

A Critical Examination of Toleration with Special Reference to John Locke

Dissertation submitted to Jawaharlal Nehru University
in partial fulfillment of the requirements
for the award of the degree of
Master of Philosophy


Roghieh Tamimi



**Centre for Philosophy
School of Social Sciences
Jawaharlal Nehru University
New Delhi-110067
India
2009**

DECLARATION

I, Roghieh Tamimi, do hereby declare that the dissertation entitled “**A Critical Examination of Toleration with Special Reference to John Locke**” submitted by me for the award of the degree of Master of Philosophy is an authentic work and has not been submitted for any other degree or diploma of this or any other Institution or University to the best of my knowledge.


Roghieh Tamimi

Centre for Philosophy
School of Social Sciences
Jawaharlal Nehru University
New Delhi – 110067



**Centre for Philosophy
School of Social Sciences
Jawaharlal Nehru University**


New Delhi – 110067

Dated: 08-07-09


CERTIFICATE

This is to certify that the dissertation entitled “A Critical Examination of Toleration with Special Reference to John Locke” by Roghieh Tamimi, in partial fulfillment of the requirements for the degree of Master of Philosophy, is her original work. It has not been submitted, in part or in full, for any other degree or diploma of this or any other university, to the best of our knowledge.

We recommend that the dissertation be placed before the Examiners for evaluation.


(Dr. Bhagat Oinam)
CHAIRPERSON

Chairperson
Centre for Philosophy
School of Social Sciences
Jawaharlal Nehru University
New Delhi-67


Prof. R. P. Singh
SUPERVISOR

Professor R. P. SINGH
Centre for Philosophy
School of Social Sciences
Jawaharlal Nehru University
New Delhi-110067

Acknowledgement

I give thanks to Allah that this research by grace of Him has been possible and performed. At first, I am grateful to my supervisor Professor R. P. Singh for his useful instructions and suggestions for guiding my dissertation and for his constant encouragement and moral support. I owe him for everything that I have learnt from him about philosophy and research method.

I am also grateful to my other teachers in centre for philosophy. I am thankful to Prof. Satya P. Gautam and Dr. Bhagat Oinam for enhancing my understanding of philosophy during the course work. I am also thankful to Dr. Manidipa Sen for being always a source of encouragement and motivation for me. I express my gratitude to Mr. Rajinder Singh, the non-teaching staff of our centre for his friendly support as well.

Apart from this, I want to thank my family especially my father and my brother, Mahmood, for constant encouragements and supports and briefly for every thing.

I would like to thank my Iranian friends in India, Tahmineh Shaverdi, Soheila Ghorbani, and Akram Ghadimi for providing the ground to continue my education in JNU and Forogh, Fatima, Nahid, and Nasrin for being constant sources of encouragement.

I want to use this opportunity to thank my classmates Navneet, Anuradha, Richa, Manoj, Gunjan, Vijay, Pragya, Shubhankari, Ranjana and senior friends Anil, Niraj, Priyanka, Nisha, Rajesh, Sameema, zynora, and Nazgul for their honestly helps and encouragements. All of them are a part of my life that I will never forget.

Tamimi

Roghieh Tamimi

20/06/2009

Dedicated

To

My Parents

Preface

Toleration is one of the foundation perceptions in modern political and social philosophy of the present world which originated in the time of Renaissance and religious Reformation. Toleration was a religious matter in western history for centuries that later involved for political matters. Modern scholars were thinking of establishment of stable political systems. Countries could find universal peace together so that there is no room for worry about toleration, but this imagination could not be realized. That is to say, even with existence of modern states, toleration could not develop, and thus, the guarantee of security and peaceful coexistence of individual together is one of the basic problems of modern society. The phenomena like political disorders, revolts, tough encounters of religious and political matters, and finally wars weaken or destroy entirely the conditions of tolerated life. Thus, toleration is left, yet, as a chief and a new matter.

Upon this ground, the present research is an attempt to rethink the doctrine of toleration, but with special reference to the first and the most important defenders of toleration, that is, John Locke. Since he is a polymath person that his mental activities included a wide range of diverse knowledge such as education, science, religion, economics, history, philosophy, geography, ethics, and political matters, this work only has focused on Locke's view of toleration. As a matter of fact, I endeavored to examine the concept of toleration in the extent of Locke's philosophy (understanding, belief, and knowledge) and political thought by using of historical, critical, and analytic methods, and then I tried to analyze and to criticize them. Locke considers toleration as a doctrine which is the result of his examination and critique of human understandings, its powers, and achievement to what things they were adapted, and in addition of Christianity. On the other hand, Locke discusses the doctrine of toleration as a solution for religious conflicts and political problems of his time.

This research is arranged in five chapters. Chapter 1 is an introduction on whole of this study. Chapter 2 is devoted to the discussion of epistemological foundation of toleration and, as a matter of fact, the relationship between Locke's pure philosophy and his principle of toleration. In chapter 3, I have devoted time to examine and to analyze Locke's point of view

about freedom and its relation with toleration. Chapter 4 has been passed to discuss and to study Locke's view of rights and its relation with toleration. Finally, chapter 5 contained the results of this study.

Contents

Preface	vi-vii
Chapter 1 Introduction	1-13
Chapter 2 The Philosophical Foundation of Toleration	14-47
Chapter 3 Locke's view of freedom: An Exposition and Examination	48-89
Chapter 4 Toleration and Rights	90-145
Chapter 5 Conclusion	146-151
Bibliography	152-155

Chapter 1

Introduction

The idea of toleration is an important and current concept in western thought. Toleration is derived from Latin word *tolerantia* or *tolerantio* which means bearing, enduring, and they have been derived from *tolero* that means to bear and to carry.¹ Toleration “is a policy of patient forbiddance in the presence of something which is disliked or disapproved of.”² That is to say, accepting what we do not agree with, we approve other people’s behaviors and thoughts against our beliefs and opinions especially in religious matters and we tolerate them instead of condemning them. In other words, toleration is “the deliberate decision to refrain from prohibiting, hindering or otherwise coercively interfering with conduct of which one disapproves, although one has the power to do so.”³ In this sense, toleration is a positive concept.

In this study, I have been facing problematic issues as follows; Locke’s work appeared when there was a fear that Catholicism might be taking over England; Locke’s ‘*A letter*’ responds to the problem of religion and government by proposing toleration as the answer; Locke argues atheists and Roman Catholic Church should not be tolerated. In addition, the main issues I am going to deal with in this study are: does toleration have philosophical grounds namely epistemological and ontological? What is the relationship between toleration, freedom and human rights? In addition, how can toleration help to establish freedom in society? Which religious and political sects, groups or people can be tolerated and to what extent?

For the purpose of answering the above problems and questions, I have applied historical, critical, and analytic methods. As regards historical method I have studied the intellectual

¹Simpson, D.P., *Cassell’s Latin Dictionary*, Macmillan Publishing Company, New York, 1977, p.606.

²Cranston, Maurice, “Toleration,” *The Encyclopedia of Philosophy*, Edited by Paul Edwards, Macmillan Company & The Free Press, Vol. 8, 1967, p.143.

³Horton, John, “Toleration,” *Routledge Encyclopedia of Philosophy*, General Editor Edward Craig, Vol. 9, Routledge, London, 1998, pp.429-430.

climates, in which Locke wrote *A Letter*, that is, with reference to the Glorious Revolution in 1688. The Essay on Toleration is the starting point of Locke's thought which was written in 1667, and was then expended and enlarged by Locke and emerged later under the title *A Letter Concerning Toleration*. But *A Letter* is much more than a simple defense of religious freedom; Locke expresses briefly his view of the origin of government and initial conditions of political arrangements. As critical method has developed Locke's concept of toleration in the light of freedom and human rights and analytic method has tried to clarify the basic concepts related to toleration.

In addition, according to some thinkers like John Horton, the standard definition of toleration, in other words, the structure of toleration should involved two important components: "(a) disapproval of or disagreement with practices, beliefs, or persons; and (b) restraint of oneself from imposing one's reaction."⁴ Upon this ground, toleration is the positive act of not interfering with or coercing another in spite of one's negative response. Here, Ingrid Creppell adds a third part to this standard view i.e. protecting the relationship with the person or group with whom one is in conflict.⁵

The main parts of the concept of toleration are: a tolerating subject or agent and a tolerated subject which may be an individual, group or organization, or an action, belief or practice that is the object of toleration; also, a negative attitude, that is, hate or moral disapproval, on the part of tolerator toward the object of toleration; and significant degree of restraint in acting against it as well.⁶ The idea emerged in the sixteenth century through the works of thinkers like Castalion, Franco de Lanoue, and Jean Bodin. In the seventeenth century, the idea of toleration became the essential part of theorizing on how civil peace could be restored and preserved in a Europe which was torn apart by wars of religion. At this time Spinoza, Milton, and Bayle were significant defenders of toleration. But in scholars' opinion, toleration receives its most complete defiance in John Locke's *A Letter Concerning*

⁴Creppell, Ingrid, *Toleration and Identity; Foundations in Early Modern Thought*, Routledge, London, 2003, p.3.

⁵Ibid., p.4.

⁶Horton, John, 1998, p.430.

Toleration. Locke systematized existing debates about toleration into a coherent, powerful and principled plea of toleration.

In this study, I have focused principally on Locke's view of toleration. The idea of toleration is a component of Locke's political philosophy and to understand it accurately, it is necessary that this concept is studied in his realm of political thought and his whole philosophical system. Since, Locke's political theory, like other political theories, is closely related to contemporary historical conditions, his political thought reflects to some extent the contemporary historical circumstances and his private political convictions. Therefore, it is necessary to have a glimpse of the historical, political, social, and religious situations of England in the seventeenth century.

Locke grew up and lived through one of the most extraordinary periods of English political and intellectual history. It was a century of instability and unrest in England. These instability and unrest originated from the following major conflicts, namely:

1. The King of England wanted to have spiritual government in addition to civil government, that is, king wanted the highest position of judgment in Church as well. This led to the formation of the Anglican Church, which set apart from sects of Protestant religion as well as the Roman Catholic Church and which consequently had important political impacts.
2. The problem of concentration of absolute power in monarch, which was well desired by the king, led to conflicts between the Crown and the Parliament. The king believed in the divine Rights of his authority and the Parliament believed in the constitutional (limited) monarchy.
3. The conflicts between Protestants, Anglicans and Catholics became apparent as most Catholics thought that the policy of repression was useful to protect their true faith against the activities of Protestants and vice versa.

All these conditions led to the civil war in the 1640s. "With the defeat and death of Charles I, there began a great experiment in governmental institutions including the abolishment of the monarchy, the House of Lords and the Anglican Church, and the establishment of Oliver

Cromwell's Protectorate in the 1650s. The collapse of the Protectorate after the death of Cromwell was followed by the Restoration of Charles II — the return of the monarchy, the House of Lords and the Anglican Church. This period lasted from 1660 to 1688."⁷ But again, conflicts continued between King and Parliament, as well as religious conflicts between Protestant dissenters and the Catholics.

During, King James II, on the one hand, became directly involved in the political battles in England between Catholicism and Protestantism, and on the other hand, between the divine right of the Crown and the political rights of the Parliament. King James' greatest political problem was his religion; he was a catholic while most of Britishers were Protestants, which obviously made him have an intolerance policy towards Protestants. In addition, King James' attempt to relax the penal laws was observed by the Tories as a sign to dis-establishment of the Church of England. King James also created a large standing army and employed Catholics in positions of power in the army, while Protestants were excluded. To his opponents in Parliament, this seemed like a prelude to arbitrary rule, so King James prorogued Parliament without gaining its consent. Above all, with the birth of King James' son, his opponents experienced a feeling of danger, because it meant that the throne would have a catholic heir. Finally, this period ends with the Glorious Revolution of 1688 in which James II was driven out from England and replaced by William of Orange and his wife Mary.

Locke's political thought was an answer to the problems of his time. According to Locke the problems of the society were in terms of the serious religious conflicts and inefficacy of government. In order to attain responses for these problems, Locke began extending studies in philosophy, theology and economics and he had a deep interest in the affairs of society, namely politics, law, history, and geography. Finally his proposed solution consisted in toleration and civil government. He writes that political society is a society of men established only for the procuring, preserving, and advancing their own civil interests. Also the duty of governor is to protect the people's possession of these things belonging to this life by the impartial execution of equal laws as well. Such power is limited because God has never given absolute and arbitrary power to one man over another and the people can not be

⁷"John Locke," <http://plato.stanford.edu/entries/locke/>, retrieved on 23.09.2008.

vested such power to the ruler by the consent.⁸ Here, Locke designs the main items of debate that is caused to decompose the idea of the right of divine kings and sets forth the theory of government depending on limited contract by people which is emerged later in *Two Treatises of Government*.

