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THE RELEVANCE OF LOCKE'S RELIGIOUS ARGUMENTS FOR TOLERATION

MICAH SCHWARTZMAN

John Locke's theory of toleration has been criticized as having little relevance for politics today because it rests on controversial theological foundations. Although there have been some recent attempts to develop secular, or publicly accessible, arguments out of Locke's writings, these tend to obscure and distort the religious arguments that Locke used to defend toleration. More importantly, these efforts ignore the role that religious arguments may play in supporting the development of a normative consensus on the legitimacy of liberal political principles. Bracketing the search for publicly accessible justifications makes it possible to appreciate the continued relevance of Locke's religious arguments for toleration.

Keywords: *Locke; toleration; religion; liberalism*

Although John Locke's arguments for toleration have received a fair amount of attention from political philosophers in recent years, most of it has been motivated by the search for a general philosophical account of liberal toleration.¹ As a result, few of Locke's commentators have stopped to ask about his religious arguments for toleration, except perhaps to describe their place in the overall development of his political thought.² The consensus seems to be that the religious elements in Locke's thinking are irrelevant for the purpose of addressing the problems of contemporary politics. If there is anything of interest in Locke's writings, it must be capable of being reformulated in terms that speak to a pluralistic and largely secular audience.³

This approach to Locke, and for that matter to other thinkers in the history of the liberal tradition, is based on an inadequate view of the role that religious arguments can play in justifying liberal political principles, including

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the principle of religious toleration. Locke's religious arguments may not provide publicly accessible justifications for liberal principles and practices. But even if his arguments do not appeal to everyone (or even to all "reasonable" people), they may still provide much-needed support for the project of developing widespread agreement about the moral legitimacy of tolerant political institutions.

Another reason to concentrate on Locke's religious arguments is that liberals today often see religion as a "conversation stopper."⁴ For example, in *A Theory of Justice*, John Rawls writes that "when the denial of liberty is justified by an appeal to public order as evidenced by common sense, it is always possible to urge that the limits have been drawn incorrectly, that experience does not in fact justify the restriction. Where the suppression of liberty is based upon theological principles or matters of faith, no argument is possible."⁵ If by this Rawls means that no secular argument will persuade those who are religiously devout that their views are mistaken, then he is probably right. Yet as Rawls acknowledges in *Political Liberalism*, the liberal tradition is replete with religious arguments for religious and political liberty. Indeed, one reason for believing in the possibility of an "overlapping consensus" on liberal principles is that history shows that any number of comprehensive religious and philosophical views are compatible with the basic features of liberal democracy. Thus, and somewhat paradoxically, an appreciation for the religious foundations of Locke's arguments for toleration may provide added support for having what Rawls refers to as "reasonable faith" in the possibility of achieving consensus on the legitimacy of liberal political institutions.⁶

In considering Locke's theory of toleration, I shall focus primarily on two kinds of objections that have been raised against it.⁷ The first, which might be called the *sectarian objection*, claims that Locke's theory rests on controversial theological premises and is, therefore, insufficiently general to justify toleration in a liberal democratic society. This objection has two parts that should be distinguished. They are as follows:

1. that Locke's main arguments for toleration are based on controversial theological premises, and
2. that any theory of toleration which relies on theological premises is too sectarian to serve as a general justification for toleration in a liberal democratic society.

If these premises are right, the conclusion quickly follows that Locke's arguments are too sectarian to ground the practice of toleration in contemporary liberal democratic societies. By contrast, the second argument against Locke's theory, which I shall call the *inadequacy objection*, takes an alterna-

tive and somewhat contradictory approach. It begins with the claim that at least some of what Locke says can be rescued from his seventeenth-century religious context and put to use defending a liberal theory of toleration. In particular, I shall discuss what has been called the *argument from belief*.⁸ Briefly stated, this argument says that persecution is irrational because people cannot be forced to change what they believe. Coercion operates by giving people incentives to make certain kinds of choices. But since people cannot choose what to believe, it makes no sense to try to force them to do so. The appeal of this argument is that it does not appear to depend on controversial religious assumptions but rather on more general claims about the nature of coercion and the structure of individual belief. Unfortunately, the inadequacy objection states that, although the argument from belief is sufficiently general, it nevertheless fails as a defense of religious toleration. There are a number of reasons for this, and I shall discuss some of them below (in sections 3 and 4). For now, however, notice that, like the sectarian objection, the inadequacy objection has two steps. It claims the following:

3. that at least one of Locke's arguments for toleration (i.e., the argument from belief) is sufficiently general in its appeal, but
4. that this argument fails to provide a valid justification for religious toleration.

When taken together, the sectarian and inadequacy objections place Locke's theory of toleration in something of a bind. If the sectarian objection is right, then none of Locke's arguments are relevant anymore because they are based on religious premises that many people reasonably reject. One might try to answer this objection by attempting to salvage a nonreligious argument from Locke's defense of toleration. But the most promising candidate for such an argument—the argument from belief—is open to a number of fairly strong objections. The problem for Locke's arguments, then, is that they are either incomplete, because they do not address a general audience, or inadequate, because they fail to provide a valid justification for toleration.⁹

I propose to answer the sectarian and inadequacy objections by accepting (1) that Locke's principled case for toleration rests on religious grounds. This commits me to rejecting (3). Indeed, I shall try to show that even the argument from belief is based on certain theological assumptions. Furthermore, I shall argue that (4) follows only if we allow the secular bowdlerization of religious content from Locke's argument. More specifically, a *Lockean* argument from belief, but not *Locke's* argument, is subject to a number of long-standing criticisms. Now, if Locke does have a valid religious argument, this raises the question of what appeal his view might have under conditions of reasonable pluralism. According to (2), any theory of toleration based on a

religious doctrine is too sectarian to serve as a justification for toleration in a liberal democratic society. Yet, without refinement, this claim ignores the contribution that religious arguments can make in generating support for principles of toleration. Religious arguments are important from a liberal perspective because they make it possible for some citizens to see the value and significance of liberal political institutions.

In section 1, I rehearse the sectarian objection and show that Locke's principled arguments for toleration are sustained by religious premises. Section 2 considers the possibility of developing the argument from belief along secular lines. In section 3, however, I claim that Locke's argument from belief rests on religious grounds and that, when so understood, it succeeds as a limited defense of religious toleration. Section 4 considers the potential contribution of religious arguments to the justification of toleration in liberal democratic societies. Contrary to conventional philosophical readings of Locke, which begin by purging his political thought of its theological assumptions, I shall argue that his theory of toleration is relevant to contemporary politics precisely because of its religious content.

1. THE SECTARIAN OBJECTION

The sectarian objection claims that Locke's arguments rest on theological grounds that are too controversial to justify toleration in a liberal democratic society. Many liberals, including some who do not subscribe to political liberalism, believe that religious toleration should be justified on the basis of reasons that are widely acceptable. For this reason, they have not been satisfied with Locke's religious arguments. In a well-known paper, Jeremy Waldron once offered a succinct and forceful statement of this objection. He wrote,

We are interested in the question of whether the state *as such* is under a duty of toleration and we want an argument addressed to state officials in their capacity as wielders of the means of coercion, repression, and persecution. An argument which addresses them instead in their capacity as members of a Christian congregation is insufficiently general to be philosophically interesting because it leaves us wondering what if anything we would have to say to someone who proposed persecution in the name of a more militant and less squeamish faith. Certainly, it would be an untidy and unsatisfactory state of affairs if we had to construct a fresh line of argument for toleration to match each different orthodoxy that was under consideration.¹⁰

One might wonder whether there could ever be an argument that is both sufficiently compelling and general enough in scope to demonstrate that citizens

are *as such* under a duty of toleration. It might be objected that there is no *principled* argument for toleration that is universally acceptable.¹¹ This objection may lead liberals in two different directions. First, in his recent work on Locke's political philosophy, Waldron seems to have abandoned his earlier claim that arguments for toleration must be sufficiently general to appeal to citizens in their official capacity rather than in their capacity as members of particular religious or philosophical communities. Waldron is now drawn to the view that liberalism may require sectarian foundations. He believes that it may not be possible to ground a moral commitment to freedom and equality without making certain theological assumptions.¹² Second, eschewing the "religious turn" that Waldron seems to be contemplating, liberals may decide that the best they can do is to offer prudential claims about the social costs of intolerance, or else attempt to inculcate attitudes of widespread indifference toward those things that have given rise to previous conflicts. On this skeptical view, liberals should worry as much, or more, about the practical conditions that sustain tolerant institutions as they do about the moral or religious values that underlie them.¹³

Although both of these responses to the sectarian objection raise large questions, neither option seems desirable. The first would ground liberalism in sectarian claims that many reasonable people will have strong reasons to reject. The second would essentially give up on the project of developing a moral response to the fact of reasonable pluralism. The sectarian objection can be understood as a manifestation of the hope that some middle way can be found between sectarian liberalism and a mere *modus vivendi*. It challenges liberals to formulate stronger and more sophisticated responses to the problem of justifying tolerant political institutions in pluralistic democratic societies.

