of this fact were first emphasized by Gordon Schochet of Rutgers University. The role of the family as an instrument of politico-religious discipline has been emphasized recently by many historians of Puritanism, especially by Michael Walzer.

² *Patriarcha*, pp. 62 and 188, and James Ussher, *A Body of Divinity*... (London, 1648), pp. 256-7. 'The meaning and scope of the fifth Commandment... That the quality of mens persons and places, in whatsoever estate, Naturall, Civill, or Ecclesiasticall, and with whatsoever relation to us, be duly acknowledged and respected. For it requirith the performance of all such duties as one man oweth unto another, by some particular bond: in regard of special callings and differences, which God hath made between special persons.'

Who are Superiours?

They be such as by Gods ordinance have any preeminence, preferment or excellency above others: and are here termed by the name of Parents... to whom the first and principall duties required in this Commandment do appertaine [*sic*]...

Why are all Superiours called here by the name of Parents?

1. For that the name of Parents being a most sweet and loving name, men might thereby be allured the rather to the duties they owe; whether they be duties that are to be performed to them, or which they should performe to their Inferiours.
2. For that at the first, and in the beginning of the world, Parents were also Magistrates, Pastours, School-Masters, &c....

*Why is the Commandment [*sic*] conceived in the name of Inferiours?*

Because their duties are hardest obeyed in all estates.'

John Ruddock of Sudbury¹ or indeed for the preachers of many of the election sermons in eighteenth-century Massachusetts, every instance of respect or responsibility or simple obedience which a man's place in his society imposed upon him was an instance of his duty to observe the fifth commandment. All this, of course, must be seen as an ideological enterprise, and not necessarily as an ideological achievement. We shall never know for sure what degree of surreptitious sniggering greeted the pious exhortations of the parish priest. It is difficult enough to reconstruct the consciousness of those who have left extensive written remains. In the case of those who could not write at all and whose words were never recorded it is almost, if not quite, impossible. The contrast between the literate articulate world of politics and the constricted, orally defined consciousness of the local community which Laslett stresses² is indeed critical for the understanding of the public life of the nation but it tells us necessarily only the form of political participation by the illiterate—it cannot tell us its content. And no depth of silence, no impotence to define their feelings in action can show the absence of the feelings. Even today, through the clumsy gropings of a Filmer, it is possible to sense the intense subjective fragility of the social order in the nervous urgency with which he attempts to swing the entire legitimacy of the social order on the pivot of each child's earliest learnt allegiances.

The strange, punning theory in which Filmer advanced these ideas gained force from the irrelevant appeals to English legalism and traditionalism and to the purer forms of social prejudice noted above. The Burkean doctrine of continuity,³ the blunt appeal to the reality of English society or constitutional structure,⁴ simple prescription,⁵ simpler social snobbery,⁶ the subversiveness of learning,⁷ and the tyrannical practices of many popular governments,⁸ all lent their weight. But the core of its persuasiveness lay in that ineffable incoherence in which God's power was paternal⁹.

¹ Sumner Chilton Powell, *Puritan Villages, The Formation of a New England Town* (paperback edition, Garden City, N.Y., 1965), pp. 168-9.

² Laslett, *The World We Have Lost*, esp. pp. 194-9.

³ *Patriarcha*, pp. 226, 286.

⁴ *Ibid.* pp. 118-19, 157, 227-8, 287.

⁵ *Ibid.* pp. 69, 106.

⁶ *Ibid.* p. 224.

⁷ *Ibid.* p. 233.

and a king's power religious,¹ in which a family was a kingdom and a kingdom a family and all duties were one. The axioms of Filmer's thought, the legalism in which all change is seen as usurpatory, the stress on authority, prototypically paternal authority, as a social fact, made plausible his frenetic over-assimilation of differences to unity. But the plausibility was emotional and not intellectual. For Filmer men needed a concrete continuing authority in which they could be wrapped. Like crabs they could live only in a continuous God-given shell. But to Locke they were more like hermit crabs: the shells they needed, their instincts made available to them. It was God's world they lived in—but as difficult as it seemed.

¹ *Patriarcha*, p. 96.