Further, my point of enquiry is how did Locke achieve his view of toleration and ideal government? During a meeting, which Locke had with his five or six friends, they were discussing subjects which were “very remote from” the subject that he discussed in *An Essay Concerning Human Understanding*. They were soon faced with many difficulties ‘that rose on every side’ and they were confused without finding a solution. He says that “it came into my thoughts that we took a wrong course; and that before we set ourselves upon inquiries of that nature, it was necessary to examine our own abilities, and see what objects our understandings were, or were not, fitted to deal with.”⁹ Locke proposed this topic to the company with the plea that all of them to consent to it; as a result, this issue had been his first inquiry and became the program for *An Essay Concerning Human Understanding*. In addition, James Tyrrell, one of the ‘five or six friends’, records that the discourse, on the occasion when Locke ‘first raised the issue of human understanding’ was ‘about the principles of morality and revealed religion’.¹⁰ That is to say, Locke believes that “before we begin to study the principles of morality and revealed religion,” it is necessary “that the first step towards satisfying several inquiries the mind of man was very apt to run into, was, to take a survey of our own understandings, examine our own powers, and see to what things they were adapted.”¹¹ As a result, his purpose in *An Essay Concerning Human Understanding* consists inquiring into the original, certainty, and extent of human knowledge, together with the grounds and degrees of belief, opinion, and assent. The research lasted about twenty years until he came to conclusion that our certain knowledge is very limited, on the contrary, probably our Knowledge’s realm is more extensive than certain knowledge.

⁸Locke, John, *A Letter Concerning Toleration*, Edited by Robert Maynard Hutchins, Published by William Benton, Great Books of the Western Worlds, 1952, p.3.

⁹Locke, John, *An Essay Concerning Human Understanding*, Epistle to the Reader, John W. Yolton, Dent, London; Dutton, New York, 1976, p.x1.

¹⁰Cranston, Maurice William, *John Locke: A Biography*, Longmans, London, 1957, pp.140-1.

¹¹Locke, John, 1976, p.4.

In the chapter *The Philosophical Foundation of Toleration*, I have discussed Locke's epistemology and how it is related with toleration. In the discussion of epistemology, Locke, on the one hand, rejects innate principle and on the other hand, sets forth experience as the base of human's knowledge and that both of them are complementary. Locke refutes innate ideas in all forms in general, that is, speculative innate principles and practical and moral innate principles, and their interference in obtaining mankind's knowledge. Because, he believes that mankind can acquire all his knowledge and his ideas through his faculties without needing innate ideas or principles.

Locke compares the mind to "a white paper" which at first is "void of all characters and without ideas," and the mind obtains all the materials of reason and knowledge by means of experience; sensation and reflection. That is to say, experience originates all our ideas; it is derived either from external sensation or internal sensation and reflection. Therefore, in Locke's eyes, the mind in all its thoughts and reasoning, deals with just its own ideas and they are the mind's immediate objects, then our knowledge has connection with these ideas. Finally, for Locke, knowledge consists in the perception of the connection and agreement or disagreement of our ideas. He distinguishes four sorts of agreement or disagreement; identity or diversity, relation, co-existence, and real existence. Moreover Locke recognizes three degrees of knowledge; intuitive knowledge, demonstrative knowledge, and sensitive knowledge. The first consists in perceiving agreement or disagreement of two ideas immediately by themselves without any interference, the second, the mind perceives agreement or disagreement of ideas with mediate ideas, and the third there is sensitive knowledge of particular existence. In addition, I argue, in the chapter, the extent of our knowledge in Locke's view, that is to say, how far is our knowledge capable of extending in respect of three degrees of our knowledge; intuitive, demonstrative, and sensitive knowledge? How is our knowledge of ourselves, God, and external world possible? In Locke's point of view, we cannot have knowledge far from our ideas and actual experience. We have intuitive knowledge of existence of self, demonstrative knowledge of God, and sensitive knowledge of sensible and particular objects.

Moreover, judgment, and probability are other subjects which I have discussed in this chapter. According to Locke, the mind has two faculties to recognize truth and falsehood; Knowledge and Judgment. One whereby, the mind obtains certain and definite perception and is satisfied unquestionably of the agreement or disagreement of any ideas. The other whereby the mind, when cannot perceive certain agreement or disagreement of ideas, it presumes which they to be so, and the mind takes them to be so before they certainly appear. That is to say, for Locke, judgment is a faculty which God has given man to provide the want of clear and certain knowledge, whereby the mind perceives agreement or disagreement of its ideas, or to be true or false any proposition, without perceiving a demonstrative evidence in the proofs.¹² Locke calls Probability, the appearance of agreement or disagreement of ideas upon these ground fallible proofs. Probably knowledge is led to belief, assent, or opinion which is admitting or receiving any proposition for true, without certain knowledge that it is so.

Since our knowledge is limited and we do not have certain and definite knowledge in most cases but we have probably knowledge, then the extent of our probably knowledge is wider than our certain one. Continuing, I treat Locke's point of view of reason and faith which finally out of all debates tend to Locke's doctrine of toleration. Locke's intention of reason consists in the discovery of the certainty or probability of such propositions or truths which the mind achieves by deduction, acquires its ideas by the use of its natural faculties; viz., by sensation or reflection. Faith is the assent to any proposition that depends on the credit of the proposer, as coming from God, in some extraordinary way of communication and not the deductions of reason as well. Locke names revelation the way of discovering religious and faith truths.¹³ For Locke, all religious truths concern to the realm probably knowledge and we can only have opinion on or belief in them and not consider them ascertain knowledge.

In addition, in accordance with Locke, the dominion of revelation is more limited than reason realm. He, on the one hand, puts religious matters among uncertain and probably affairs and limits the realm of faith to be inspired affairs. He, on the other hand, sets over reason both in

¹²Ibid., pp.364-365.

¹³Ibid., p.378.

the realm of certain and scientific affairs and in the realm of inspired and religious matters. Locke believes that man has to use reason and ought to listen to it, whether in immediate and original revelation or traditional revelation. Therefore, he wrote, in *An Essay Concerning Human Understanding*, “it is unavoidable to the greatest part of men, if not all, to have several opinions, without certain and indubitable proofs of their truth.”¹⁴ It should be better that men do not show prejudice and do not insist others to assent their opinions. In such conditions, for Locke “it would, methinks, become all men to maintain peace, and the common offices of humanity, and friendship, in the diversity of opinions; since we cannot reasonably expect that any one should readily and obsequiously quit his own opinion, and embrace ours, with a blind resignation to an authority which the understanding of man acknowledges not.”¹⁵ Thus, Locke finds epistemology as a strong and secure foundation and basis for his view of religious toleration and thereby for his other political thoughts.

In the chapter *Locke’s view of freedom: An Exposition and Examination*, I have discussed the concept of freedom and its relation with the toleration principle in Locke’s political thought. In other words, I make an effort to show how there is a relation between toleration and freedom in Locke’s political philosophy, and how toleration helps to realize freedom in civil society as such.

At first, I have started my discussion by distinguishing between philosophical freedom and political freedom, then of philosophical freedom, political freedom, and religious freedom. Locke discusses the will and the freedom of mankind in the discussion of the powers of the mind. According to Locke, the will is a power that the mind has for the purpose of considering conception of any idea or forbearing to consider it or preferring the motion of any part of the body to its rest and conversely.¹⁶ Locke has come closer to the ideas of liberty and necessity by considering the extent of the power of mind over the actions of man.¹⁷ In

¹⁴Ibid., p.359.

¹⁵Ibid., p.360.

¹⁶Ibid., p.107.

¹⁷Ibid., P.108.

addition, Locke identifies freedom on the one hand with the idea of power and on the other hand, with the power of thinking.¹⁸

In order to understand Locke's view of political freedom, I study it in his whole political theory. Therefore, I start my discussion from human nature for Locke and the freedom existing in human nature by nature in his view, then I discuss human's freedom in the state of nature, and after that I examine the freedom of man in civil society and civil government in Locke's point of view. According to Locke, men are born free as they are born rational naturally, that is, man's nature originates man's liberty.¹⁹ Man, who is free by nature, protects his freedom in the state of nature. In Locke's eyes, man in the state of nature is so free, and he is the absolute lord of his own person and possessions, equals to the greatest and he is not subject to any body.²⁰ As a matter of fact, the state of nature is "a state of perfect freedom" which in men have absolute freedom to "order their actions, and dispose of their possessions and persons, as they think fit without asking leave, or depending upon the will of any other man."²¹

Since, the state of nature has some problems; men prefer to cease it and "to join in society with others." Therefore, individuals accept to join in a society which is already established, or some people have a decision to establish voluntarily through a contract together. Thus civil society forms which its ends are indeed to preserve life, freedom, and estates which Locke called collectively as general property. In fact, for Locke, the preservation of man's freedom is one of the main foundations of forming of civil society. In other words, for Locke, man's freedom in the state of nature is preserved and continued in civil society, although definitely it is limited. Man's freedom is among man's property which civil government obliges to protect them. It means, in Locke's eyes, individual freedom has close relation with individual life and individual estates. In fact, freedom and estates are necessary to protect man's life, that is, man can not preserve his life without enjoying his liberty and estates and can use them for defending his life. Therefore, the duty of civil government, which is created

¹⁸Ibid., p.109.

¹⁹Locke, John, *Two Treatises of Government*, Edited by Petter Laslett, Cambridge University Press, Cambridge, 2004, orig. 1689, P.308.

²⁰Ibid., p.350.

²¹Ibid., p.269.

by voluntarily compact and consent of individuals in society, consists in establishment of peace and security in society, the ruling upon laws, until the people can enjoy easily their freedom and estates in civil society.

For Locke, man's political freedom in society consists in "to be under no other legislative power, but that established, by consent, in the commonwealth; nor under the dominion of any will, or restraint of any law, but what that legislative shall enact, according to the trust put in it."²² This is manifested in voluntary contract for establishment of civil society, forming of civil government, determining the kind of government, and controlling of the functions of government. In other words, when Locke describes political society's action, powers, capacities of judging and willing, in fact he proposes a theory of political freedom.²³ In religious freedom, he concludes conscious freedom and freedom of speech and belief; I have made an effort to show Locke's view about this issue and that Locke's solution of religious conflicts and differences, which is toleration.

The chapter *Toleration and Rights* has been devoted to discuss rights and its relation with toleration. Out of the main debates of Locke's political thought that has close relation with toleration, is about rights. Since, Locke has not codified a theory of rights, in order to understand Locke's view about rights; I start to study Locke's view of rights from the state of nature and the ruling law on it, that is, natural law. In the beginning, I go through the short history of natural rights of man discussed before Locke, from ancient Greek thinkers and philosophers to Hobbes.

For classic thinkers, since man is a social being naturally, he has some natural rights. Natural law and natural right get a religious tune by Christianity.²⁴ Dutch Grotius, in seventeenth century, derives natural right from reason and nature, thus, natural right is substituted to religious innate right, and philosophers like Hobbes and Locke are influenced by Grotius' political philosophy. For Locke, in the state of nature, man enjoys fundamental and basic

²²Ibid., p.283.

²³Polin, Raymond, "John Locke's Conception of Freedom," *John Locke: Problems and Perspectives, A Collection of New Essays*, Edited by John W. Yolton, Cambridge University Press, Cambridge, 1969, p.12.

²⁴Strauss, Leo, *Natural Rights and History*, The University of Chicago Press, Chicago, 1965, p.129.

rights like right to live, right to freedom and estates which do not depend on contract and consent but they are natural or pre-contractual. In Locke's view, the natural rights are prior to civil society and other types of social arrangements. In order to justify natural rights, Locke appeals the law of nature.

According to Locke, natural law consists in a law which is in the state of nature to rule it. Locke equalizes natural law with reason and moral law and it is a teacher whom men will consult in the state of nature, it teaches human rights, conducts rules, and life's moral principles. Locke, like Hobbes, does not present a list of natural laws in the state of nature, but I think it is possible to extract the natural laws out of the state of nature. Locke, in *Two Treatises*, explains laws such as: all men have perfect freedom; all men are born of the same species and rank and all can take the same advantages and benefits from of nature, and they use the same faculties, therefore, they should also be equal amongst one another without subordination or subjection. Nobody has the right to destroy himself or any other; every one ought to preserve himself and also others as much as he can, to preserve the rest of mankind. The execution of the law of nature is, in the state of nature, put into every man's hands, the punishment of criminal ought to fit to his transgression who so sheddeth man's blood. By the fundamental law of nature, human being has to preserve as much as possible, man's freedom from absolute and arbitrary power because it is necessary for his preservation; every man has a property in his own person and so on.