The soundness of the sectarian objection is an important matter that I shall return to in section 4. For the time being, however, more needs to be said about the as yet unsubstantiated claim that Locke's theory is limited by its appeal to theological grounds. If Locke *does* have an argument that is sufficiently general in scope, then the first premise of the sectarian objection is false, in which case there is less reason to consider possible responses to the second part of the objection concerning the role of religious arguments in liberal democratic societies.

While the issue remains somewhat contentious, I do not think that any of Locke's main arguments for toleration have general or universal appeal. His case for toleration cannot be understood or made coherent except in relation to its religious content. This view is broadly consistent with the approach of Cambridge School historians, who emphasize the religious context of

Locke's writings,¹⁴ and, more recently, with Waldron's current view that Locke's argument for toleration "does have to rest on its distinctively Christian foundations."¹⁵ A survey of Locke's main arguments for toleration should help to reinforce this conclusion.

The first argument to consider is familiar from the social contract theory of the *Second Treatise*. According to Locke, individuals exit the state of nature by voluntarily alienating those natural rights that entitle them to protect their material interests by punishing those who wrong them. They do this because they recognize the need for an impartial agent to adjudicate conflicts and to punish wrongdoers. Otherwise, individuals will be left to judge for themselves, and, as Locke argues, this makes them prone to partiality in determining what wrongs have been committed and what the appropriate response to those wrongs should be.¹⁶ Such are the "inconveniences" of the state of nature that people have good reason to transfer their rights to a government that will secure their "Civil Interests," which Locke defines in the *Letter concerning Toleration* as "Life, Liberty, Health, and Indolency of Body; and the Possession of outward things, such as Money, Lands, Houses, Furniture, and the like."¹⁷ Since government has legitimate authority only over rights that have been placed into its trust, it follows that the "Care of Souls" is outside the domain of its rightful jurisdiction. If the purpose of forming a commonwealth is the protection of these interests and no others, then we can identify a separation between the spheres of politics and religion by observing the secular quality of those rights that have been placed under public control.¹⁸

The problem with this contractualist argument is that it does not give an independent reason to fix the bounds of church and state according to Locke's definition of civil interests. According to Locke, "No private Person has any Right, in any manner to prejudice another Person in his Civil Enjoyments, because he is of another Church or Religion. All Rights and Franchises that belong to him as a Man, or as Denison, are inviolably to be preserved to him. These are not the business of Religion."¹⁹ By why not? An appeal to precontractual or natural rights does explain why individuals in the state of nature do not, in addition to transferring control over the security of their material goods, give up the right to determine the form and content of their spiritual lives. The claim that the purpose of the state is only to protect our civil interests is not an argument, but rather the desired *conclusion* of the sort of argument that Locke is supposed to have presented.²⁰ Indeed, Locke was familiar with this objection because it had been pressed against him by Jonas Proast, who was the most trenchant and persistent of his contemporary critics.²¹ Proast argued that

our author does but beg the question, when he affirms that the commonwealth is constituted only for the procuring, preserving, and advancing of the civil interests of the members of it. That commonwealths are instituted for these ends, no man will deny. But if . . . the spiritual and eternal interests of men may any way be procured or advanced by political government, the procuring or advancing of those interests must in all reason be reckoned among the ends of civil society, and so, consequently fall within the compass of the magistrate's jurisdiction.²²

What is missing from the contractualist argument is an explanation for why individuals in the state of nature would not give up control over the religious aspects of their lives. Other arguments are needed to support the claim that "what the institutors appointed . . . could not be their spiritual and eternal interest."²³ Locke understood that his contractualism could not stand alone, and he used the following arguments to defend the view that the only purpose of government is to protect the civil interests of its citizens:²⁴

1. Christian doctrine permits only noncoercive forms of proselytizing. Christians should follow

the perfect Example of that Prince of Peace, who sent out his Soldiers to the subduing of Nations, and gathering them into his Church, not armed with the Sword, but prepared with the Gospel of Peace, and with the Exemplary Holiness of their Conversation. This was his Method.²⁵

There is no scriptural basis for the persecution of those who do not willingly convert to Christianity.

That the Gospel frequently declares that the true Disciples of Christ must suffer Persecution; but that the Church of Christ should persecute others, and force others by Fire and Sword, to embrace her Faith and Doctrine, I could never find in any of the books of the New Testament.²⁶

Locke preempts an appeal to the Hebrew Scriptures by noting that the ancient Israelites, who were governed by theocracy, had "laws given for excluding people . . . out of their congregation but none forcing anybody in."²⁷

2. Every individual has authority over the pursuit of his or her own salvation.

Because the Care of Souls is not committed to the Civil Magistrate, any more than to other Men. It is not committed to him, I say, by God; because it appears not that God has ever given any such Authority of one Man over another.²⁸

3. The highest obligation of a person is to seek the truth about what is necessary for salvation and to act accordingly.²⁹

Every man has an Immortal Soul, capable of Eternall Happiness or Misery; whose Happiness depending upon his believing and doing those things in this Life, which are necessary to the obtaining of Gods Favour . . . the observance of these things is the highest Obligation that lies upon Mankind, and that our utmost Care, Application, and Diligence, ought to be exercised in the Search and Perfor-

mance of them; Because there is nothing in this World that is of any consideration in comparison with Eternity.³⁰

4. There is no guarantee that the state will establish the true religion because the magistrate is equally as fallible as anyone else. The magistrate

ought not to prescribe me the way, or require my diligence . . . having no more certain or infallible knowledge of the way to attain it than I myself, where we are both equally inquirers, both equally subjects, and wherein he can give me no security that I shall not, nor make any recompense if I do, miscarry.³¹

5. The coercive powers of the state cannot influence individual belief, except to expose those who are weak-minded to the sin of hypocrisy:

[T]rue and saving Religion consists in the inward perswasion of the Mind, without which nothing can be acceptable to God. And such is the nature of the Understanding, that it cannot be compell'd to the belief of any thing by outward force. Confiscation of Estate, Imprisonment, Torments, nothing of that nature can have any such Efficacy as to make Men change the inward Judgment that they have framed of things.³²

These five considerations are presented as mutually supportive, so that the case for toleration does not appear to depend on any single one of them. As one commentator points out, Locke is not entirely clear about his "argumentative priorities."³³ He repeats arguments, runs them together in different combinations, and reiterates his case through the use of various examples, but rarely does he describe the relative importance of his arguments or provide a clear assessment of the connections between them. Still, it seems that close to the core of his position is the idea that God has established the basic equality of all human beings. Every individual has an ultimate interest in pleasing God, and this interest generates a duty to determine what actions and beliefs are necessary for the sake of eternal salvation. Furthermore, no one can guarantee the eternal happiness of another person because it is impossible to have infallible knowledge about the workings of divine grace. When these two claims about individual authority and equal fallibility are taken together, it follows that individuals have good reason not to alienate those rights that protect their freedom to search for true religious beliefs. Moreover, since the New Testament nowhere sanctions the use of force to compel conformity, there is no textual basis for the imposition of religious orthodoxy. Locke adheres strictly to the Protestant view that each person is responsible for his or her (and only his or her) relationship with God. No one can claim to be harmed by what he or she deems as the blasphemous or heretical worship of others. The sincere theological views of one person cannot be "prejudice to another Man's Affairs."³⁴ Those who are charitably inclined may exhort others to act according to what they believe is God's will, but "all Force and Compulsion are to be forborn."³⁵ Finally, even if it could be shown

that the magistrate's judgment is authoritative and infallible, the coercive means available to the state are not capable of producing genuine belief, which is the only kind that matters for salvation.