LOCKE AND HOBBS

The worthy, if slightly bumbling Locke we all used to know (just as we knew that he wrote in defence of that worthy if slightly bumbling apotheosis of English constitutionalism, the Glorious Revolution) wrote to answer the terrible, if undeniably *clever* Hobbes. Both of these hallowed opinions were vigorously attacked by Mr Laslett in his edition of the *Two Treatises* and the attacks had an immediate impact. But, rather surprisingly, the complicated and difficult historical demonstration that the bulk of the work was written several years before the Revolution rapidly became the new orthodoxy, while the simple and wholly convincing dialectical demonstration that the shape of the *Two Treatises* was dictated by the attempt to answer Sir Robert Filmer's political tracts has never received a very enthusiastic response and its importance scarcely been sympathetically understood. One reason for this curious difference in the two responses, perhaps, is rather vulgar. The recognition that the *Two Treatises* was not the rationalization of a successful revolution in the past at most implied the abandonment of a particular historical doctrine about a single figure; brashly, it meant rewriting one lecture. But the historically supported argument that lining Locke up against Hobbes and comparing their various dimensions was not *the* way to approach the study of Locke (indeed, at its most disturbing, perhaps not even *a* way) had altogether more sinister implications. If it were correct, it did not just mean the rewriting of one lecture; it meant a significant revision of the entire way in which the history of political theory was conceived. It meant that the pedagogic experience of most people who teach the subject, the study of a historically selected series of accredited texts (in itself, perhaps the most crushing refutation ever of the empirical claims of Social Darwinism), barely meshed at all with the epistemological, empirical, and hence even the philosophical problems raised by the subject matter. In the face of this disturbing threat it is not altogether surprising that this particular claim should have received

some sharp examination and we may no doubt expect it to continue to do so for some little time to come.

It would be wrong, however, to suggest, quite apart from the valuable/historical light which any such dispute is likely to shed, that there are not admirable as well as rather unimpressive reasons for dissent. To put the point at its crudest: Hobbes was undoubtedly the most intelligent man to write about politics in England in the seventeenth century before Locke and he wrote about it in a specifically philosophical manner. Furthermore, his greatest book was devoted to the exposition of a political theory which at a pragmatic level espoused a set of imperatives directly antagonistic to those of the *Two Treatises*. Is it conceivable historically that a man with Locke's philosophical ambitions could have written such a work at the time when he did without his intellectual course being powerfully deflected by the magnetic pull, exercised by reason of its very existence, of that great mass of intellectual magma? Thus it seems that, quite apart from the fact that what most interests us about the political theories of seventeenth-century England is the confrontation of these two intellectual giants (and this interest seems philosophically apt), there must be a definite sense in which the confrontation is also apt historically. The reasoning is not subtle but it has the force of its own crudity. In what sense, then, should it be unconvincing?

The problem arises, essentially, over the assimilation of the historical case to the philosophical. Because it is plausible to claim that there must have been some sense in which Locke felt himself in the intellectual presence of Hobbes in writing the book and because what is undoubtedly of supreme philosophical fascination to us, at least about Locke's work, is this confrontation of the two, we are prone to suppose that the confrontation must be the key to the meaning of the book, that, as it were, it enables us to crack the structural code of the work. But this is simply to pun on the word 'meaning'. All too irrefutable as an assessment at the level

¹ This is not something of which Mr Laslett is unaware. I make no attempt to give an account of his position because it is stated clearly in his introduction to John Locke, *Two Treatises of Government*, pp. 67-91. Rather, what I am attempting here is to follow the movement of thought which has led to the unsympathetic reception of these notions and to show that the undoubted force of this intellectual hesitancy does not have the implications which those who feel it sometimes suppose.

of our own autobiography, it simply begs the question of historical assessment and manages to beg it while ostensibly claiming support from historical evidence which does not bear at all on the issue. It is rather as though, possessing a heuristic device analogous to an X-ray which reproduced, however, only the nervous system of the human body, we should mistake its depictions for those of a conventional X-ray. Pictures of a skeleton are not inferior surrogates in physiology for pictures of the nervous system—though they may certainly seem to us more banal. The metaphor is loose but it brings out fairly the extreme oddity of the historical supposition.

In the concrete, this theme is delicate. The claim is that the disputed 'influence', negative or positive, of Hobbes upon the *Two Treatises* is irrelevant to the historical comprehension of that work. This is not because Locke did not care about Hobbes's arguments in *Leviathan*. Nor is it just vulgarly because the book was addressed to Filmer's position. It is rather because the problem which he needed to discuss in order to refute Filmer is not at all the same as Hobbes's problem.¹ Hobbes's problem is the construction of political society from an ethical vacuum. Locke never faced this problem in the *Two Treatises* because his central premise is precisely the absence of any such vacuum.² It was a premise which he emphatically shared with Filmer and this is why he could simply assume that part of his position which immediately controverts Hobbes. The reason why Hobbes confronted this problem was epistemological in essence;³ and it was the demonstrative force of the conclusion of which he boasted.⁴ Epistemologically, in the *Two Treatises* Locke is able to confront Filmer on a level of shared vulgar ideology, not because this represented the utmost refinement of which his own thought was capable but because his book was written to persuade those already irretrievably convinced of the truth of this premise. If we seek to discover

¹ All this is quite apart from Mr Laslett's argument that in a sense Locke and Hobbes were on the same side, as against Filmer, in their rejection of patriarchalism. Cf. *Two Treatises*, pp. 67-70, esp. p. 70.