For Locke, natural law has moral and rational functions; it guarantees some certain rights for men in the state of nature. In Locke's view, the natural laws consist in the rights that individuals have for being man prior to every government. Since Locke has not codified theory about rights, I have tried to come closer to his view about rights through natural laws being in the state of nature and on this ground I think it is possible to provide a list of the rights on Locke's view which men have in the state of nature. Of the main rights that men have in the state of nature, we can mention some of these rights: right of self-preservation, ownership right of man on his own personhood and his actions, labor of his body, and the work of his hands, right to perfect freedom, right to execute natural law, right to enjoy for all the same advantages of nature.

According to Locke, the human rights in the state of nature are being preserved in civil society by civil government and by the execution of the theory of toleration. Individuals are obliged for some reasons, amongst want of known and distinguished laws and want of the executive power of natural laws, to quit the state of nature. They are entered into political society by a social contract which is performed voluntarily and to determine the sort of their government in order to protect their properties. But how are individuals' rights and properties preserved in civil society?

Here, I have dealt with a discussion of Locke's characteristics of moral and ideal government and the role of toleration in Locke's government theory, for answering the above question. Considering that Locke believes that man has two dimensions: spiritual and material, in this way he believes that man has two lives too: eternal and spiritual life and material and transient life and each of them needs special attention. Upon this ground, first characteristic of Locke's ideal government consists in separating the realms of government and religion from each other. The matters of material and civil interests of man are in government's dominion and the matters of spiritual and religious are in religious area.

In Locke's idea about civil government, there is not absolute and arbitrary power and the power does not concentrate in a man's hands, but such government establishes from three powers: the legislative, executive, and federative by separate activity realms. The legislative is constituted by the people and its duty consists in legislating. This power is superior power in civil society. The executive is responsible for the enforcement of codified laws which the legislative has approved. The federative power undertakes to preserve foreign security of the country. On the other hand, Locke delineates the position of government in the religious matters, e.g. its duties and its rights, by considering the idea of toleration.

Moreover, Locke discusses position of Church in respect of the religious matters and political matters and civil interests as well. I examine this issue under titles of Church, the end of Church, and the rights and duties of church in respect of government, other Churches and individuals in Locke's toleration doctrine. Finally, I set forth individual situation upon the

ground of the toleration theory of Locke. Indeed it seems to me, Locke, by limiting of the dominions of civil government and Church, opens a room and provides conditions for individuals in order to enjoy more and better their civil rights and social and political and religious freedom.

As a matter of fact, Locke's theory of toleration is one of main components of his political thought, which is his response to existing problems in seventeenth century England as well. For the purpose of appreciation and understanding of Locke's theory of toleration, I started my study with discussion about philosophical base of toleration in respect of epistemology and ontology, and ended my debates considering the result that we can have a very certain limited knowledge and a wide probably knowledge, the reason is superior to faith as divine illumination necessarily depends on the natural light, that is, reason must be our last judge and guide in every thing. In fact, the lover of truth will not accept any proposition with more assurance than the proofs it is built upon will warrant. The implication of this standard in the actual conditions of life is toleration.

Then I have debated about existing relationship between toleration with freedom and rights in Locke's view. Locke, at the beginning, makes firm the foundation of freedom in human nature in respect of philosophy, and then discusses man's political freedom. He places the foundation of individual's political liberty and his rights in the state of nature which man enjoys. Perfect freedom and natural human rights in this situation are continuing in civil society on the ground of Locke's political theory of civil government and toleration principle.

Chapter 2

The Philosophical Foundation of Toleration

Earlier in the seventeenth century, toleration was discussed in religious matters. Europeans and the English in particular debated on religious differences. Most Catholics thought that a policy of repression was useful to protect their true faith against the activities of Protestants and vice versa. Later on, the idea of toleration was employed in political affairs. Nowadays, toleration in religious matters has become one of the central elements of the modern democratic state. The discussion of toleration is best known in Locke, because he was the first modern philosopher to consider it seriously in his book, *A Letter Concerning Toleration*. Locke's plea for toleration was the earliest systematic argument in its favor. In his letter concerning toleration, he offered a philosophical definition and a critical evaluation of the idea of toleration.

Locke developed an epistemological foundation for the idea of toleration. For some scholars like Michael Ayers there is an important relationship between Locke's epistemology and his other views, especially of religious toleration. As a matter of fact, epistemology is the pillar of his intellectual system. Locke writes: "Were it fit to trouble thee with the history of this Essay, I should tell thee, that five or six friends meeting at my chamber, and discoursing on a subject very remote from this, found themselves quickly at a stand, by the difficulties that rose on every side. After we had awhile puzzled ourselves, without coming any nearer a resolution of those doubts which perplexed us, it came into my thoughts that we took a wrong course; and that before we set ourselves upon inquiries of that nature, it was necessary to examine our own abilities, and see what objects our understandings were, or were not, fitted to deal with. This I proposed to the company, who all readily assented; and thereupon it was agreed that this should be our first inquiry."¹

¹Locke, John, *An Essay Concerning Human Understanding*, Epistle to the Reader, John W. Yolton, Dent, London; Dutton, New York, 1976, p.x1.

In addition, James Tyrrell, one of the 'five or six friends', records that the discourse, on the occasion when Locke 'first raised the issue of human understanding' was 'about the principles of morality and revealed religion'.² That is to say, Locke suggests that "before we begin to study the principles of morality and revealed religion," it is necessary "that the first step towards satisfying several inquiries the mind of man was very apt to run into, was, to take a survey of our own understandings, examine our own powers, and see to what things they were adapted."³ Thus Locke tries to seek a foundation for discussing morality and revealed religion properly.

Locke's aim and purpose is "to inquire into the original, certainty, and extent of human knowledge, together with the grounds and degrees of belief, opinion, and assent." His purpose is to consider the discerning faculties of a man, as they are applied to the objects which they have to deal with. Hence if we can find 'the ways whereby our understandings come to attain those notions of things we have' and 'can set down any measures of the certainty of our knowledge', as well as to describe the grounds of people's contradictory opinions, at this time, we have the right to infer that "either there is no such thing as truth at all, or that mankind hath no sufficient means to attain a certain knowledge of it."⁴ As a matter of fact, here, it seems Locke points the results of his examinations anyhow.

Since, in Locke's opinion it is worth "to search out the bounds between opinion and knowledge; and examine by what measures, in things whereof we have no certain knowledge," in order to regulate our assent and moderate our persuasion, Locke presents his special methods⁵, which are: Firstly, to inquire "into the original of those ideas, notions, or whatever else you please to call them, which a man observes, and is conscious to himself he has in his mind; and the ways whereby the understanding comes to be furnished with them." Secondly, to show "what knowledge the understanding hath by those ideas; and the certainty, evidence, and extent of it." Thirdly, to inquire "into the nature and grounds of faith or

²Cranston, Maurice William, *John Locke: A Biography*, Longmans, London, 1957, pp.140-1.

³Locke, John, 1976, p.4.

⁴Ibid., p.2.

⁵Ibid.

opinion: whereby I mean that assent which we give to any proposition as true, of whose truth yet we have no certain knowledge.” This is the epistemological basis of Locke’s inquiry.

Locke begins his inquiry into human understanding by examining the object of understanding namely the world of ideas. He uses the term idea “to express whatever is meant by phantasm, notion, species, or whatever it is which the mind can be employed about in thinking.”⁶ In his opinion there are such ideas in men’s mind, in other words everybody is conscious of them in himself, and men’s words and actions will satisfy him that they are in others.⁷

The word ‘idea’ has different meanings before Locke, starting with Plato. Although, for Plato idea is the same form which is the basis of his philosophy, it means eternal and invariable truth. This idea is different from that was used in the seventeenth century. Descartes and Locke, however, both of them use the word idea but have a different understanding of the nature of thoughtful ideas or contents. Idea, for Descartes is a rational thing in general while for Locke entirely sentient.

Rejection of Innate Ideas

Although, Locke decides to inquire how ideas come into the mind in the first step of his examination, he postpones answering this question until Book 2. Instead he devotes Book 1 to an attack on innate principles that may be a tiresome discussion for the modern reader. For scholars, the attack on innatism, at the time, was both a controversial matter and that these chapters complemented the rest of the *Essay*. In fact, the rejection of innate principles and the working out of his empiricism in the rest of the *Essay* were two sides of one coin, that both seemed revolutionary.⁸

Locke comments on innate ideas primarily as if it were an empirical hypothesis about how we gain certain items of knowledge rather than as an epistemological thesis about why

⁶Locke, John, 1976, p.5.

⁷Ibid.

⁸Tipton, Ian, “Locke: Knowledge and its limits,” *British Philosophy and Age of Enlightenment*, Edited by Stuart Brown, Routledge, London, 1996, p.74.

certain principles are items of knowledge.⁹ His arguments are often quite subtle and lead up to conclusion that there are no adequate grounds for believing the hypothesis that there are any principles which are innate.

For Locke, the theory is premised on the notion that “there are in the understanding certain innate principles, some primary notions, characters, as it were, stamped upon the mind of man, which the soul receives in its very first being and brings into the world with it.”¹⁰ He tries to show that “how men, barely by the use of their natural faculties, may attain to all the knowledge they have, without the help of any innate impressions, may arrive at certainty without any such original notions or principles.”¹¹ Because God has given us senses and powers to receive ideas such as the colours of external objects. In addition, we can observe several truths in ourselves and by helping our faculties to attain certain knowledge of them easily as it were; they were originally imprinted on the mind. Therefore, it would be unreasonable to attribute them to the impressions of nature and innate characters.

At the beginning, Locke rejects the claim that there are speculative innate principles such as propositions as “What is, is” or “It is impossible for the same thing to be and not to be” and practical innate moral principles or that we have innate ideas of God, identity or impossibility. According to Locke, the main argument customarily proposed in favour of the theory is universal consent. That is to say since all people agree about the validity of certain principles, both speculative and practical “they argue, must needs to be constant impressions which the souls of men receive in their first beings, and which they bring into the world with them, as necessarily and really as they do any of their inherent faculties.”¹²

The first argument of Locke to refute the theory is that even if it were really the case that there were certain truths that all men agree with “it would not prove them innate, if there can be any other way shown how men may come to that universal agreement, in the things they

⁹Wall, Grenville, “Locke's Attack on Innate Knowledge,” *Philosophy*, Vol. 49, No. 190, Cambridge University Press on behalf of Royal Institute of Philosophy, Oct., 1974, pp.414-419.

¹⁰Locke, John, 1976, p.5.

¹¹Ibid.

¹²Ibid., p.6.

do consent in.”¹³ In addition, Locke was convinced that the origin of all man’s ideas can be explained without absolute innate ideas. Hence this is his critique of innatism.

Furthermore, the argument of universal consent of the theory of innate ideas is worthless because there is no universal consent about the truth of any idea or principle. For “it is evident that all children and idiots have not the least apprehension or thought of them. And the want of that is enough to destroy that universal assent which must needs be the necessary concomitant of all innate truths.”¹⁴ As a matter of fact, “no proposition can be said to be in the mind, which it never yet knew, which it was never yet conscious of.”¹⁵ Locke believes that if the capacity of knowing consist in the natural impression that all the truths a man ever comes to know will be innate for every one of them. Hence, Locke believes the contrary discussion of the innate principles and their difference from other ideas and principles is meaningless.

Further, he argues that if innate ideas mean “that all men know and assent to them, when they come to the use of reason; and this is enough to prove them innate.”¹⁶ And it means “either that as soon as men come to the use of reason these supposed native inscription come to be known and observed by them; or less, that the use and exercise of men’s reason assists them in the discovery of these principles, and certainly makes them known to them.”¹⁷ Then all truths that the reason can discover to us and acquire our assent are imprinted on the mind, namely they are innate. Consequently, there is no difference between the axioms of the mathematicians and the propositions that they deduce from them, then all must be innate equally. While in Locke’s opinion, reason is the faculty of deducing unknown truths from principles or propositions that are already known. And “that certainly can never be thought innate which we have need of reason to discover.”¹⁸

¹³Ibid.

¹⁴Ibid.

¹⁵Ibid.

¹⁶Ibid., p.7.