This heterogeneous defense of toleration is said to be *incomplete* because it is based on controversial scriptural or theological assumptions that are only acceptable to a limited religious audience.³⁶ The first argument, that Jesus and his apostles set a noncoercive example for all further Christian evangelism, is most obviously open to this charge. The claims made in (2), (3), and (4) seem to have the advantage of not appealing directly to Scripture, but they are also tightly connected to important theological beliefs and will give reasons for toleration only to those religious believers who share Locke's assumptions about equal fallibility and the individual duty to search for true belief in order to gain divine favor. We are left with the fifth argument about the irrationality of persecution. The next section focuses on this claim and asks whether it can provide a defense of toleration without relying on controversial theological assumptions.

2. THE INADEQUACY OBJECTION

Part of the appeal of the argument from belief is that it operates independently of the content of any particular set of beliefs. It is neutral, so to speak, between different religious perspectives and other comprehensive doctrines in that it says nothing about the truth or validity of specific beliefs. Rather, the argument begins with the idea that the state is defined by the means at its disposal, namely, the coercive power to punish its subjects through the confiscation of property, the curtailment of personal liberties, and the use of physical violence. By issuing (and having the means to carry out) various kinds of threats, the state is able to attach penalties to specific actions and thereby to create disincentives for whatever behavior it deems unacceptable. The crucial assumption behind the assignment of penalties is that those who would otherwise engage in proscribed activities have the ability to decide whether they are willing to incur the costs imposed by the state. It is this assumption, that individuals will be able to react to threats of coercion by choosing differently, that Locke questions when he writes, "Penalties are no ways capable to produce such Belief. It is only Light and Evidence that can work a change in Mens Opinions; which Light can in no manner proceed from corporal Sufferings, or any other outward Penalties."³⁷ Religious persecution cannot bring about the kind of inner persuasion that would be necessary to generate the appropriate set of beliefs. The use of coercion is irrational because having a

belief is the result of a process of reasoning whose outcomes are not determined voluntarily.

This argument seems to avoid the sectarian objection, since it does not rest, at least not explicitly, on premises that could only be accepted by an audience with particular religious convictions. In the next section, I challenge the appearance of the argument's generality, but for now I want to focus on the criticism that the argument from belief fails to provide an adequate defense of liberal toleration. There are at least three ways to formulate what I referred to earlier as the *inadequacy objection*, the first and second of which I mention only briefly in order to concentrate on the third. The first criticism turns the appeal of the argument's neutrality on its head by suggesting that a proper defense of liberal toleration requires more than "ethical rationalism." What is needed is a substantive argument about why persecution is morally wrong. Locke's argument is supposed to convince persecutors that what they are doing makes no sense given their interests, but it says nothing about the rights or interests of those who suffer persecution.³⁸ The second criticism is that those who reject persecution because it is irrational misunderstand what persecutors are really up to when they punish certain forms of behavior. The reasons for which a policy of intolerance might be enacted are not exhausted by a government's interest in compelling a particular group of people to change their convictions. A regime might persecute a group to arouse nationalist sentiment by offering the public a scapegoat for its own failures, or it might ban the activities of a group in an effort to prevent the transmission of knowledge from one generation to another.³⁹ This last example points in the direction of a third and more fundamental objection to the argument from belief, which is that even if coercive power cannot work directly on belief, it can be applied to the circumstances under which we come to hold our beliefs. For example, a government might issue a directive that prohibits certain people from meeting with one another in order to thwart the dissemination of unwanted ideas, on the logic that people are less likely to be influenced by ideas that are not immediately available to them. It may be true that the use of coercive power cannot directly alter belief, but, as the example suggests, it can do so indirectly by limiting access to information and by regulating participation in practices that tend to generate certain kinds of beliefs. It seems obvious enough that governments ban books, suppress speech, and censor the press at least partly to control what people believe—and thus how they act given what they believe.

This formulation of the inadequacy objection, which exploits the connection between belief and the circumstances of its formation, was developed originally by Proast. His main contention was that

if Force be used, not instead of Reason and Arguments, *i.e.* not to convince by its own proper Efficacy (which it cannot do,) but onely to bring men to consider those Reasons and Arguments which are proper and sufficient to convince them, but which, without being forced, they would not consider: who can deny, but that *indirectly* and *at a distance*, it does some service toward the bringing of men to embrace the Truth, which otherwise, either through Carelessness and Negligence they would never acquaint themselves with, or through Prejudice they would reject and condemn unheard, under the notion of Error?⁴⁰

Proast argues that, just as states sometimes apply coercive power to prevent the dissemination of unwanted beliefs, penalties might also be used to inculcate true beliefs, not by forcing people to believe but by compelling them to consider their beliefs. Indeed, had Proast read *An Essay concerning Human Understanding*, he might have argued, as Waldron has, that some of Locke's remarks about knowledge are damaging to the argument for toleration because they suggest the possibility of choosing courses of action that are likely to lead to certain kinds of belief.⁴¹ In the *Essay*, Locke observes that knowledge is "*neither wholly necessary, nor wholly voluntary*," so that "a Man with his Eyes open in the Light, cannot but see; yet there be certain Objects, which he may choose whether he will turn his Eyes to; there may be in his reach a Book containing Pictures, and Discourses, capable to delight, or instruct him, which yet he may never have the Will to open, never take the Pains to look into."⁴² If exposure to canonical texts or participation in weekly ceremonies tends to influence belief, then there would seem to be nothing peculiarly irrational about compelling individuals to take part in such activities. Waldron is certainly right to suggest that "practice may stand in some sort of generative and supportive relation to belief—that it too may be part of the apparatus which surrounds, nurtures and sustains the sort of intellectual conviction of which true religion, in Locke's opinion, is composed."⁴³ More generally, the capacity of the modern state (to say nothing of the media or other powerful corporate institutions) to control the dissemination and reception of information and thereby shape the beliefs and experiences of its citizens underscores the drastic inadequacy of the argument from belief.

A possible reply to the Proastian objection is that *authentic* belief cannot be the result of manipulation or compulsion. Susan Mendus has argued for a distinction between having a belief and having a genuine belief, or one that is held "in the right kind of way."⁴⁴ Her argument draws partly on a description of belief developed by Bernard Williams in his article "Deciding to Believe." According to Williams, having a "full-blown" belief requires the possibility of deliberate reticence and insincere assertion.⁴⁵ An act of assertion (saying that *p*) is neither necessary nor sufficient to ascribe belief to a person. It is not necessary to assert that *p* because one can believe it without saying so. It is

also not sufficient because assertion does not entail that one actually believes that p . A person can assert that p but do so insincerely. Having a full-blown belief is characterized by a person's capacity to decide whether to express a belief and whether to express it sincerely. Mendus argues on the basis of these considerations that some forms of coercion, such as hypnotism and brainwashing, create impoverished beliefs because they make it impossible for a person to be reticent or insincere about what he or she believes.⁴⁶

Unfortunately, this conception of "full-blown belief" is not strong enough to underwrite a notion of authentic belief capable of rescuing Locke's argument. For one thing, the sorts of coercion considered by Proast (and Waldron) need not rise to the level of hypnotism and brainwashing. A person who reluctantly submits to a policy that requires attendance in a program of ideological indoctrination may eventually come to affirm some of the things that he or she has been taught to believe. However, if that person assimilates a belief based on propaganda, there is no reason to think that he or she could not make insincere assertions about that belief. Assertion itself would not become a sufficient condition for ascribing belief to that person. Consider an example in which a person has been indoctrinated to believe that $2 + 2 = 5$. There is no reason to think that he or she could not make insincere assertions like $2 + 2 = 4$ to hide the fact that he or she actually believes otherwise. It might be objected that a person who is brainwashed could be given further instructions never to make insincere assertions or always to profess a certain belief when queried about it. Perhaps this is the extreme case that Mendus has in mind. But the weaker examples demonstrate that even highly manipulative forms of coercion could produce "authentic" beliefs, if by *authentic* we simply mean the possibility of having deliberate reticence and insincere assertion. If our notion of authenticity is limited to the conception of "full-blown" belief described by Williams, then we will have to admit as authentic a wide range of beliefs that have been formed under manipulative conditions.