² *Ibid.* II, §6.

³ See, for example Stuart M. Brown, Jr., 'The Taylor Thesis: Some Objections', *Hobbes Studies*, ed. K. C. Brown (Oxford, 1965), pp. 57-71, esp. pp. 57-8; Quentin Skinner, 'Hobbes's *Leviathan*', *The Historical Journal*, VII (1964), 321-33.

⁴ See, for example, *Leviathan*, ed. Michael Oakeshott (Oxford, 1946), pp. 6, 465-66, etc.

the point at which Locke does accept the Hobbesian challenge, does confront the demand to construe demonstratively from unchallengeable axioms the whole moral fabric of society, we shall find it most nakedly of all in that series of abortive sketches of a theologically based ethic which run from the *Essays on the Law of Nature* to the unfinished scraps of paper from the 1690s in the Lovelace Collection. And if we still demand the public locus of this confrontation, we find it readily enough, shifty though the form in which the challenge is accepted undoubtedly is, not in the cramped little anonymous octavo of the *Two Treatises*, but in the fine broad folio columns, sent proudly into the world under his own name and bearing his rank, of the *Essay concerning Human Understanding*. But because there too he accepted the challenge with such gingerly misgivings and brought it, even after the grand intellectual sweep of the *Essay*, to such an inconsequential and broken-backed conclusion, and because the sketches of the projected ethic were so persistently abortive, the final riposte came by necessity elsewhere. In the pages of the *Reasonableness of Christianity*, the psychological core of Locke's answer stands all too clear and its clarity reveals harshly how completely he failed to meet the epistemological challenge. Perhaps, to tease the traditional judgment, we may claim that his epistemological failure brought with it a greater sociological perception, that the dubious commitments of his theological conviction enabled him in compensation to sense the stolid dependability of a society in which reliable social control could be achieved with some assurance by educating the gentry¹ and refraining from sharply deflating the economy.² But this is to overstrain a paradox. We must surely allow that it was more the history of England, 1681 and 1688 instead of 1651, which permitted him this illumination while denying it to his terrible antagonist of the textbooks. Certainly Locke's own theory of individual psychology is no more felicitously linked to a social psychology than that of Hobbes, and his ethics in consequence far from sensitively articulated with his social assurance.

There is a sense in which this confrontation of the *œuvres* is apt—and apt not merely as a scholastic cliché. It is hard to believe that

¹ *Some Thoughts concerning Education*, Preface, side 2 (not paginated), *Works* (1768), IV.

² *Some Considerations of the Consequences of the Lowering of Interest...*, *Works*, II, 46.

when Locke transcribes a judgement-upon Hobbes in his notebook in the 1680s¹ or when at an interval of more than ten years he twice identifies the secular authoritarian argument against the right of toleration as that of Hobbes,² there is no sense of the brooding presence of that challenge. The challenge, as Laslett insists, was certainly far from one of the confrontation of texts. But if the relationship was less by far than one of reflective intellectual communication, it was also in a sense more. *Leviathan* for Locke could never be merely an intellectual challenge, still less merely an intellectual seduction (though it was plausibly in some faint measure both). Rather it was an intellectual nightmare, a spectre which haunted Locke's thought. And not merely an intellectual nightmare and its hauntings not confined to the thought. For if, as I have tried to insist throughout, the life was a necessary condition for the thought, the thought was equally such for the life. *Leviathan* could never be a purely intellectual embarrassment, for inasmuch as its intellectual challenge was effective, it carried the power to destroy the entire psychological plausibility of Locke's life. Here we can see more clearly how savage was the irony of such occasions as Newton's paranoid brutality³ or