¹⁷Ibid., pp.7-8.

¹⁸Ibid., p.8.

But about the innate practical and moral principle it must be said that Locke rejects the existence of universal consent of innate practical and moral principles. According to Locke, “it will be hard to instance any one moral rule which can pretend to so general and ready an assent as what is, is, or to be so manifest a truth as this, that it is impossible for the same thing to be and not to be.”¹⁹ He asks where moral rule to which all men assent is. “And where is that practical truth that is universally received, without doubt or question, as it must be if innate?”²⁰ He mentions justice and keeping of contracts as moral principles that it seems most men agree and accept for they are considered even in the dens of thieves. But for Locke, thieves regard the rules not as the innate laws of nature but as rule of convenience within their own communities. As well as, it has been said men accept and assent to moral principle in their mind implicitly though they contradict them in their practice. Locke, in responding to this view, declares that “first, I have always thought the actions of men the best interpreters of their thoughts... Secondly, it is very strange and unreasonable to suppose innate practical principles that terminate only in contemplation.”²¹ There are the natural practical principles for operation and must be in accordance with action, not just speculatively assent to their truth, otherwise they do not differ from speculative axioms.

On the other hand, Locke holds that moral principles need to be reasoned and are not innate because “if they were innate, or so much as self-evident, which every innate principle must needs be, and not need any proof to ascertain its truth, not want any reason to gain it approbation.”²² And so, if moral rules were actually innate, we should not discover those differences in moral practices in different societies and in different periods, which we find really.

Another reason why Locke rejects the ideas of innate moral principles is that the rules cannot be innate unless those ideas that made up the rules to be innate. If the ideas are not innate, it is impossible that the principles and propositions made up of them should be innate or our knowledge of them be born with us. According to Locke if we will carefully consider

¹⁹Ibid., p.17.

²⁰Ibid., p.18.

²¹Ibid.

²²Ibid., p.19.

newborn children, we shall have a little reason to think that they bring many ideas into the world with them, except for, some weak ideas like hunger, thirst, warmth and some pains, which they may have felt in the womb; there is not the least appearance of any settled ideas at all in them, especially of ideas, which make up those universal propositions and innate moral principles.²³ Although, for Locke “it is hard to conceive how there should be innate moral principles without an innate idea of a deity. Without a notion of a law-maker, it is impossible to have a notion of a law and an obligation to observe it.”²⁴ And even if all mankind everywhere had a notion of a God, yet history tells us the contrary, it would not from thence follow, that the idea of God was innate. At the same time, he believes in that the idea of God “is agreeable to the common light of reason and naturally deducible from every part of our knowledge, as that of a God is.”²⁵

What Locke finally justifies as innate principles consist in the desire for happiness and an aversion to misery that nature put into man: “these indeed are innate practical principles which (as practical principles ought) do continue constantly to operate and influence all our actions without ceasing; these may be observed in all persons and all ages, steady and universal; but these are inclinations of the appetite to good, not impressions of truth on the understanding.”²⁶ In fact, in accordance with Locke universal truths come to the being of objects itself that by operations of subjective faculties have gained and nature make these faculties fit for obtaining and comparing these truths so long as they are used truly. In addition, he tries to elaborate upon the accurate operation of these subjective facilities in books of *An Essay Concerning Human Understanding*.

As a political thinker, Locke observes the political power of the theory of innate ideas. For him, the advocates of innate principles presume “themselves alone to be masters of right reason” and the infallibility of their judgments.²⁷ According to Locke, this demand for “blind Credulity” allowed men of skill and office to govern societies more easily by “the authority

²³Ibid., p.24.

²⁴Ibid., p.26.

²⁵Locke, John, *An Essay Concerning Human Understanding*, Edited by Robert Maynard Hutchins, Great Books of the Western Philosophy, The University of Chicago Press, Chicago, 1952, p.114.

²⁶Locke, John, 1976, pp.18-19.

²⁷Biddle, John C., “Locke’s Criticism of Innate Principles and Toland’s Deism,” *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 2, Routledge, London, 1991, p.153.

to be the dictator of principles, and teacher of unquestionable truths; and to make a man swallow that for an innate principle which may serve to his purpose who teacheth them.”²⁸ We have examples of imposition of innate principles to manage and control the minds and actions of men that are drawn from the realm of religion; such as the Roman Catholic principles of implicit faith and infallibility of the pope, as well as the Enthusiast’s principle of immediate inspiration.²⁹ In fact, Locke correctly perceives that innate principles can be used by men or parties to impose their moral and religious opinions on others as carrying divine sanction. According to Locke, this is clearly contradictory with freedom and religious toleration. Therefore, it seems Locke’s concern for liberty and religious toleration has contributed to his refutation of innate ideas.³⁰

The above discussion seeks to show that Locke clearly felt that the doctrine of innate principles was used by its advocates “as a pseudo-epistemological device to buttress obscurantism and as an instrument of intellectual oppression.”³¹ Nonetheless, his primary purpose is to inquire its empirical foundations. If innatism is empirically unfounded, than it can have neither an epistemological nor political warrant.

Locke discusses innate ideas and then seeks to develop a proper epistemological foundation for morality and religion in order to allow and promote religious toleration. Locke finds these bases in experience.

Experience as Origination of Ideas

According to Locke, the mind is a white paper void of all characters and without ideas, then “how comes it to be furnished?... Whence has it all the materials of reason and knowledge? To this I answer, in one word, from experience; in that all our knowledge is founded, and from that it ultimately drives itself.”³² For him, all our ideas are finally derived from sensation and reflection and they make up our experience. “Our senses, conversant about

²⁸Locke, John, 1952, p.120.

²⁹Ibid., p.391.

³⁰Biddle, John C., 1991, p.154.

³¹Wall, Grenville, 1974, p.414.

³²Locke, John, 1976, p.33.

TH-17437



particular sensible objects, do convey into the mind several distinct perceptions of things, according to those various ways wherein those objects do affect them.”³³ Therefore, we recognize ideas like yellow, white, heat, cold, soft, hard, bitter and sweet that we call sensible qualities. When Locke says the senses convey into the mind, he means “they from external objects convey into the mind what produces there those perceptions.”³⁴ This is the great source of most of our ideas, names sensation. The other source of ideas “is the perception of the operations of our own minds within us” such as “perception, thinking, doubting, believing, reasoning, knowing, willing.” This source is named reflection by Locke. Reflection is the idea that “it affords being such only as the mind gets by reflecting on its own operations within itself.”³⁵ In any case, Locke is persuaded that experience is the foundation of all ideas. He, finally, concludes that the foundation of “all those sublime thoughts” is those ideas which sense or reflection has offered the mind for its contemplation.

Locke’s comment that experience is foundation of all our ideas is classical British Empiricism³⁶ and may be considered his ‘empiricist principle’. But this does not mean that Locke invented it because of before him thinkers like “St. Thomas Aquinas in the thirteen century maintained that all our natural ideas and knowledge are grounded in experience, and that there are no innate ideas. Moreover, Aquinas admitted sense-perception and introspection or reflection as ‘fountains’ of ideas.”³⁷

However, Locke distinguishes between simple and complex ideas. Simple ideas are those that “in reference to the different ways whereby they make their approaches to our minds and make themselves perceivable by us.”³⁸ First, they are those that “come into my mind by one sense only” such as light and colours like white, red come in only by the eyes. Second, they are those that “convey themselves into the mind by more senses than one” for example space or extension, figure, rest, and motion. These ideas come in by both senses the eyes and touch. Third, the ideas, we take “from reflection only” and they are “perception, or thinking; and

³³Ibid.

³⁴Ibid., p.34.

³⁵Ibid.

³⁶Copleston, Frederick, *A History of Philosophy*, Vol. 5, Hobbes to Hume, Burns And Oates Ltd, London, 1964, p.78.

³⁷Ibid.

³⁸Locke, John, 1976, p.47.

volition, or willing”. Finally, simple ideas are those that are suggested to mind “by all the ways of sensation and reflection, viz: pleasure or delight, and its opposite, pain or uneasiness; power; existence; unity.”³⁹ Therefore, pleasure or pain almost accompanies all our ideas, both of sensation and of reflection. In addition, “existence and unity are two other ideas that are suggested to the understanding by every object without, and every idea within.”⁴⁰ Hence, according to Locke, there are four classes of simple ideas and that “in this part the understanding is merely passive.”⁴¹ Simple ideas have some common characteristics such as they are passively received. For “the objects of our senses do, many of them, obtrude their particular ideas upon our mind whether we will or not and the operations of our minds will not let us be without, at least, some obscure notions of them. No man can be wholly ignorant of what he does when he thinks.”⁴² In addition, when the mind has the simple ideas it can not change or destroy them or substitute new ideas at will. “It is not in the power of the most exalted wit or enlarged understanding, by any quickness or variety of thought, to invent or frame one new simple idea in the mind, not taken in by the ways before mentioned; nor can any force of the understanding destroy those that are there.”⁴³

Moreover minds can actively construct complex ideas by using simple ideas as their material. According to Locke “when it has once got these simple ideas it is not confined barely to observation and what offers itself from without: it can, by its own power, put together those ideas it has and make new complex ones, which it never received so united.”⁴⁴ Complex ideas are for example “beauty, gratitude, a man, an army, the universe.”⁴⁵ For Locke, complex ideas are of three types: modes, substances, and relations. Modes consist in “complex ideas which, however compounded, contain not in them the supposition of subsisting by themselves, but are considered as dependence on, or affections of substances; such are the ideas signified by the words triangle, gratitude, murder, etc.”⁴⁶ There are two kinds of modes, i.e. simple and mixed. Simple modes are “variations, or different

³⁹Ibid., p.53.

⁴⁰Ibid., p.55.

⁴¹Ibid., p.44.

⁴²Ibid.

⁴³Ibid., pp.45-46.

⁴⁴Ibid., pp.77-78.

⁴⁵Ibid., p.77.

⁴⁶Ibid., p.78.

combinations of the same simple idea, without the mixture of any other, as a dozen, or score; which are nothing but the ideas of so many distinct units added together; and these I call simple modes as being contained within the bounds of one simple idea. Secondly, there are others compounded of simple ideas of several kinds, put together to make one complex one.”⁴⁷ Beauty consists of a certain composition of colour and figure, causing pleasure in the beholder. Simple modes, for him, are such as space, duration, number, and infinity, modes of motion, modes of sound, colour, taste and smell.

The simple idea of space comes to our mind through two senses: sight and touch. In Locke’s opinion “space, considered barely in length between any two beings, without considering anything else between them, is called distance; if considered in length, breadth, and thickness, I think it may be called capacity. The term extension is usually applied to it in what manner soever considered.”⁴⁸ The idea of time is observation of train of ideas succeeding one another in our minds and “reflection on these appearances of several ideas one after another in our minds is that which furnishes us with the idea of succession; and distance between any parts of that succession, or between the appearance of any two ideas in our minds, is that we call duration.”⁴⁹ In addition, by observing certain phenomena happening at regular and in fact equidistant periods we get the ideas of length or measures of duration, such as minutes, hours, days and years. Finally, “by considering any part of infinite duration, as set out by periodical measures, we come by the idea of what we call time in general.”⁵⁰ In other words time is “so much of infinite duration as is measured by and coexistent with the existence and motions of the great bodies of the universe, so far as we know anything of them: and in this sense time begins and ends with the frame of this sensible world.”⁵¹

However, Locke’s description of the genesis of our idea about infinite, infinite number, immensity, boundless space, and eternity is inadequate and very remote from the immediate

⁴⁷Ibid.

⁴⁸Ibid., p.80.

⁴⁹Ibid., p.90.

⁵⁰Locke, John, 1952, p.162.

⁵¹Ibid., p.163.

data of experience but it shows these ideas can be explained on empiricist principles without references to the theory of innate ideas.