Perhaps we should think of the requirement for "full-blown" belief as a merely necessary but not sufficient condition for authenticity. A stronger conception of authenticity would include additional criteria that would have to be satisfied before we would call a belief authentic. Waldron offers two replies to this way of reformulating the argument. First, he argues that authenticity cannot turn on the function of belief. Beliefs that are brought about by deliberate manipulation or physical compulsion do not necessarily differ phenomenologically from beliefs that are arrived at through free inquiry. A person who is brainwashed may appear to exhibit exactly the same attributes as other believers and may have the same feelings as those who have arrived at their beliefs under less manipulative circumstances. The second argument is that a stronger notion of authenticity would rule out too

many of our beliefs as inauthentic. Waldron worries that if we make the standard of authenticity too demanding, we will not be able to say that any beliefs conditioned by "upbringing, influence, accident, or constraint" are held in the right way. If beliefs that are the result of normal processes of socialization do not count as genuine, then persecutors can avail themselves of the argument that "their intention is not to inculcate 'genuine' belief (since that is impossible for most people anyway), but simply to generate in would-be heretics beliefs which are the same in content and status as those of the ordinary members of orthodox congregations."⁴⁷

It has been suggested in partial response to these considerations that Locke directed his arguments for toleration against the persecution of people who had already developed mature and deeply held religious beliefs.⁴⁸ For such people, forced conversion would involve a total transformation of the self, a violent displacement of personal identity in favor of radically different beliefs. The task of completely eradicating all of a person's religious beliefs and installing another set of firmly held convictions is an enormously ambitious project. Still, the practical obstacles that stand in the way of such a project do not provide a reason for thinking that it is inherently irrational. A persecutor might want to consider empirical obstacles before pursuing a plan of forced conversion, but why should the number or extent of the beliefs that are manipulated alter his or her view about whether it is fundamentally irrational to compel belief in the first place? If programming someone with a single belief is rational (and I'm not saying that it is), why should it be irrational to program someone with an entirely new set of beliefs?

Waldron's objections pose a serious problem for those who would use a stronger notion of authenticity to argue against the manipulation of beliefs. There does seem to be something intuitively objectionable about cases of brainwashing that suggests a distinction between having a belief and having it for the right reasons. But it is difficult to show the point at which the manipulation of belief renders it inauthentic. Perhaps some such point exists, even if, as Mendus concedes, we do not know "[h]ow exactly that distinction is to be analyzed."⁴⁹

3. *THE RELIGIOUS ARGUMENT FROM BELIEF*

At this point, I want to relax the constraint imposed by the sectarian objection and consider the argument from belief as Locke himself formulated it. The pressure to abstract from the religious basis of the argument has led to distortions that make it difficult to understand why Locke defended a position that seems open to a number of fairly straightforward objections. In this

section, I shall argue that if we set aside, at least temporarily, the liberal search for a sufficiently general justification of toleration, we will be in a better position to see the force and integrity of Locke's argument.

The argument from belief predates the *Letter concerning Toleration* by some twenty-five years. It appears for the first time in the following passage drawn from the "English Tract," which is the earliest of Locke's political writings:

From the end and intention of penalties and force especially in matters of religion, which are designed to work obedience, outward violence being never to be applied but when there is hope it may bend the dissenter to a submission and compliance. But the understanding and assent (whereof God hath reserved the disposure to himself, and not so much as entrusted man with a liberty at pleasure to believe or reject) being not to be wrought upon by force, a magistrate would in vain assault that part of man which owes no homage to his authority.⁵⁰

The claim that "a magistrate would in vain assault that part of man which owes no homage to his authority" entails what might be called *religious involuntarism*, or the view that religious beliefs are not subject to an agent's will. Not only does "that part of man," which refers in the text to a person's "understanding and assent," owe nothing to the authority of the magistrate, but it also owes nothing to the person to whom it belongs. It is "above the power of the subject" to choose his or her religious beliefs. Locke argues that using coercion to compel religious belief is like punishing a child for not overcoming a physical disability. "Would be tyranny in a father," he writes, "to whip a child, because his apprehensions were less quick, or his sight not so clear, or the lineaments of his face perhaps not so like his own as the rest of his brethren, who yet with equity enough might chastise the disobedience of his actions, and take this way to reclaim his wilful disorders."⁵¹ Where a child might choose to change some part of his or her behavior, it seems at least potentially rational for a parent to threaten physical punishment. But to punish a child for the possession of an involuntary physical attribute would be an obvious exercise in futility, and a cruel one at that.

Although this analogy shows the force of the argument from belief, Locke still needs to justify the claim that religious beliefs are similar to those aspects of our physical appearance that are beyond our control. Locke has not yet provided a defense for the premise of religious involuntarism, which leaves a significant point of weakness in his argument. For if a person could choose to have different religious beliefs, or could choose to act in a way that leads to different beliefs, then there would be room to argue for penalties that would increase the costs of not doing so. Locke closes this gap in the argument by combining a conceptual truth about the passive nature of the understanding

with a theological claim about the source of religious conviction.⁵² I have already noted the limitations of the claim that the understanding arrives at beliefs on the basis of information presented to it and not by the operation of the will. But in the *First Tract*, Locke also argues that religious belief is not subject to the authority of the magistrate because God “hath a nearer communion with men retaining a more immediate dominion over their minds, which are brought to an assent to such truths proportionably as God either by the wise contrivance of his providence, or a more immediate operation of his spirit shall please to dispose or enlighten them.”⁵³ The argument here seems to be that because “faith is a gift from God,” which is a claim that would have been accepted by most seventeenth-century Protestants, the means of salvation are beyond the control of *any* human agent and, consequently, fall outside the jurisdiction of the magistrate.

A Letter concerning Toleration contains no theological discussion of this connection between divine grace and the futility of persecution. But there is a closely related argument in the *Second Letter for Toleration* and *Third Letter for Toleration*, in which Locke responds to Proast’s claim that the coercive powers of the state are both useful and necessary—useful because they could be applied in order to force people who are careless or negligent to reflect on their beliefs, and necessary because all other human means have presumably failed to bring about such reflection.⁵⁴ Locke denies the efficacy and necessity of coercion by arguing that divine grace only accompanies those means of delivering salvation that are called for by scriptural revelation. His argument contains two parts: the first is that the New Testament never prescribes the use of coercive power by the civil magistrate (or any other person) for the purpose of proselytizing to nonbelievers;⁵⁵ the second is that “all the means and methods of salvation are contained in the scripture.”⁵⁶ Christians may be required to preach the gospel, but, since political coercion is distinctly absent from God’s explicit commands, it cannot be thought of as a necessary means for bringing about religious conversion. This does not preclude the possibility that God will accompany the use of force with cooperative grace, since God is capable of anything. Locke admits that grace may cooperate with coercive sanctions, but he adds that this will be only “by accident,” as it were, not by the intention of those who wield power.⁵⁷ Persecution, in itself, has no merit because it has not been specified as an appropriate means of salvation. Locke argues in the *Third Letter* that “[p]reaching, and instruction, and exhortation, are human means that [God] has appointed: these, therefore, men may and ought to use: they have a commission from God, and may expect his blessing and the assistance of his grace.”⁵⁸ But the same cannot be said of physical punishments because these find no basis in Scripture, and this fact “excludes all the human means of force from being necessary, or so

much as lawful to be used; unless God hath required it by some more authentic declaration."⁵⁹

It may seem that we are now a long way off from Locke's initial claim about the inability of physical punishments to work on the understanding and thereby alter belief. But it is important to keep in mind that Locke did not anticipate Proast's "new hypothesis, before it was known in the world."⁶⁰ The arguments of the *Letter* were directed against familiar forms of persecution, not at attempts to force dissenters merely to "consider" their beliefs. Locke had to revise his position to meet this new challenge, and he did so partly by resuscitating claims about the operation of divine grace. The argument presented in the later letters is an attempt to widen the scope of the claim about the irrationality of persecution so that it covers cases of indirect compulsion. This extension rests on the idea that "faith is a gift from God" and that preaching is the only human means that can be expected to transmit that faith. Of course, God may choose to bestow grace upon other ways of arriving at belief, but it would be presumptuous for any human authority to claim knowledge about the workings of cooperative grace, except for what can be learned from Scripture. And this, Locke argues, provides no support for the use of coercion.

The argument for toleration described in this section can be thought of as a religious variant of the authenticity argument. More general and philosophical claims about authenticity are hard to substantiate because they must specify what exactly it means to hold a belief in the right way. As we have already seen, this raises difficult questions about how much and what kinds of manipulation make belief inauthentic. Locke circumvents the need to specify criteria of authenticity because he appeals to scriptural revelation as an explanation of the means by which individuals are supposed to arrive at genuine belief. This makes it possible for him to provide a coherent, if theologically controversial, response to meet the Proastian objection to the argument from belief.