¹ 'Bibliothèque 551 Hobbes tacha de mettre la Morale en un ordre geometrique et d'establi l'hypothese d'Epictete qui pose pour principes des societiez la conservation de soi meme et l'utilité. En effet le but principal de Hobbes estoit d'etendre le pouvoir des rois sur le temporel et sur le spirituel contre les seditieux et les fanatiques ce qui lui a fait dire des choses qui ne s'accordent pas avec le repos de la societe civile ni avec la religion Chretienne 493' (MS Locke c 33, fo. 29v). The reference is to volume III of the *Bibliothèque universelle et historique*, see John Harrison and Peter Laslett, *The Library of John Locke*, Oxford Bibliographical Society Publications (1965), no. 332. For Locke's connection with this periodical version of the *Essay concerning Human Understanding* appeared see M. Cranston, *John Locke, a Biography* (London, 1957), pp. 256, 289–91, 293 n. (corrected by Laslett in *Two Treatises*, p. 12). The journal was edited by Locke's close friend Jean Le Clerc. It also printed a lengthy abridgement of the *Two Treatises* in 1691, the year in which the French translation (of the *Second Treatise* only) was printed in Amsterdam by the publisher of the journal. (See *Two Treatises*, p. 126.) See also MS Locke c 33, fo. 35v.

² Cf. MS Locke c 39, p. 9 (quoted by Cranston, *John Locke*, p. 133) with MS Locke 34, p. 40.

³ See Newton's letter of 16 September 1693 to Locke: '... I beg your pardon for my having hard thoughts of you for it, and for representing that you struck at the root of morality, in a principle you laid down in your book of Ideas and designed to pursue in another book and that I took you for a Hobbesist' (*The Correspondence of Isaac Newton*, ed. H. W. Turnbull (Cambridge, 1961), III, 280).

Tyrrell's all too needling questionnaire.¹ In the noise of the 'Drum Ecclesiastick',² beneath the vulgar hands of an Edwards,³ the accusation of Hobbism may have meant to Locke largely the threat of real physical danger, his timorous sense of the social isolation of the heterodox intellectual. And when the charge was bandied about by his own friends, this anxiety was no doubt all the keener. But it is naive to equate the anxiety simply with physical fear or intellectual embarrassment. It was no simple cowardice or pride that the charge evoked. The hysteria of Locke's letter to Covell, for instance,⁴ is hardly just panic—indeed it suggests a considerable assurance about his rights as a member of the élite. The key tone in his complaint is outrage rather than fear.

What made the accusation of Hobbism intolerable was plainly the location of his intellectual embarrassment, the crude force with which it pressed upon the whole emotional structure of his life. No confrontation with the Hobbesian *démeure* could be purely dialectical for Locke because in this confrontation any extended dialectical embarrassment threatened his entire identity. But if, in this way, there is a real historical illumination in pointing to the dialectical confrontation and if it carries indeed its own high drama, this lends no excuse to the determination to regard the *Two Treatises* as a gloss on *Leviathan*. Their epistemological glibness has been often noted and it is scarcely inadvertent. Hobbism comes in, it is true, for passing insult.⁵ But it is the level of insult delivered by a man without the least anxiety as to the sympathies of his audience. The bitterness of his sneer is authentic enough. But that does not make a sneer into an argument. Hobbes himself and the dense and threatening mass of intellection which he represents make no appearance. It may be correct in a sense to see him as a ghostly adversary throughout the pages of the *Essay*

¹ MS Locke c 22, fols. 91, 93, etc. and, for how firmly Tyrrell saw Hobbes as Locke's proper antagonists, fols. 119^r, 128.

² Cf. *Two Treatises*, Preface, p. 156.

³ John Edwards, *Some Thoughts Concerning the Several Causes and Occasions of Atheism...* (London, 1695) and *Sermonium Unmask'd...* (1697). Cf. the anonymous letter to John Churchill (MS Locke c 23, p. 200) reporting that Edwards had said that 'Mr Lock was Governour of the Seraglio at Oats with others of the like nature'.

⁴ MS Locke c 24, p. 32. Cf. the anxiety of Covell's replies to Locke and to Damaris Masham, MS Locke c 7, pp. 161, 163, 176, 177.

⁵ *Two Treatises*, II, §§19, 137. Perhaps also §93, but cf. Laslett's comment, §93 n.

and the *Reasonableness of Christianity*, Locke's own evil angel with whom he wrestled throughout a lifetime and before whose malign strength he eventually collapsed in exhaustion.¹ But whether or not this is true is here of no significance. What concerns us is simply that it is not in the *Two Treatises* that the struggle is joined. In them, the Hobbesian arguments are not answered. They are merely and blandly ignored.

¹ This could at most be a psychological truth, a barely testable proposition about the shifting dimensions of semi-consciousness before which historical inquiry is almost paralysed. Whether it is true or not in any case (in any sense other than the metaphorical—and there indeed it is irrefutable because its truth depends upon our historical conditioning, not on how the past was), is of no relevance to my purpose here, which is to insist that however sympathetic one were to the picture of Locke's intellectual life as lived in a conscious tension with Hobbes, the focus of the tension cannot conceivably be located in the *Two Treatises of Government*.