Before going on to deal with the ideas of substance and of relation, I briefly discuss his theory of primary and secondary qualities. Locke distinguishes between ideas and qualities. “Whatsoever the mind perceives in itself, or is the immediate object of perception, thought, or understanding, that I call idea; and the power to produce any idea in our mind, I call quality of the subject wherein that power is.”⁵² For example, a snowball has the power to produce in us the idea of white, cold, and round, and the power to produce those ideas, names qualities and corresponding sensations and perception Locke calls ideas.⁵³

There are other distinctions between ideas and qualities. Some qualities are inseparable from body, whatever changes it undergoes. A grain of wheat has solidity, extension, figure and mobility. If it is divided, each part of it retains these qualities. These qualities, according to Locke, are “original or primary qualities of body, which I think we may observe to produce simple ideas in us, viz., solidity, extension, figure, motion or rest, and number.”⁵⁴ Further, there are secondary qualities that “nothing in the objects themselves but powers to produce various sensations in us by their primary qualities, i.e. by the bulk, figure, texture, and motion of their insensible parts, as colours, sounds, tastes, etc.”⁵⁵ According to Locke, “the ideas of primary qualities of bodies are resemblances of them. In addition, their patterns do really exist in the bodies themselves; but the ideas produced in us by these secondary qualities have no resemblance of them at all. There is nothing like our ideas existing in the bodies themselves. They are, in the bodies we denominate from them, only a power to produce those sensations in us; and what is sweet, blue or warm in idea is but certain bulk, figure, and motion of the insensible parts in the bodies themselves, which we call so.”⁵⁶

Now we come to Locke’s view on substance. Above we spoke about collection of simple ideas that for him there simple ideas that go constantly together and for “not imagining how

⁵²Locke, John, 1976, pp.57-58.

⁵³Ibid., p.58.

⁵⁴Ibid., p.86.

⁵⁵Ibid.

⁵⁶Ibid., p.60.

these simple ideas can subsist by themselves, we accustom ourselves to suppose some substratum wherein they do subsist, and from which they do result; which therefore we call substance.”⁵⁷ This is the notion of pure substance in general, that is to say, “a supposition of he knows not what support of such qualities which are capable of producing simple ideas in us; which qualities are commonly called accidents.”⁵⁸ The mind provides the ideas of a substratum or support in which the primary qualities inhere and which has the power of producing in us, by the primary qualities, simple ideas of secondary qualities. The general idea of substance is “nothing but the supposed but unknown, support of those qualities we find existing, which we imagine cannot subsist sine re substance, without something to support them, we call that support substantia; which according to the true import of the word, is, in plain English, standing under or upholding.”⁵⁹

In fact, he discusses the idea of substance, not its existence. Locke’s insists that the inference to substance is justified; but it does not change the fact that it is an inference. We do not perceive substance but we infer substance as the support of accidents, qualities or modes. According to Locke, our idea of the spiritual substance of the soul is obtained through combining together simple ideas of thinking, doubting and so on, which are obtained by reflection, with the vague and obscure notion of a substratum in which these psychical operations inhere. Also for him, our notion of God is a complex idea. “For if we examine the idea we have of the incomprehensible supreme being, we shall find that we come by it the same way, and that the complex ideas we have both of God and separate spirits are made up of the simple ideas we receive from reflection.”⁶⁰ In himself, God is simple and not compound but our idea of him is complex. In Locke’s view, the general idea of substance really is not clear and distinct. It is obvious which Locke in idea of substance is influenced by Scholasticism like Aquinas philosophy.

Relations are the third of sort of complex ideas. They arise from the act of comparing one thing with another. In Locke’s opinion, in relation idea “The understanding, in the

⁵⁷Ibid., p.132.

⁵⁸Ibid.

⁵⁹Ibid.

⁶⁰Ibid., p.148.

consideration of anything, is not confined to that precise object: it can carry an idea as it were beyond itself, or at least look beyond it, to see how it stands in conformity to any other. When the mind so considers one thing, that it does as it were bring it to, and set it by another, and carries its view from one to the other – this is, as the words import, relation and respect”⁶¹ such as father and son, bigger and less, cause and effect.

Criterion of Truth

According to Locke, since the ideas of mind are its immediate object in all its thoughts and reasoning, it is obvious that our knowledge is only aware of them. He asserts “knowledge then seems to me to be nothing but the perception of the connexion and agreement or disagreement, and repugnancy, of any of our ideas. In this alone it consists. Where this perception is, there is knowledge; and where it is not, there, though we may fancy, guess, or believe, yet we always come short of knowledge.”⁶² In fact what we do to know that white is not black, is that we perceive these two ideas do not agree. When we see that the three angles of a triangle are equal to two rights angles, we perceive a necessary connection between ideas. Therefore, we can legitimately be said to know that the three angels of a triangle are equal to two right angles.⁶³ For knowing true knowledge and in other words, of agreement or disagreement understanding of ideas, Locke presents four criteria. He says agreement or disagreement is four sorts: identity, or diversity; relation; co-existence; and real existence.⁶⁴

Identity or diversity “is the first act of the mind, when it has any sentiments or ideas at all , to perceive its ideas, and so far as it perceives them, to know each what it is, and thereby also to perceive their difference and that one is not another. This is so absolutely necessary that without it there could be no knowledge, no reasoning, no imagination, and no distinct thoughts at all.”⁶⁵ The second sort of agreement or disagreement is ‘relation’ and it “is nothing but the perception of the relation between any two ideas, of what kind so ever,

⁶¹Ibid., p.150.

⁶²Ibid., p.267.

⁶³Ibid.

⁶⁴Ibid.

⁶⁵Ibid.

whether substances, modes, or any other.”⁶⁶ Locke, the third kind of agreement or disagreement, calls co-existence that “to be found in our ideas, which the perception of the mind is employed about, is co-existence or non-co-existence, in the same subject; and this belongs particularly to substances.”⁶⁷ Ultimately, “the fourth and last sort is that of actual real existence agreeing to any idea.”⁶⁸

According to Locke, all of the knowledge we have or are capable of is contained within these four sorts of agreement and disagreement. Therefore we can say, for him, Knowledge consists either in perceiving the agreement or disagreement between ideas or in perceiving the agreement of ideas with things which are not themselves ideas.

The degrees of knowledge

In Locke’s view, all of our knowledge consists in the mind observes its own ideas “which is the utmost light and greatest certainty we, with our faculties and in our way of knowledge, are capable of, it may not be amiss to consider a little the degrees of its evidence.”⁶⁹ Moreover, for him, the different clearness of our knowledge refers to the different ways of perception that the mind has of the agreement or disagreement of any of its ideas. Therefore, he distinguishes among three sorts of our knowledge: intuitive knowledge, demonstrative knowledge, and sensitive knowledge. “If we will reflect on our own ways of thinking, we shall find that sometimes the mind perceives the agreement or disagreement of two ideas immediately by themselves, without the intervention of any other”⁷⁰ and this Locke thinks that can be called as intuitive knowledge. For example the mind perceives that white is not black and that a circle is not triangle. Then this kind of knowledge is the clearest and most certain that human weakness is capable of and all the certainty and evidence of all our knowledge depends on this intuition.⁷¹

⁶⁶Ibid., p.268.

⁶⁷Ibid.

⁶⁸Ibid.

⁶⁹Ibid., P.271.

⁷⁰Ibid., pp.271-272.

⁷¹Ibid.

The second degree of knowledge is demonstrative knowledge where the mind does not perceive the agreement or disagreement of any idea immediately. And “when the mind can not so bring its ideas together as by their immediate comparison and as it were juxtaposition or application one to another, to perceive their agreement or disagreement, it is fain, by the intervention of other idea (one or more, as it happens) to discover the agreement or disagreement which it searches; and this is that which we call reasoning.”⁷² Locke, to these intervening ideas, calls proof and where “the agreement or disagreement is by this means plainly and clearly perceived, it is called demonstration: it being shown to the understanding, and mind made see that is so.”⁷³ Here, it seems, Locke’s point of view is no doubt rationalistic. Because he commends intuition and demonstration that is characteristic of mathematical knowledge and in view of the fact that he takes mathematical knowledge as the paradigm of knowledge he shows a resemblance with Descartes.

In Locke’s opinion, though demonstrative knowledge to be certain, “yet the evidence of it is not altogether so clear and bright, nor the assent so ready, as in intuitive knowledge.”⁷⁴ In addition, as commentators have mentioned, Locke’s view of demonstrative knowledge unavoidably restricts the range of demonstrative knowledge to a very narrow field.⁷⁵

For Locke, there is next degree of knowledge which is sensitive knowledge. Indeed, there is “another perception of the mind, employed about the particular existence of finite beings without us, which, going beyond bare probability and yet not reaching perfectly to either of the forgoing degrees of certainty, passes under the name of knowledge. There can be nothing more certain than that the idea we receive from an external object is in our minds: this is intuitive knowledge.”⁷⁶ Hence, in Locke’s point of view, we have three degrees of knowledge i.e. intuitive, demonstrative, and sensitive, in each of which, there are different degrees and ways of evidence and certainty. Whatever comes short of them is not knowledge “but faith or opinion, at least in all general truths.”⁷⁷

⁷²Ibid., pp.272-273.

⁷³Ibid., p.273.

⁷⁴Ibid.

⁷⁵Copleston, Frederick, 1964, p.110.

⁷⁶Locke, John, 1976, p.277.

⁷⁷Ibid.

The extent of human knowledge

As far, Locke denotes that there are three degrees of knowledge: intuitive, demonstrative, and sensitive. Now, we should see how far are they capable of extending? According to Locke, knowledge consists in the perception of the agreement or disagreement of any of our ideas, therefore he concludes that “first, we can have knowledge no further than we have ideas,” “Secondly, that we can have no knowledge further than we can have perception of that agreement or disagreement;” which perception is either by intuition or the immediate comparing any two ideas; or by reason, examining the agreement or disagreement of two ideas, by the intervention of some others; or by sensation, perceiving the existence of particular things.⁷⁸

Consequently, first, our intuitive knowledge is limited and does not include all of our ideas. Locke treats “We cannot have an intuitive knowledge that shall extend itself to all our ideas and all that we would know about them; because we can not examine and perceive all the relations they have one to another, by juxtaposition or an immediate comparison one with another.”⁷⁹ Second, our demonstrative knowledge does not contain all of our ideas. Because when we examine between two different ideas, we can not always find mediums ideas which can connect one to another with an intuitive knowledge in all the parts of the deduction; and wherever that fails, therefore “we come short of knowledge and demonstration.”⁸⁰ Third, our sensitive knowledge that “reaching no further than the existence of things actually present to our senses, is yet much narrow than either of the former.”⁸¹ Therefore, Locke concludes that “from all which it is evident that the extent of our knowledge comes not only short of the reality of things, but even of the extent of our own ideas.”⁸² After all “that our knowledge would never reach to all we might desire to know concerning those ideas we have; nor be able to surmount all the difficulties, and resolve all the questions that might arise concerning any of them.”⁸³

⁷⁸Ibid., p.278.

⁷⁹Ibid.

⁸⁰Ibid., p.279.

⁸¹Ibid.

⁸²Ibid.

⁸³Ibid.

Furthermore, Locke examines the extent of our knowledge in each of identity, co-existence, relation, and real existence. At first, our knowledge of identity and diversity extends as far as our ideas extend. That is, we cannot have an idea without an intuitive knowledge namely it is itself and that it is different from any other idea.⁸⁴ On co-existence, Locke believes “in this our knowledge is very short, though in this consists the greatest and most material part of our knowledge concerning substances.”⁸⁵ Because in our ideas of a particular kind of substance, what we just perceive is an actual existence or togetherness of simple ideas, namely, we do not perceive any necessary connection between them. In all these inquiries concerning knowledge of substance, our knowledge “reaches very little further than our experience.”⁸⁶

Regarding the agreement or disagreement of any of our ideas in any other relation, Locke says “it is the largest field of our knowledge, so it is hard to determine how far it may extend: because the advances that are made in this part of knowledge, depending on our sagacity in finding intermediate ideas, that may show the relations and habitudes of ideas whose co-existence is not considered, it is a hard matter to tell when we are at an end of such discoveries; and when reason has all the helps it is capable of, for the finding of proofs or examining the agreement or disagreement of remote ideas.”⁸⁷

Finally, our knowledge of the real actual existence of things is that Locke declares “we have an intuitive knowledge of our own existence, a demonstrative knowledge of the existence of a God: of the existence of anything else, we have no other but a sensitive knowledge; which extends not beyond the objects present to our senses.”⁸⁸

According to Locke, our knowledge of our own existence is intuitive. That is to say, “we perceive it so plainly and so certainly, that it neither needs nor is capable of any proof. For nothing can be more evident to us than our own existence. I think, I reason, I feel pleasure and pain: can any of these be more evident to me than my own existence?”⁸⁹ Here Locke,

⁸⁴Ibid., p.282.

⁸⁵Ibid.

⁸⁶Ibid., p.284.

⁸⁷Ibid., p.286.

⁸⁸Ibid., p.290.