4. THE RELEVANCE OF RELIGIOUS ARGUMENTS

Liberals today are not likely to be impressed by this reply to Proast's claim that coercion can produce genuine belief. They may be willing to grant the internal coherence of the argument. They might even agree that, if the religious premises were true, the argument would succeed in establishing a limited defense of religious toleration. But the position is nevertheless vulnerable to the *sectarian objection*, which states that any theory based on a particular comprehensive doctrine is insufficiently general to justify tolera-

tion in a liberal democratic society. As I mentioned at the outset of this article, the sectarian objection has two parts. First, it is necessary to demonstrate that a theory is sectarian. Sometimes people accuse a theory of being sectarian in order to debunk its pretensions toward neutrality or universality. But to identify a theory as sectarian in this context is simply to say that it is controversial and not generally agreed upon. Proponents of a sectarian theory need not be distressed by the fact that their theory has been labeled sectarian. The charge will only be disturbing to those who claim that their theory is not limited or incomplete in the ways that others have suggested. In the last section, I showed that Locke's argument from belief rests on certain theological claims based on his interpretation of Christianity. His defense of toleration is sectarian in the sense that reasonable people will inevitably disagree with the religious beliefs that motivate his argument.

The second part of the sectarian objection tells us that, once we have identified a theory as sectarian, we must set it aside as insufficient for the purpose of justifying toleration in a liberal democratic society. Liberals tend to discount sectarian theories because they are committed to finding principles that can be shared by all reasonable people. In the remainder of this section, I argue for a more balanced approach to sectarian justifications, one that takes into account the costs and benefits of arguments for toleration that appeal only to those who hold particular comprehensive doctrines.

It is worth asking what is lost when we admit that all of Locke's principled arguments for toleration rest on theological assumptions. The most important cost seems to be that his theory can no longer provide a publicly acceptable justification for state neutrality. Locke's interpretation of Protestant theology does not give all reasonable people grounds for complying with the demands of liberal institutions. Those who disagree with his views about individual authority, equal fallibility, cooperative grace, and the teachings of the Gospels must have other ethical or religious grounds for supporting institutions that protect their basic rights and liberties.

We have already seen that another deficiency of Locke's theory is that it does not provide an argument against persecution for nonreligious reasons. Recall the objection (from section 2) that the argument from belief is inadequate because it does not give a reason for prohibiting persecution motivated by aims other than bringing about genuine religious belief. For example, if it could be shown that a religious practice has harmful effects on the preservation of law and order, or on the political stability of a nation, there would be no argument against suppressing that practice. Similarly, if widespread religious belief generates support for moral or political attitudes like tolerance, a sense of justice, or moderate patriotism, then the state would have a reason to inculcate religious belief in its citizens. Even if state-sponsored religion

does not guarantee salvation, it might have other desirable political consequences.⁶¹ Locke never argues that the state must refrain from taking actions that affect the religious practices of its citizens. He merely urges the magistrate "always to be very careful that he do not misuse his Authority, to the oppression of any Church, under the pretence of publick Good."⁶² State officials might be required to meet a high level of scrutiny to ensure that they do not act in the name of the public interest as a pretext for religious domination, but there is nothing obviously irrational about a state that treats religious practices as instrumental to achieving a set of political ends.

In fact, Locke defends two examples of religious intolerance on such grounds. He argues against tolerating Catholics and atheists because they are both considered threats to the stability of civil society, albeit for different reasons. Catholics are not to be tolerated because their first allegiance is not to the state but to the Pope, "who hath the keys of their consciences tied to his girdle, and can, upon occasion, dispense with their oaths, promises, and the obligations they have to their prince . . . and arm them to the disturbance of the government."⁶³ Locke describes the penalties applied to Catholics as "just punishments due to them as enemies of the state, rather than persecutions of conscientious men for [their] religion." A policy of intolerance cannot be expected to alter their beliefs, but it can work in other ways to "lessen their numbers."⁶⁴ The same is true for atheists. Locke claims that, because they do not believe in God, atheists have no reason aside from their self-interest to participate in the most basic of moral conventions: "Promises, Covenants, and Oaths, which are the Bonds of Humane Society, can have no hold upon an Atheist. The taking away of God, tho but even in thought, dissolves all."⁶⁵ For Locke, belief in God is the foundation of morality; without it, no one can be trusted to fulfill his or her part of the social contract. It is important to see that Locke does not argue that atheism is false, although he certainly believed that to be the case.⁶⁶ His argument is only that atheism has destructive social and political consequences. A doctrine's truth or falsity does not give the state reason to promote or suppress it, but the state is entitled to take an interest in the practical effects that a doctrine may have on society.

Locke's theory appears to be incomplete, inadequate, and therefore irrelevant to contemporary politics. It is incomplete (or sectarian) to the extent that it only provides a sound argument for those who accept Locke's religious premises. But even those who believe religious doctrines that are relevantly similar to Locke's, and who accept Locke's religious arguments on that basis, will not have been provided with an adequate theory of liberal toleration. Presumably, a liberal theory should provide an argument for why the state should not be allowed to compel citizens to worship, even if doing so would lead to beneficial social outcomes. Those who accept Locke's position will

need to supplement his arguments for toleration in order to justify more substantial protections for the freedoms of thought and expression.

It would be tempting at this point to give up on Locke, to admit that his theory is too anemic for our purposes, too bound up with the structure of Christian belief to be of any use today. Perhaps it is time to concede that his arguments can no longer add anything to our modern understanding of liberal toleration. However, before we conclude that Locke's theory is dead, let me suggest three reasons for thinking that his defense of toleration might still contribute to the support of liberal institutions.

First, his account may help some religious people to see how their convictions can coexist alongside other arguments for widely accepted liberal freedoms. Locke can be thought of as offering an immanent critique of Christianity that gives reasons for restraint to those who might otherwise be willing to use coercive means to compel others to believe as they do. Christians who disagree with Locke will have to answer his scriptural and theological claims. They will have to show that he has either misinterpreted scripture or ignored fundamental tenets of Christianity. Of course, nothing that I have said rules out this possibility, but the burden will be on those who advocate the use of force to show how their actions are consistent with their religious beliefs.

Second, those who accept Locke's arguments may recognize the inadequacy of his theory and endorse additional justifications for toleration that place heavier restrictions on state action. For example, someone who believes that we should follow the noncoercive example set by Jesus and his apostles might also hold the belief that citizens have a highest-order interest in the moral capacity to form, revise, and pursue their own conception of the good.⁶⁷ Or, to alter this example slightly, one might agree on the basis of religious reasons that the state should never persecute others for the sake of converting them to the true religion and also hold that, by virtue of being a citizen in a liberal democratic society, one has a "duty of civility" to justify the use of coercive power to all reasonable people.⁶⁸

Naturally, different justifications will lead to weaker and stronger interpretations of what is required by a principle of toleration. But those who accept a weak principle of toleration on religious grounds might go on to accept a stronger principle on the basis of reasons that are different from but nevertheless compatible with the reasons that support the weaker principle. As long as religious justifications for toleration, such as the religious argument from belief, do not conflict with stronger, supplemental justifications, such as an argument based on the value of political autonomy, the overdetermination of arguments for toleration may support an account that is adequate according to liberal standards. Furthermore, in some cases, reasons for weaker principles may clear the way or even provide support for the con-

sideration of stronger ones. For example, those who think that the state should punish heretics for their sins are not likely to see the force of arguments based on claims about autonomy. By contrast, those who agree with Locke that "[t]ruth certainly would do well enough, if she were once left to shift for her self,"⁶⁹ are almost certainly in a better position to appreciate justifications based on claims about the importance of having the opportunity to revise and pursue one's conception of the good.

Third, Locke's theory is relevant to contemporary politics because it contributes, however modestly, to an overlapping consensus on a principle of toleration in liberal democratic societies. As Rawls describes the idea, an overlapping consensus exists when reasonable people agree to order society according to a political conception of justice, even though they may disagree about the comprehensive moral, philosophical, or religious reasons that justify that political conception.⁷⁰ A piecemeal convergence of religious justifications for toleration may be an important step in the process of generating a more complete consensus on principles that justify liberal political institutions. Reasonable people may have different moral reasons for agreeing on the need to respect the basic liberties of their fellow citizens. In particular, those who accept Locke's theory of toleration may not have the same reasons for supporting the freedom of religion as those who espouse other comprehensive doctrines. But neither are they parties to a mere *modus vivendi*. Their recognition of the value of liberal freedoms is not based on an unstable political coalition or a temporary balance of power. Their commitment to a reasonable political conception is founded, at least in part, on a political theology that provides them with principled reasons for religious toleration. As I have already suggested, these reasons may need to be supplemented by stronger arguments for toleration. Yet, insofar as religious reasons are necessary to justify toleration to the religiously devout, sectarian arguments may have a significant role to play in bringing about consensus on liberal political principles.

The arguments given here for the relevance of Locke's religious reasons apply equally to other religious justifications for liberal principles. Consider briefly two additional examples. First, in recent years, many Islamic scholars have argued that Islam can be interpreted consistently with liberal commitments to religious toleration, gender equality, and respect for human rights.⁷¹ In his work on Islamic reformation, Abdullahi Ahmed An-Na'im calls for the progressive revision of shari'a based on his reading of the Qur'an and other Islamic sources.⁷² As Rawls observed in his final statement of the idea of public reason, An-Na'im provides a "perfect example of overlapping consensus" because he shows how Muslims may reconcile their religious faith with principled support for liberal constitutionalism.⁷³ Similarly, drawing on the views

of Tu Wei-Ming, as well as on traditional Confucian texts, Joshua Cohen has argued that Confucianism is consistent with a "minimalist justification" for a conception of global justice based on the recognition of human rights.⁷⁴ Cohen does not argue that Confucian sources contain liberal ideas about human rights. His more modest aim is to show that the main elements of Confucianism are not hostile toward, and are indeed compatible with, an independently presented conception of human rights that may be shared by those who hold diverse philosophical or religious views.

Much more could be said about these and other examples. What is important here, however, is the recognition that liberals have good reason to engage with comprehensive views that they may not share for the purpose of demonstrating the realistic possibility of developing an overlapping consensus on liberal principles. Rawls called this type of engagement "reasoning from conjecture."⁷⁵ As he put it, "[W]e reason from what we believe, or conjecture, may be other people's basic doctrines, religious or philosophical, and seek to show them that, despite what they might think, they can still endorse a reasonable political conception of justice."⁷⁶ This form of reasoning will often be based on, and complemented by, immanent interpretations of comprehensive views offered by those who adhere to them. Although I have argued elsewhere that reasoning from conjecture may proceed independently of such immanent or internal elaborations of particular comprehensive views,⁷⁷ ideas developed internally are likely to be perceived as more authoritative or legitimate than conjectures presented by outsiders who, despite their knowledge and good faith understanding, may be seen as interfering with the development of views that they do not share.⁷⁸ This may not always be the case, and, even when it is, reasoning from conjecture may be appropriate. For example, when internal criticism has been suppressed within a particular community or tradition, outsiders may have a legitimate role to play in voicing such criticism. Even under these circumstances, however, it remains important that those who reason from conjecture make clear the nature and purpose of their arguments. As Rawls emphasized, "We must openly explain our intentions and state that we do not assert the premises from which we argue, but that we proceed as we do to clear up what we take to be a misunderstanding on others' part, and perhaps equally on ours."⁷⁹ In this way, people with different comprehensive views can reason together toward a commitment to the values of toleration embodied in an idea of public reason.

At this point, one might object that some religious or philosophical views are not amenable to internal criticism or conjecture. They simply cannot be made consistent with fundamental liberal principles. How should liberals respond to such views? Although this is a large question that cannot be fully addressed here,⁸⁰ it may help to draw a distinction between comprehensive

views that are completely or fundamentally unreasonable and views that contain unreasonable elements. Examples of the former include Nazism and other ideologies that define their politics solely in terms of racial, ethnic, or religious supremacy. The central beliefs and values of these doctrines may be so warped or morally corrupted that they are irredeemable from a liberal point of view. By contrast, some doctrines may contain elements that conflict with liberal values. As a whole, these doctrines may be worthy of respect, even if they fail to recognize certain limitations imposed by reasonable conceptions of justice. Again, some religious views may fall into this category. Although they are *prima facie* unreasonable, at least on some moral and political issues, further argument may reveal that such views are indeed compatible with liberal principles. Of course, internal elaborations of some comprehensive views may ultimately fail to justify liberal values. But that conclusion should not be reached dogmatically. The only way to determine the validity of our conjectures is to engage particular views with the reasonable hope of showing that they can sustain a commitment to toleration and other liberal principles.

This approach to engaging with comprehensive views, including Locke's Christianity, is thoroughly Rawlsian in its inspiration. Those who are skeptical about the idea of an overlapping consensus may therefore dismiss the argument presented here for the continued relevance of Locke's religious defense of toleration. As I noted earlier, Jeremy Waldron has recently expressed some such skepticism.⁸¹ On his view, Locke's political thought remains alive today because it poses the difficult question of whether liberalism can survive apart from its historical religious foundations.⁸² But even if Waldron is right, and I doubt that he is, that "it may be impossible to articulate certain egalitarian commitments without appealing to what one takes to be their religious grounds,"⁸³ another pressing question remains: how can shared political institutions be justified to those with diverse religious and philosophical views? This, of course, is the question that motivates political liberalism. Waldron may now be doubtful about the prospects of liberalism without religious foundations. As he says, "Locke, I suspect, would have thought we were taking a risk."⁸⁴ That is almost certainly true, as a report of what Locke would have thought. And there may be contemporary Lockeans—perhaps Waldron is one—who would agree. But, as political liberals have repeatedly emphasized, it is a risk that modern democratic societies have no real choice in taking. The fact of reasonable pluralism means that it is no longer legitimate to found political institutions on any particular religion. The remaining question is whether those with diverse religious and philosophical perspectives have sufficient resources within their own views to reach some form of consensus on principles of toleration and equal

respect. If Locke's arguments for toleration do not contribute to the project of reaching that consensus, then, I submit, they have lost their relevance for modern liberals. I have argued that this conclusion is not warranted because Locke's religious arguments may help some religious believers to see how their views are consistent with liberal toleration. These arguments, and their analogues in other religious traditions, may speak to those who agree with Waldron that political philosophy may not be possible without theology. They can do so, however, without determining the issue for those who hold different and possibly conflicting views about the foundations of liberal politics. Hence the appeal of interpreting Locke's arguments from the perspective of political liberalism: one remains tolerant of the fact that others may have diverse justifications for their commitments to toleration.

5. CONCLUSION

Some liberals may be inclined to agree with the view that "it would be an untidy and unsatisfactory state of affairs if we had to construct a fresh line of argument for toleration to match each different orthodoxy that was under consideration."⁸⁵ But absent a general philosophical argument for liberal toleration—indeed, one that would provide all reasonable people with a full justification for giving priority to the values of public reason—it is a mistake to ignore the argumentative resources available within various comprehensive views. Moreover, this is a mistake that liberals continue to make when they try to "rescue" Locke's defense of toleration by abstracting his arguments from their theological context. In attempting to salvage an argument that is "philosophically interesting" from what they see as the Christian wreckage of his theory, liberals overlook the potential contribution of religious arguments to an overlapping consensus on a principle of toleration. A more sophisticated assessment of what is living and dead in Locke's political thought would not focus solely on the project of substituting secular foundations for religious ones. Nor would it dwell exclusively on the opposite concern that liberalism must be theologically grounded. Another way to approach Locke's work is by recognizing the importance of diverse religious justifications in establishing widespread and principled support for liberal political institutions.

There is a place for religious arguments in thinking about contemporary liberal politics. If religious believers are to reconcile themselves with the existence of secular political institutions, they must be able to justify toleration from within their religious perspectives. The conjecture I have tried to put forward here is that Locke's religious arguments can serve as an example

of how liberals might reason from within religious perspectives toward a publicly justifiable set of liberal institutions. Other examples might have served this purpose. But given Locke's preeminent place within the tradition of liberal political thought, it makes sense to begin with his arguments for toleration.