⁸⁹Ibid., p.329.

under the influence of Descartes' philosophy, says "If I doubt of all other things, that very doubt makes me perceive my own existence, and will not suffer me to doubt of that."⁹⁰ Experiencing, for example, the feeling of pain, convinces us, that we have an intuitive knowledge of our own existence, and an internal infallible perception that we are. "In every act of sensation, reasoning, or thinking, we are conscious to ourselves of our own being; and, in this matter, come not short of the highest degree of certainty."⁹¹ Locke means that I perceive evidently that I am a thinking self, though I do not know what I am exactly. He does not want to prove that we have intuitive certainty of the existence of an immaterial soul in our self at all.

Concerning God's existence, it should be said that though we do not have innate ideas of God but we are capable of knowing certainly that there is a God by using senses, perception, and reason.⁹² Indeed, when "man has a clear perception of his own being; he knows certainly he exists, and that he is something."⁹³ And he also knows that 'nothing' cannot produce a 'being', therefore, something must be existing from eternity.⁹⁴ Therefore if, "we know there is some real being, and that nonentity cannot produce any real being, it is an evident demonstration, that from eternity there has been something; since what was not from eternity had a beginning; and what had a beginning must be produced by something else."⁹⁵ And that is not unless God that is omnipotent and omniscient. Hence "from the consideration of ourselves, and what we infallibly find in our own constitutions, our reason leads us to the knowledge of this certain and evident truth, that there is an eternal, most powerful, and most knowing Being; which whether any one will please to call God, it matters not. The thing is evident; and from this idea duly considered, will easily be deduced all those other attributes, which we ought to ascribe to this eternal Being."⁹⁶ Hence Locke shows that our existence is a clear and infalible proof for being of God.

⁹⁰Ibid.

⁹¹Ibid.

⁹²Ibid., p.330.

⁹³Ibid.

⁹⁴Ibid.

⁹⁵Ibid., pp.330-331.

⁹⁶Ibid.

Until now we know that I and God have real existence, but what about other things? According to Locke, we do not have any cognition of the existence of other things “but a sensitive knowledge; which extends not beyond the objects present to our senses.”⁹⁷ Then, for Locke, Our knowledge is so narrow and limited because of First, want of ideas. That is to say, all the simple ideas that we have are confined to those we receive from corporeal objects by sensation, and from the operations of our own minds as the objects of reflection. Our ideas do not include whole extent of all beings. “Secondly, want of a discoverable connexion between the ideas we have. Thirdly, want of tracing and examining our ideas.”⁹⁸ Therefore, Locke declares a doubt that we can reach to knowledge of physical things although human may advance in experimental philosophy. Hence “we are not capable of scientific knowledge; nor shall ever be able to discover general, instructive, unquestionable truths concerning them. Certainty and demonstration are things we must not, in these matters, pretend to.”⁹⁹

Now that it is evident how our knowledge is narrow to the whole extent even of material beings, obviously whole spirites and intellectual world are yet more remote from our knowledge. “We have no certain information, so much as of the existence of other spirits, but by revelation. Angels of all sorts are naturally beyond our discovery; and all those intelligences, whereof it is likely there are more orders than of corporeal substances, are things whereof our natural faculties give us no certain account at all.”¹⁰⁰

Therefore, according to Locke, “the knowledge of the existence of any other thing we can have only by sensation: for there being no necessary connexion of real existence with any idea a man hath in his memory.”¹⁰¹ On the other hand, Knowledge is only the perception of the agreement or disagreement of our own ideas and only the knowledge of things is valid “it is this alone gives a value to our reasonings, and preference to one man’s knowledge over another’s, that it is of things as they really are, and not of dreams and fancies.”¹⁰² Then, it is

⁹⁷Ibid., p.290.

⁹⁸Ibid.

⁹⁹Ibid., p.293.

¹⁰⁰Ibid., p.294.

¹⁰¹Ibid., p.339.

¹⁰²Ibid., p.298.

evident that “the mind knows not things immediately, but only by the intervention of the ideas it has of them. Our knowledge therefore is real only so far as there is conformity between our ideas and the reality of things.”¹⁰³ And Locke accepts all simple ideas are really conformed to things and this conformity is sufficient for real knowledge.

Judgment and Probability

Locke’s end, the first Step, consisted of “to take a Survey of our own Understandings, examine our own Powers, and see to what Things they were adapted.” Thus far, first he refutes innate ideas discussing a tiresome debate; second, he restricted knowledge to the perception of the connexion and agreement or disagreement and repugnancy of any of our Ideas. In addition, he denoted degrees of knowledge and their objects, as well the nature and limits of knowledge. Now came to next step which being to discuss our other faculty, that is, Probability. Locke believes in our the understanding faculties not only are for Speculation, but also for ‘the Conduct of his Life’; since the Certainty of true Knowledge is very limited as God has give us other faculty “to supply the want of clear and certain knowledge, in cases where that cannot be had” which is judgment.¹⁰⁴

But what is probability and how does it relate to knowledge? According to Locke, it is a faculty “Whereby the mind takes its ideas to agree or disagree; or, which is the same, any proposition to be true or false, without perceiving a demonstrative evidence in the proofs.”¹⁰⁵ In other words, in Locke’s view our mind has two faculties about truth and falsehood: “First, knowledge, whereby it certainly perceives, and is undoubtedly satisfied of the agreement or disagreement of any ideas. Secondly, judgment, which is the putting ideas together, or separating them from one another in the mind, when their certain agreement or disagreement is not perceived, but presumed to be so; which is, as the word imports, taken to be so before it certainly appears. And if it so unites or separates them as in reality things are, it is right judgment.”¹⁰⁶

¹⁰³Ibid.

¹⁰⁴Locke, John, 1952, p.364.

¹⁰⁵Ibid.

¹⁰⁶Ibid., p.365.

Besides the few important things that we can know for certain, we can know the most part we must lead our lives without certain but probability. Judgment is concerned with probability and gives opinion and it has degrees from “full assurance and confidence, quite down to conjecture, doubt, and distrust.”¹⁰⁷

The difference between demonstration and probability is that demonstration shows the agreement or disagreement of two ideas by the intervention of one or more proofs, which have a constant, immutable, and visible connexion one with another but probability is nothing except the appearance of such an agreement or disagreement by the intervention of proofs, whose connexion is not constant and immutable, “but is, or appears for the most part to be so, and is enough to induce the mind to judge the proposition to be true or false, rather than the contrary.”¹⁰⁸ Locke names such propositions which the mind received by judgment, belief, assent, or opinion, “which is the admitting or receiving any proposition for true, upon arguments or proofs that are found to persuade us to receive it as true, without certain knowledge that it is so.”¹⁰⁹

Lock mentions two main extrinsic grounds for probability; “First, The conformity of anything with our own knowledge, observation, and experience, Secondly, the testimony of others, vouching their observation and experience. In the testimony of others is to be considered: 1. The number. 2. The integrity. 3. The skill of the witnesses. 4. The design of the author, where it is a testimony out of a book cited. 5. The consistency of the parts, and circumstances of the relation. 6. Contrary testimonies.”¹¹⁰

Moreover, Locke divides distinguishes between the probable propositions we receive of sensible matter of fact, capable of human testimony, or of what is beyond the evidence of our senses.¹¹¹ The former is a proposition that concerning matters of fact that fall under observation and can be the object of human testimony, and latter is a proposition that

¹⁰⁷Locke, John, 1976, p.356.

¹⁰⁸Ibid., p.355.

¹⁰⁹Ibid., p.356.

¹¹⁰Ibid.

¹¹¹Locke, John, 1952, p.368.

concerning matters are which beyond the discovery of our senses and can not be the object of human testimony, such as there are angels.

Hence, it is clear, for Locke the propositions of the natural sciences can have at best only a very high degree of probability. Historical propositions which rest on human testimony can have just varying degree of probability. Also he believes the degree of probability which a historical statement has, depends on the value of the relevant testimony and not on the number of people who may have repeated the statement.

Locke's account of probability rather reflects an older tradition that treated testimony as probable reasoning. "Given that Locke's aim, above all, is to discuss what degree of assent we should give to various religious propositions, the older conception of probability very likely serves his purposes best."¹¹² In addition, Locke suggests we should be tolerant of different opinions "as we have more reason to retain the opinions we have than to give them up to strangers or adversaries who may well have some interest in our doing so."¹¹³

Therefore, he asserts since "it is unavoidable to the greatest part of men, if not all, to have several opinions, without certain and indubitable proofs of their truth... it would, methinks, become all men to maintain peace, and the common offices of humanity, and friendship, in the diversity of opinions; since we cannot reasonably expect that any one should readily and obsequiously quit his own opinion, and embrace ours, with a blind resignation to an authority which the understanding of man acknowledges not... We should do well to commiserate our mutual ignorance, and endeavour to remove it in all the gentle and fair ways of information; and not instantly treat others ill, as obstinate and perverse, because they will not renounce their own, and receive our opinions, or at least those we would force upon them, when it is more than probable that we are no less obstinate in not embracing some of theirs. For where is the man that has incontestable evidence of the truth of all that he holds, or of the falsehood of all he condemns; or can say that he has examined to the bottom all his own, or other men's

¹¹²Stanford Encyclopedia of Philosophy.

¹¹³Ibid.

opinions?... If men were better instructed themselves, they would be less imposing on others.”¹¹⁴

Concerning Reason

The word reason in the English language has different meaning but Locke considers it as a “faculty in man, that faculty whereby man is supposed to be distinguished from beasts, and wherein it is evident he much surpasses them.”¹¹⁵ We need reason “very much: both for the enlargement of our knowledge, and regulating our assent.”¹¹⁶ Because reason deal with both of knowledge and opinion, and is necessary and assisting to all our other intellectual faculties. As a matter of fact, for Locke “the greatest part of our knowledge depends upon deductions and intermediate ideas: and in those cases where we are fain to substitute assent instead of knowledge, and take propositions for true without being certain they are so, we have need to find out, examine, and compare the grounds of their probability. In both these cases, the faculty which finds out the means, and rightly applies them, to discover certainty in the one, and probability in the other, is that which we call reason.”¹¹⁷

Therefore we may consider four degrees in reason: the highest degree is the discovering and finding out of truths, after that is the regular and methodical disposition of them, and laying them in a clear and fit order, to make their connexion and force be plainly and easily perceived; then is the perceiving their connexion; and finally, it is making a right conclusion.¹¹⁸

Now Locke discusses at the distinction of objects of reason with regard to that they are according to, above, and contrary to reason. They consist in: “1. According to reason are such propositions whose truth we can discover by examining and tracing those ideas we have from sensation and reflection; and by natural deduction find to be true or probable. 2. Above reason are such propositions whose truth or probability we cannot by reason derive from

¹¹⁴Locke, John, 1976, pp.359-360.

¹¹⁵Ibid., p.366.

¹¹⁶Ibid.

¹¹⁷Ibid., p.367.

¹¹⁸Ibid.

those principles. 3. Contrary to reason are such propositions as are inconsistent with or irreconcilable to our clear and distinct ideas. Thus the existence of one God is according to reason; the existence of more than one God, contrary to reason; the resurrection of the dead, above reason.”¹¹⁹ According to Locke faith is not opposed to reason and it is “nothing but a firm assent of the mind: which, if it be regulated, as is our duty, cannot be afforded to anything but upon good reason; and so cannot be opposite to it.”¹²⁰

On the Faith and Reason

In the eighteenth chapter of fourth book, Locke starts to conclude of his previous discussions. In this chapter, Locke discusses on the faith and reason, as a matter of fact, Christian faith and its relationship to reason is of greatest importance to John Locke. Indeed, for some people like Snyder, Locke’s *Essay Concerning Human Understanding* itself can be viewed at least in part as an attempt to make room for true faith by establishing the limits of reason and certainty.¹²¹ In this respect, it seems, Locke is prior to Kant, although, I do not agree with this view.

In order to determine the measures and boundaries of them and Locke mentions the conclusions of above discussions as premises of his new debate that is following: “1. That we are of necessity ignorant, and want knowledge of all sorts, where we want ideas. 2. That we are ignorant, and want rational knowledge, where we want proofs. 3. That we want certain knowledge and certainty, as far as we want clear and determined specific ideas. 4. That we want probability to direct our assent in matters where we have neither knowledge of our own nor testimony of other men to bottom our reason upon.”¹²² Because he believes the want of these criterions may possibly have been the cause of great disorders, of great disputes, and perhaps mistakes in the world.

¹¹⁹Locke, John, 1952, p.380.

¹²⁰Ibid.

¹²¹Snyder, David C., “Faith and Reason in Locke's Essay,” *Journal of the History of Ideas*, University of Pennsylvania Press, Vol. 47, No. 2, (Apr. - Jun., 1986), pp.197-213, p.197.