NOTES

1. See Jeremy Waldron, "Locke, Toleration, and the Rationality of Persecution," in *John Locke: A Letter Concerning Toleration in Focus*, ed. John Horton and Susan Mendus (London: Routledge, 1991), 98-124; Susan Mendus, "Locke: Toleration, Morality, and Rationality," in Horton and Mendus, *John Locke*, 147-62; William Galston, *Liberal Virtues* (New York: Cambridge University Press, 1991), 259-63; David Richards, *Toleration and the Constitution* (Oxford: Oxford University Press, 1986), 88-98; Richard Vernon, *The Career of Toleration: John Locke, Jonas Proast, and After* (Montréal: McGill-Queen's University Press, 1997); David McCabe, "John Locke and the Argument against Strict Separation," *Review of Politics* 59 (1997): 233-58; Alex Tuckness, "Legislation and Non-Neutral Principles: A Lockean Approach," *Journal of Political Philosophy* 8 (2000): 363-78; and Paul Bou-Habib, "Locke, Sincerity, and the Rationality of Persecution," *Political Studies* 51 (2003): 611-26. For two rare exceptions, see Joshua Mitchell, "John Locke and the Theological Foundation of Liberal Toleration: A Christian Dialectic of History," *Review of Politics* 52 (1990): 64-83; and George Windstrup, "Freedom and Authority: The Ancient Faith of Locke's Letter on Toleration," *Review of Politics* 44 (1982): 242-65.

2. The classic study here is John Dunn's *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969). For more recent historical accounts, see John Marshall, *Resistance, Religion and Responsibility* (Cambridge: Cambridge University Press, 1994); John Harris, *The Mind of John Locke* (Cambridge: Cambridge University Press, 1994); and W. M. Spellman, *John Locke* (London: MacMillan, 1997). The development of Locke's views about toleration is the subject of an extensive literature. For a number of different approaches, see Robert P. Kraynak, "John Locke: From Absolutism to Toleration," *American Political Science Review* 74 (1980): 53-69; Kirstie M. McClure, "Difference, Diversity, and the Limits of Toleration," *Political Theory* 18 (1990): 361-91; and Ingrid Creppell, "Locke on Toleration: The Transformation of Constraint," *Political Theory* 24 (1996): 200-40.

3. See John Dunn, "What Is Living and What Is Dead in John Locke?" in *Interpreting Political Responsibility* (Oxford: Polity Press, 1990), 12; and Vernon, *The Career of Toleration*, 143-47.

4. See Richard Rorty, "Religion as Conversation-stopper," in *Philosophy and Social Hope* (New York: Penguin, 1999), 168-74.

5. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Belknap, 1971), 216; also in John Rawls, *A Theory of Justice*, rev. ed. (Oxford: Oxford University Press, 1999), 190.

6. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996), 172.

7. Locke's primary writings on toleration are cited as follows: Locke, *First Tract on Government* and *Second Tract on Government* (1662), and "An Essay on Toleration" (1667), in Locke, *Political Essays*, ed. Mark Goldie (Cambridge: Cambridge University Press, 1997); Locke, *A Letter concerning Toleration*, ed. James H. Tully (Indianapolis, Ind.: Hackett, 1983); and Locke, *Second Letter concerning Toleration*, *Third Letter concerning Toleration*, and *Fourth Letter concerning Toleration*, in *The Works of John Locke*, 12th ed., vol. 5 (London, 1824). Other works by Locke are cited as they appear in the text below.

8. See Vernon, *The Career of Toleration*, ch. 1.

9. Here, I follow Mendus, "Locke: Toleration, Morality, and Rationality," 148.

10. See Waldron, "Locke, Toleration, and the Rationality of Persecution," 99. The passage quoted above was originally published in 1988. Since then, Waldron has significantly revised his views about the religious foundations of Locke's political philosophy. See Jeremy Waldron, *God, Locke, and Equality: Christian Foundations in Locke's Political Thought* (Cambridge: Cambridge University Press, 2002), esp. 209-10. Waldron's most recent work might be read as rejecting the sectarian objection, according to which theological arguments for toleration lack philosophical interest. He now seems to believe that it may be necessary to ground principles of toleration in a religious conception of basic human equality. This religious turn in Waldron's approach to Locke is discussed further in section 4. But here it is worth noting that even if Waldron now rejects the sectarian objection, others continue to find it persuasive. The objection is deeply rooted in contemporary liberal thought, which is uncomfortable with the idea that political institutions must rest on religious foundations. Waldron may no longer fully identify with his earlier expression of that discomfort, but there are most certainly liberals who do. Indeed, attempts to locate a nonsectarian principle of toleration in Locke's writings continue unabated. For a recent example, and one which notes the strong influence of Waldron's earlier views on the secondary literature, see Bou-Habib, "Locke, Sincerity, and the Rationality of Persecution," 611-12.

11. For an argument along these lines, see Stanley Fish, "Mission Impossible," in *The Trouble with Principle* (Cambridge, Mass.: Harvard University Press, 1999), 176-78. For a response to Fish, see J. Donald Moon, "Reasonableness and Exclusion" (paper delivered at the 2000 annual meeting of the American Political Science Association, Atlanta, 12-14 September).

12. Waldron, *Locke, God, and Equality*, 242-43.

13. For the distinction between the practice and the value of toleration, and for some doubts about the idea that a value of toleration is a necessary condition of its practice, see Bernard Williams, "Tolerating the Intolerable," in *The Politics of Toleration*, ed. Susan Mendus (Edinburgh: Edinburgh University Press, 1999), 67-68, 72-75. Christopher Hill arrives at a similar conclusion in his contribution to the same volume. He writes, "Toleration comes only when men become indifferent to the issues involved. If those issues were serious, then the virtue of toleration is the result of the vice of indifference." See Christopher Hill, "Toleration in Seventeenth-Century England: Theory and Practice," in *ibid.*, 37.

14. See, for example, Dunn, "What Is Living and What Is Dead in John Locke?" 12n3.

15. Waldron, *God, Locke and Equality*, 210.

16. This is obviously only the barest sketch of the argument. For the relevant passages in Locke, see *Two Treatise of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), II §§ 13, 90, 124-27.

17. Locke, *Letter concerning Toleration*, 26.

18. As David McCabe has written, "The crux of this argument is the idea that the purpose of forming a commonwealth is utterly distinct from the purpose of forming a religious sect, and thus the kinds of authority possessed by a state and a church differ utterly as well, relative to the purposes for which each was created." McCabe, "John Locke and the Argument against Strict Separation," 238.

19. Locke, *Letter concerning Toleration*, 31.

20. See Waldron, "Locke, Toleration and Rationality," 100-3. McCabe is aware of this criticism, but apparently does not see its force. He thinks the contractualist argument is general enough to support a general theory of toleration, since it specifies the ends of government without drawing on controversial religious grounds. See McCabe, "John Locke and the Argument against Strict Separation," 237n6. But as with all forms of contractualism, the argument is open to

the objection that the precontractual conditions are "rigged" to block unwanted (religious) outcomes. That is the gist of Proast's objection, which I consider in the text above.

21. For more on the series of increasingly lengthy and acrimonious exchanges between Locke and Proast, see Mark Goldie, "John Locke, Jonas Proast and Religious Toleration 1688-1692," in John Walsh, ed., *The Church of England c.1689 - c.1833: From Toleration to Tractarianism* (Cambridge: Cambridge University Press, 1993), 143-71; also Peter Nicholson, "John Locke's Later Letters on Toleration," in Horton and Mendus, *John Locke*, 163-87.

22. Jonas Proast, *The Argument of the Letter concerning Toleration, Briefly Consider'd and Answer'd* (Oxford, 1690), 18.

23. Locke, *Second Letter*, 121.

24. Although this is not an exhaustive list of Locke's arguments for toleration, I take these to be his main principled and theological points. For a survey of the many arguments found in the *Letter*, see J. D. Mabott, *John Locke* (London: MacMillan, 1973), 171-82.

25. Locke, *Letter concerning Toleration*, 25. In the first paragraph of the *Letter*, Locke writes, "If the Gospel and the Apostles may be credited, no Man can be a Christian without *Charity*, and without that *Faith which works*, not by Force, but by *Love*" (p. 23).

26. *Ibid.*, 30.

27. Locke, "Toleration C" (1678), in Locke, *Political Essays*, 269; and Locke, *Letter concerning Toleration*, 45.

28. Locke, *Letter concerning Toleration*, 26. The point is repeated at 27, 35, 47, 48.

29. For discussion, see Nicholas Wolterstorff, *John Locke and the Ethics of Belief* (Cambridge: Cambridge University Press, 1996), 63-66.

30. Locke, *Letter concerning Toleration*, 47. This point is expressed more fully in an unpublished essay that Locke wrote in the late 1690s. There he argues that the person who examines, and upon a fair examination embraces an error for a truth, has done his duty, more than he who embraces the profession (for the truths themselves he does not embrace) of the truth without having examined whether it be true or no. And he that has done his duty, according to the best of his ability, is certainly more in the way to heaven than he who has done nothing of it. For if it be our duty to search after truth, he certainly that has searched for it, though he has not found it in some points, has paid a more acceptable obedience to the will of his maker, than he that has not searched at all, but professes to have found the truth, when he has neither searched nor found it. (Locke, "Error" [1698], in Locke, *Political Essays*, 345ff)

31. Locke, "An Essay on Toleration," 138; cf. Locke, *Letter concerning Toleration*, 37: "The one only narrow way which leads to heaven is not better known to the Magistrate than to private Persons, and therefore I cannot safely take him for my Guide, who may probably be as ignorant of the way as my self, and who certainly is less concerned for my Salvation than I my self am." See also Locke, "Infallibility," in Locke, *Political Essays*, 204-8. John C. Higgins Biddle discusses this argument at greater length in his "Introduction" to Locke's *The Reasonableness of Christianity* (Oxford: Clarendon, 1999), cviiiiff. For the important difference between fallibilism and skepticism, see J. W. Gough, "Introduction," in Locke, *Epistola de Tolerantia: A Letter on Toleration*, ed. Raymond Kilbanksy and trans. J. W. Gough (Oxford: Clarendon, 1968), 28; also, Waldron, "Locke, Toleration and Rationality," 105ff.

32. Locke, *Letter concerning Toleration*, 27, 38.

33. Vernon, *The Career of Toleration*, 5, 30-34. Although Vernon argues against Proast's (and Waldron's) view that the argument from belief is Locke's central claim, I believe he overlooks important textual evidence to the contrary. Locke's *Letter concerning Toleration* relies heavily on the argument that faith cannot be forced. In fact, Locke refers to it as the "principal consideration" that "absolutely determines the matter" (p. 38). Locke modifies this position in his later

letters, but he never abandons the argument from belief. Rather, he revises its structure and scope to meet Proast's criticisms. I argue this point in section 3.

34. Locke, *Letter concerning Toleration*, 47.

35. *Ibid.*

36. Again, see Mendus, "Toleration, Morality, and Rationality," 148.

37. Locke, *Letter concerning Toleration*, 27.

38. Waldron, "Locke, Toleration, and Rationality," 120.

39. See Mendus, "Toleration, Morality, and Rationality," 156.

40. Proast, *The Argument of the Letter concerning Toleration*, 5 (italics in original).

41. See Waldron, "Locke, Toleration, and Rationality," 115ff.

42. John Locke, *An Essay concerning Human Understanding*, ed. Peter H. Nidditch (Oxford: Clarendon Press, 1975), book IV, ch. 13, 650 (italics in original).

43. Waldron, "Locke, Toleration, and Rationality," 118.

44. Mendus, "Toleration, Morality, and Rationality," 154. For another attempt to develop this line of argument, see Bou-Habib, "Locke, Sincerity, and the Rationality of Persecution," 611-26.

45. Williams, "Deciding to Believe," 140. Williams describes four additional aspects of belief, which are (1) that it aims at truth, (2) that its most basic form is assertion, (3) that beliefs can be but are not necessarily based on evidence, and (4) that belief is an explanatory notion.

46. Mendus, "Toleration, Morality, and Rationality," 152.

47. Waldron, "Locke, Toleration, and Rationality," 118.

48. Mendus, "Toleration, Morality, and Rationality," 155.

49. *Ibid.*, 153.

50. Locke, *First Tract* (1660), 13. The "English" tract is the first of the *Two Tracts on Government*, which were published for the first time in 1967, after having been lost for nearly 300 years. The essays were discovered in 1947 when the Lovelace Collection was turned over to the Bodleian Library. For an excellent discussion of the *Two Tracts*, see Philip Abrams, "Introduction," in John Locke, *Two Tracts on Government* (Cambridge: Cambridge University Press, 1967): 3-107.

51. *Ibid.*, 14.

52. See P. Kelly, "Authority, Conscience, and Religious Toleration," in Horton and Mendus, *John Locke*, 135ff.

53. Locke, *First Tract*, 14.

54. Arguments for the usefulness (or rationality) of coercion occupy Proast for most of his essay, but for an argument about the necessity of penalties, see Proast, *The Argument of the Letter concerning Toleration*, 10-12. Locke replies at length in chs. 9 and 10 of the *Third Letter*.

55. See argument (1) in section 2. This claim is repeated in the *Second Letter*, 82, 84-86; and at numerous points in the *Third*, 160, 213, 440, 493-98, 501, 507-10, 519-20, 522.

56. Locke, *Third Letter*, 519.

57. Locke, *Second Letter*, 68-69.

58. *Ibid.*, 508.

59. *Ibid.*, 509. Locke writes in the *Second Letter* that "God has not directed it [the use of force]: and therefore we have no reason to expect he should make it successful" (p. 78).

60. Locke, *Second Letter*, 123.

61. See McCabe, 252-56.

62. Locke, *Letter concerning Toleration*, 42.

63. Locke, "An Essay on Toleration," 152.

64. *Ibid.*; cf. Locke, *Letter concerning Toleration*, 50.

65. Locke, *Letter concerning Toleration*, 51.

66. Locke believed that it was possible to establish knowledge of God's existence through the use of reason alone. See his *Essay Concerning Human Understanding*, book IV, ch. 10.

67. See Rawls, *Political Liberalism*, 74.

68. On the "duty of civility," see John Rawls, "The Idea of Public Reason Revisited," in *Collected Papers*, ed. Samuel Freeman (Cambridge, Mass.: Harvard University Press, 1999), 576.

69. Locke, *Letter concerning Toleration*, 46.

70. See, Rawls, *Political Liberalism*, 147ff.

71. For an important collection of such work, see Charles Kurzman, ed., *Liberal Islam* (Oxford: Oxford University Press, 1998). See also Khaled Abou El Fadl, *The Place of Tolerance in Islam* (Boston: Beacon, 2002); and Abdulaziz Sachedina, *The Islamic Roots of Democratic Pluralism* (New York: Oxford University Press, 2001).

72. Abdullahi Ahmed An-Na'im, *Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law* (Syracuse, N.Y.: Syracuse University Press, 1990); and An-Na'im, "Islamic Foundations of Religious Human Rights," in *Religious Human Rights in Global Perspective: Religious Perspectives*, ed. John Witte Jr. and Johan D. van der Vyver (The Hague: Martinus Nijhoff, 1996), 337-59.

73. John Rawls, "The Idea of Public Reason Revisited," 591n46.

74. Joshua Cohen, "Minimalism about Human Rights: The Most We Can Hope For?" *Journal of Political Philosophy* 12, no. 2 (2004): 203-7. See also Joseph Chan, "A Confucian Perspective on Human Rights for Contemporary China," in *The East Asian Challenge for Human Rights*, ed. Joanne R. Bauer and Daniel A. Bell (Cambridge: Cambridge University Press, 1999), 212-37.

75. Rawls, "Idea of Public Reason Revisited," 591.

76. Ibid.

77. Micah Schwartzman, "The Priority of Public Reason," unpublished manuscript on file with author.

78. See Abdullahi An-Na'im, "The Rights of Women and International Law in the Muslim Context," *Whittier Law Review* (1987): 515; cf. Michael Walzer, *Interpretation and Social Criticism* (Cambridge, Mass.: Harvard University Press, 1987), 39.

79. Rawls, "Idea of Public Reason Revisited," 594.

80. For an excellent discussion of this issue, see Jonathan Quong, "The Rights of Unreasonable Citizens," *Journal of Political Philosophy* 12, no. 3 (2004): 314-35.

81. Waldron seems to equivocate on the question of whether political liberalism is possible. On one hand, he suggests that liberal principles cannot be defended except by appeal to religious grounds. See Waldron, *God, Locke and Equality*, 236-39. On the other hand, he writes, "I am not saying that Rawls's political liberalism fails and that eventually he has to reach down in the bowels of some more comprehensive conception in order to establish his notion of moral personality" (ibid., 240). It is difficult to see how these views can be reconciled.

82. Ibid., 241-43.

83. Ibid., 237.

84. Ibid., 243.

85. Waldron, "Locke, Toleration, and the Rationality of Persecution," 99.

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