¹²²Locke, John, 1952, pp.380-81.

According to Locke “till it be resolved how far we are to be guided by reason, and how far by faith, we shall in vain dispute, and endeavour to convince one another in matters of religion.”¹²³ Also for him, we can not prevent from abusing reason and faith, or argue with any one, or convince a gainsayer who abuses of reason and faith “without setting down strict boundaries between faith and reason; which ought to be the first point established in all questions where faith has anything to do.”¹²⁴ Therefore, he begins to distinct the two realms; at first he declares his attitude of reason and faith. Of course, it is necessary to pay attention that Locke’s view of faith and reason and relationship between them is not far from the scholastic tradition and his viewpoint, in many respects, is similar to the position of Aquinas.

In accordance with Nicholas Wolterstorff, there are three classic views of the relationship between faith and reason: the ‘preconditionalist view’, the ‘incorporationist view’, and the ‘complementarist view’.¹²⁵

According to first view which belongs to Augustine and Calvin, ‘Faith is seen as a condition for arriving at a fully comprehensive, coherent, and consistent and true body of theories.’ If one does not have perfect and flawless faith, thus he does not have knowledge of some propositions which are essential for true theory. The second view is that the doctrinal content of the faith is merged, or found among, the body of truths that makes up the foundation for one’s beliefs and knowledge. But faith alone is not sufficient to provide all of the conditions necessary for acquiring these truths and so reason must provide some of these conditions as well. The third point of view is attributed to Aquinas. For him, there is a set of propositions which can be known in our present position and that can be known without reference to faith and revelation. These propositions are self-evident and become known by the use of the senses. Moreover, there are other propositions that God reveals to us and which should be believed. Some of these can also be known by reason, but most cannot be known and so must only be believed by faith. Thus by faith we arrive at greater truths, but we only believe rather than know these truths. And these beliefs do not influence our scientific action since they are

¹²³Locke, John, 1976, p.378.

¹²⁴Ibid.

¹²⁵Snyder, David C., 1986, p.198.

not part of our knowledge. Thus on this view faith complements or adds to reason, but the two operate in different realms.

Locke's position in this discussion is near to Aquinas with slight differences. Locke, at first on his belief, defines reason and faith, here, he contradistinguishes reason to faith and he means reason as "the discovery of the certainty or probability of such propositions or truths which the mind arrives at by deduction made from such ideas, which it has got by the use of its natural faculties; viz., by sensation or reflection."¹²⁶ And on the other hand, faith "is the assent to any proposition, not thus made out by the deductions of reason, but upon the credit of the proposer, as coming from God, in some extraordinary way of communication. This way of discovering truths to men, we call revelation."¹²⁷

Second, he declares, therefore, that we are not able to obtain new simple ideas by revelation in faith realm, namely, "no man inspired by God can by any revelation communicate to others any new simple ideas which they had not before from sensation or reflection. For, whatsoever impressions he himself may have from the immediate hand of God, this revelation, if it be of new simple ideas, cannot be conveyed to another, either by words or any other signs. Because words, by their immediate operation on us, cause no other ideas but of their natural sounds...For words, seen or heard, recall to our thoughts those ideas only which to us they have been wont to be signs of, but cannot introduce any perfectly new and formerly unknown simple ideas."¹²⁸ For instance, for him, whatever things that were can make to others on his rapt up into the third heaven, is merely that there are such things, "as eye hath not seen, nor ear heard, nor hath it entered into the heart of man to conceive."(Gospel)

As a result "our simple ideas, then, which are the foundation, and sole matter of all our notions and knowledge, we must depend wholly on our reason; I mean our natural faculties; and can by no means receive them, or any of them, from traditional revelation."¹²⁹ Then, we

¹²⁶Locke, John, 1976, p.378.

¹²⁷Ibid.

¹²⁸Ibid., pp.378-379.

¹²⁹Ibid., p.379.

can result that, in Locke's opinion we are not able to obtain new certain knowledge by revelation whether traditional or original in pale of religious issues. However, Locke, here, distinguishes between traditional revelation and original revelation. He declares "By the one, I mean that first impression which is made immediately by God on the mind of any man, to which we cannot set any bounds; and by the other, those impressions delivered over to others in words, and the ordinary ways of conveying our conceptions one to another."¹³⁰

Third, according to Locke, it is possible that God has assigned that we can discover truths and ideas by revelation in additional reason, but it is surplus because of "In all things of this kind there is little need or use of revelation, God having furnished us with natural and surer means to arrive at the knowledge of them. For whatsoever truth we come to the clear discovery of, from the knowledge and contemplation of our own ideas will always be certainer to us than those which are conveyed to us by traditional revelation. For the knowledge we have that this revelation came at first from God can never be so sure as the knowledge we have from the clear and distinct perception of the agreement or disagreement of our own ideas."¹³¹ That is to say, we have more certainty to knowledge that we obtain by our senses rather to knowledge we can be have by traditional revelation, even in religious issues. For example, according to Locke, "the history of the deluge is conveyed to us by writings which had their original from revelation,"¹³² it is certain and clear and still less than the assurance of our senses.

Fourth, moreover we do not need revelation in our intuitive and demonsterative knowledge "as necessary to gain our assent, and introduce them into our minds. Because the natural ways of knowledge could settle them there, or had done it already; which is the greatest assurance we can possibly have of anything, unless where God immediately reveals it to us: and there too our assurance can be no greater than our knowledge is, that it is a revelation from God."¹³³ The important point, in here, is that according to Locke "but yet nothing, I think, can, under that title, shake or overrule plain knowledge; or rationally prevail with any

¹³⁰Ibid.

¹³¹Ibid., pp.379-380.

¹³²Ibid., p.380.

¹³³Ibid., p.380.

man to admit it for true, in a direct contradiction to the clear evidence of his own understanding. For, since no evidence of our faculties, by which we receive such revelations, can exceed, if equal, the certainty of our intuitive knowledge, we can never receive for a truth anything that is directly contrary to our clear and distinct knowledge.”¹³⁴ However these propositions should pretend to the authority of a divine revelation “since the evidence, first, that we deceive not ourselves, in ascribing it to God; secondly, that we understand it right; can never be so great as the evidence of our own intuitive knowledge whereby we discern it impossible for the same body to be in two places at once. And therefore no proposition can be received for divine revelation, or obtain the assent due to all such, if it be contradictory to our clear intuitive knowledge.”¹³⁵ For if we accept doubtful propositions instead of self-evident and certain proposition it would destroy “the principles and foundations of all knowledge, evidence, and assent whatsoever; and there would be left no difference between truth and falsehood, no measures of credible and incredible in the world, if doubtful propositions shall take place before self-evident; and what we certainly know give way to what we may possibly be mistaken in.”¹³⁶ Therefore, we must not assert about propositions contrary to the clear perception of the agreement or disagreement of any of our ideas, as matters of faith for it is vain.

Such proposition cannot obtain our assent for that total at all because “faith can never convince us of anything that contradicts our knowledge.”¹³⁷ Otherwise, namely, if we accept the proposition that is supposed revealed contradicts our knowledge or reason, it would be the problem “that we cannot tell how to conceive that to come from God, the bountiful Author of our being, which, if received for true, must overturn all the principles and foundations of knowledge he has given us; render all our faculties useless; wholly destroy the most excellent part of his workmanship, our understandings; and put a man in a condition wherein he will have less light, less conduct than the beast that perisheth.”¹³⁸

¹³⁴Ibid.

¹³⁵Ibid., p.381.

¹³⁶Ibid.

¹³⁷Ibid.

¹³⁸Ibid.

Fifth, then, man has to use reason even in immediate and original revelation as well as traditional revelation. “to all those who pretend not to immediate revelation, but are required to pay obedience, and to receive the truths revealed to others, which, by the tradition of writings, or word of mouth, are conveyed down to them, reason has a great deal more to do, and is that only which can induce us to receive them.”¹³⁹ Because, according to Locke “matter of faith being only divine revelation, and nothing else” and also, Locke believes that such or such a proposition or such or such a book is not divine inspiration “unless it be revealed that that proposition, or all in that book, was communicated by divine inspiration.”¹⁴⁰ Therefore “without such a revelation, the believing, or not believing, that proposition, or book, to be of divine authority, can never be matter of faith, but matter of reason; and such as I must come to an assent to only by the use of my reason, which can never require or enable me to believe that which is contrary to itself: it being impossible for reason ever to procure any assent to that which to itself appears unreasonable.”¹⁴¹ Hence, reason is the proper judge in all things that we have clear evidence from our ideas and those principles of knowledge, and revelation cannot in such cases invalidate its decrees.

Sixth, there are some things that we do not have perfect notion, or none at all, and other things that we can never have any knowledge them by use our natural faculties because these things are beyond the discovery of our natural faculties, and above reason. They are revealed, the proper matter of faith, for example “that part of the angels rebelled against God, and thereby lost their first happy state: and that the dead shall rise, and live again: these and the like, being beyond the discovery of reason, are purely matters of faith, with which reason has directly nothing to do.”¹⁴²

Seventh, in any of those matters which we can just be have a probable degree by our natural faculties “where God has been pleased to give it, must carry it against the probable conjectures of reason. Because the mind not being certain of the truth of that it does not evidently know, but only yielding to the probability that appears in it, is bound to give up its

¹³⁹Ibid., pp.381-382.

¹⁴⁰Ibid., p.382.

¹⁴¹Ibid.

¹⁴²Ibid.

assent to such a testimony which, it is satisfied, comes from one who cannot err, and will not deceive.”¹⁴³ In other words, according to Locke, the evident revelation has to determine our assent in the probable propositions even against ourselves probability. Because “where the principles of reason have not evidenced a proposition to be certainly true or false, there clear revelation, as another principle of truth and ground of assent, may determine; and so it may be matter of faith, and be also above reason. Because reason, in that particular matter, being able to reach no higher than probability, faith gave the determination where reason came short; and revelation discovered on which side the truth lay.”¹⁴⁴

But it is obvious if some people accept a thing as revelation which contradicts the plain principles of reason, and the evident knowledge, at any rate, a man has to listen only to reason. However, in Locke’s view, every proposition is revealed and our mind cannot judge about its truth by its natural faculties and notions, it is explicitly matter of faith, and above reason. Also, all propositions which the mind can come to determine and judge, by using of its natural faculties through its naturally obtained ideas, are matter of reason. As well as, although it is correct that Whatever God has revealed is definitely true, without no doubt and it is the matter of faith. “But whether it be a divine revelation or no, reason must judge; which can never permit the mind to reject a greater evidence to embrace what is less evident, nor allow it to entertain probability in opposition to knowledge and certainty. There can be no evidence that any traditional revelation is of divine original, in the other words we receive it, and in the sense we understand it, so clear and so certain as that of the principles of reason.”¹⁴⁵ That is to say, we must not urge or assent whatever is contrary to reason as revelational matters. As a matter of fact, Locke locates reason as a judge in both of the poles: reason and faith.

Indeed, in Locke’s view, reason is natural revelation and revelation is natural reason, by means the former God gives to mankind that portion of truth which he has laid within the reach of their natural faculties, and the latter God “enlarged by a new set of discoveries communicated by God immediately; which reason vouches the truth of, by the testimony and

¹⁴³Ibid., pp.382-383.

¹⁴⁴Ibid., p.383.

¹⁴⁵Ibid., pp.383-384.

proofs it gives that they come from God.”¹⁴⁶ Then everyone that “takes away reason to make way for revelation, puts out the light of both, and does much what the same as if he would persuade a man to put out his eyes, the better to receive the remote light of an invisible star by a telescope.”¹⁴⁷ He treats people who are prone to assume that some ideas which come to their heads are private divine revelations. They don’t fear to claim that their ideas are inspired by God; strong feeling is for them more persuasive than any reason. “They are sure, because they are sure: and their persuasions are right, because they are strong in them.”¹⁴⁸ Also “reason is lost upon them, they are above it: they see the light infused into their understandings, and cannot be mistaken; it is clear and visible there, like the light of bright sunshine; shows itself, and needs no other proof but its own evidence: they feel the hand of God moving them within, and the impulses of the Spirit, and cannot be mistaken in what they feel.”¹⁴⁹ Therefore, according to Locke, to be protected the extravagances of delusion and error, “reason must be our last judge and guide in everything,” that is to say, we must consult reason “and by it examine whether it be a revelation from God or no: and if reason finds it to be revealed from God, reason then declares for it as much as for any other truth, and makes it one of her dictates.”¹⁵⁰

In Locke’s view, “error is not a fault of our knowledge, but a mistake of our judgment giving assent to that which is not true.”¹⁵¹ Also, in his opinion there are four reasons for contrariety of opinions that consists in: “I. Want of proofs. II. Want of ability to use them. III. Want of will to see them. IV. Wrong measures of probability,”¹⁵² such as: “I. Propositions that are not in themselves certain and evident, but doubtful and false, taken up for principles. II. Received hypotheses. III. Predominant passions or inclinations. IV. Authority.”¹⁵³ According to Locke, the latter who keeps in ignorance or error more people than all the other together, is to give up our assent to the common received opinions, either of our friends or party, neighbourhood or country. “All men are liable to error, and most men are in many points, by passion or

¹⁴⁶Locke, John, 1952, p.385.

¹⁴⁷Ibid.

¹⁴⁸Ibid., p.386.

¹⁴⁹Ibid., pp.385-386.

¹⁵⁰Ibid., pp.387-388.

¹⁵¹Ibid., p.388.

¹⁵²Ibid., p.389.

¹⁵³Ibid., p.391.

interest, under temptation to it. If we could but see the secret motives that influenced the men of name and learning in the world, and the leaders of parties, we should not always find that it was the embracing of truth for its own sake, that made them espouse the doctrines they owned and maintained.”¹⁵⁴ In his opinion, blind obedience is often a sign of ignorance and cause of error. “A man shall never want crooked paths to walk in, if he thinks that he is in the right way, wherever he has the footsteps of others to follow.”¹⁵⁵

Therefore, Locke separates and distinguishes the realms and boundaries of faith and reason, to open room for reason in matters of religion because otherwise “those extravagant opinions and ceremonies that are to be found in the several religions of the world will not deserve to be blamed. For, to this crying up of faith in opposition to reason, we may, I think, in good measure ascribe those absurdities that fill almost all the religions which possess and divide mankind.”¹⁵⁶ Consequently, “religion, which should most distinguish us from beasts, and ought most peculiarly to elevate us, as rational creatures, above brutes, is that wherein men often appear most irrational, and more senseless than beasts themselves.”¹⁵⁷

As a result, since, Locke asserts our knowledge is achieved only of our natural faculties, and we can be certain merely about things we know, also we can not have perfect assurance of faith for “the assurance of its being a revelation, is less still than the assurance of the senses.” Locke, in the forth book of the Essay, in the chapter on ‘faith and reason’, points out repeatedly that concernments of faith can not be sure as those of reason because we cannot be sure of the source of what we think is revelation. As a matter of fact, Locke on the one hand distigushes between certainty and assurance, and on the other hand he clearly declares that the level of certainty that faith can attain is always lower than the level that knowledge can attain, because natural means and faculties to discover truth in knowledge realm are always surer means than that is provided by revelation. Therefore, in Locke’s point of view in the Essay, the certainty of knowledge and the assurance of faith are different both in kind and in degree. Hence, Locke believes in religious zealots have no reason and basis for their claims

¹⁵⁴Ibid., p.394.

¹⁵⁵Ibid.

¹⁵⁶Ibid., p.384.

¹⁵⁷Ibid.

to special knowledge that contradict ordinary experience. That is to say, for Locke, since fanatics cannot achieve certainty about their belief and even cannot appeal to Scriptures as a source for their beliefs, they do not have any right to insist on being security their beliefs and to impose on others. Therefore, here this seems to me, Locke uses want and absence of security in matters of faith as an important premise in his argument for religious toleration. Locke's argument is that, since we can not be sure that our religious beliefs and practices are more correct and pleasing to God than others, we must tolerate opposed opinion.

Thus, Locke prepares speculative grounds of toleration, by examining human understanding and showing that the reach of certainty is very limited whereas the field of probability is very large in its various degrees.

Chapter 3

Locke's view of freedom: An Exposition and Examination

I, in this chapter, shall discuss Locke's view of freedom. As a matter of fact, theory of freedom of John Locke depends on his metaphysics, morals, and politics; in addition to the meaning of his political liberalism can be understood merely in the light of his philosophy. Therefore, it is better to start this issue on philosophical freedom.

Philosophical Freedom

Locke sets forth the discussion of the philosophical meaning of freedom in the second book of *An Essay Concerning Human Understanding*, in section of 'power'. He calls power as the matter which causes changes. According to Locke, when the mind "considers in one thing the possibility of having any of its simple ideas changed, and in another the possibility of making that change; and so comes by that idea which we call power."¹

In Locke's opinion, power is considered either as able to make or able to receive any change. He calls the former active and the latter passive.² In addition, for him "all power relating to action" and we can image two sorts of action viz thinking and motion.³ These imaginations do not come from external things but we have them "from reflection on the operations of our minds"⁴ as well as "The idea of the beginning of motion we have only from reflection on what passes in ourselves; where we find by experience, that, barely by willing it, barely by a thought of the mind, we can move the parts of our bodies, which were before at rest."⁵

For him, will and understanding are two powers in mind, because it is obvious that we have a power to begin or forbear, continue or end several actions of our minds, and motions of our

¹Locke, John, *An Essay Concerning Human Understanding*, Edited by John W. Yolton, Dent, London; Dutton, New York, 1976, p.105.

²Ibid.

³Ibid., p.106.

⁴Ibid.

⁵Ibid., p.107.

bodies by which a thought or preference of the mind ordering or commanding, the doing or not doing such or such a particular action. "This power which the mind has thus to order the consideration of any idea, or the forbearing to consider it; or to prefer the motion of any part of the body to its rest, and vice versa, in any particular instance, is that which we call the Will."⁶ Consequently, a voluntary action that is which one does by order or command of the mind and on the contrary, any action, which is performed without such a thought of the mind, it is involuntary. Hence, Locke enters freedom and necessity by discussing of the mind's faculties. As a matter of fact, "From the consideration of the extent of this power of the mind over the actions of the man, which everyone finds in himself, arise the ideas of liberty and necessity."⁷

In Locke's opinion, a man, so far as, has power to think or not to think, to move or not to move by preference or direction of his own mind, so far is a free man. Otherwise he is not free. Therefore, it seems Locke, on the one hand, equates the idea of freedom with power and on the other hand with the thought faculty. As he says that "So that the idea of liberty is, the idea of a power in any agent to do or forbear any particular action, according to the determination or thought of the mind, whereby either of them is preferred to the other: where either of them is not in the power of the agent to be produced by him according to his volition, there he is not at liberty; that agent is under necessity. So that liberty cannot be where there is no thought, no volition, no will; but there may be thought, there may be will, and there may be volition, where there is no liberty."⁸ Thus the freedom of man depends on his thought power. Hence this seems to me, for Locke, one can directly achieve an essential analysis of the idea of freedom through one's own experience: sensation and reflection.

But Locke's definition of freedom as power has been opposed by Cranston, he argues that "the notion that freedom is a faculty or power is, I believe, mistaken."⁹ For Cranston, there is a difference between being free to and being able to in the conventional use of our language, and we are not able to ignore the difference. He explains, it is obviously, that a man can not

⁶Ibid.

⁷Ibid., p.108.

⁸Ibid., p.109.

⁹Cranston, Maurice, *Freedom; A New Analysis*, Longman, Green and CO, London, 1953, p.25.

do a thing if he can not do it. But a man does not say he is free to do a thing merely because of he possesses the power or faculty to do it. In other words, we denote a man's freedom to do this or that by using of the word 'may' and not by the word 'can'. "Compare: (1) you may swim to the island; (2) you can swim to the island. The first is a permissive declaration. The second is a statement about your abilities. For (1) to be valid it is only necessary that I should have the authority to say it, and say it. For (2) to be true it is necessary that you should be able to swim and swim well enough to reach the island."¹⁰ Therefore, for Cranston, there is a difference between to be free and to be able, it is clear that a man is not able to do an action if he can not do it. But a man does not say that he is free to do an action simply for this reason that he has the power to do it, that is to say, in Cranston's eyes we show the freedom of human being for doing an action by *May* not by *to be able*. Therefore, for Cranston, freedom does not equate with the power.

In addition, Locke believes freedom is a power, the power of forming one's thoughts and movements in accordance with one's own preferences. Therefore, for his opinion, freedom does not belong to the will but it belongs to human agent. Because he believes that both freedom and will are powers of mind, thus, freedom can not be a characteristic of the will. Consequently, in Locke's point of view, we can not speak of the freedom of the will or question that whether man's will be free or no, is an unreasonable, unintelligible, and absurd question, since it is vain to speak of a power of a power. In addition, it is like that to ask whether his sleep is swift, or his virtue is square. Liberty is as applicable to the will, as swiftness of motion is to sleep, or squareness to virtue. It means nothing literally. For Locke, it is obvious when one well considers it, "he will as plainly perceive that liberty, which is but a power, belongs only to agents, and cannot be an attribute or modification of the will, which is also but a power."¹¹ Therefore, he believes the question, whether the will be free, is not correct but we should ask whether a man be free.¹² In fact, for Locke, liberty belongs to agent i.e. man and "so far as any one can, by the direction or choice of his mind, preferring the existence of any action to the non-existence of that action, and vice versa, make it to exist or

¹⁰Ibid., p.26.

¹¹Locke, John, 1976, p.111.

¹²Ibid., p.114.

not exist, so far he is free.”¹³ For freedom is not more than that a man has the power to do what he will. Hence “willing, or volition” is an action, and freedom consisting in a power of acting or not acting.”As a matter of fact “freedom consists in the dependence of the existence, or not existence of any action, upon our volition of it; and not in the dependence of any action, or its contrary, on our preference.”¹⁴ Therefore, Locke reaches to his definition of freedom that it consists in “viz. in our being able to act or not to act, according as we shall choose or will.”¹⁵

It can be inferred that in Locke’s view, human being has free as far as he has power to do or not to do practices according to the preference or direction of his own mind. Therefore, Locke looks for freedom in thought, for him, being free means ability in thinking. Thus, liberty, in the sense, arises from understanding, that is to say, from a rational activity that a wise being i.e. a man can do it. Hence, freedom in Locke’s philosophy is not more than rational power whereby the mind decides to do or not to do wisdom’s judgment. In Locke’s opinion, freedom and understanding depend on together strictly, as he says that “Without liberty, the understanding would be to no purpose: and without understanding, liberty (if it could be) would signify nothing.”¹⁶ Therefore, free being who is not that can simply do an action or refuse to do it, but he is who do or refrain to do an action only in terms of the decision of his own mind. That is to say, for Locke, “the principle of freedom, as well as the principle of will, is located in thought.” Moreover, “the principle of freedom is a decision of the mind, a thought as such.”¹⁷

The debate of the freedom of the will comes from Christian theology and then entered in discussions of secular philosophy. The Greeks do not deal with it, although Aristotle discusses of ‘free choice’ in book 111 of *Nicomachean Ethics*. St. Augustine is the first to debate about it as a philosophically living issue. The problem of the freedom of the will in Christian theology is that of reconciling two contradictory beliefs: the first, which men can

¹³Ibid.

¹⁴Ibid., p.116.

¹⁵Ibid.

¹⁶Locke, John, *An Essay Concerning Human Understanding*, Great Books of the Western Worlds, Edited by Robert Maynard Hutchins, Published by William Benton, 1952, p.196.

¹⁷Polin, Raymond, “John Locke’s Conception of freedom,” in *John Locke: problems and perspectives*, Edited by John W. Yolton, Cambridge, 1969, p.2.

freely choose how to act; the second, that God is omniscient, and therefore know in advance what every man will choose. It is a discussion between theologians who believe the will is free and those who set forth the doctrine of predestination. During this time, different theologians and philosophers have argued such as St. Thomas Aquinas, Erasmus, Luther, Calvin, Hobbes, and others. One of them is Locke, he claims that basically the question whether a man's will be free or not is wrong and unreasonable, as above mentioned. Instead of that question, he proposes that whether a man be free. Cranston, in here, objects to Locke's suggestion. He says that "to ask whether a man is free may be to ask one a thousand different questions- depending on what the man concerned might or might not be free from."¹⁸ The question whether the will is free, is thoroughly different question from the question that if a man is free from debt or from danger or prison. Nevertheless, Cranston declares "most people who uphold the freedom of the will would agree with Locke that there is no such thing as the will."¹⁹

The orientation of Locke on his doctrine of freedom is clearly a rationalist orientation. For Locke, the freedom of an intelligent being, or entirely the end of our freedom consists in the achievement of the reasonable good we have chosen. Because "every man is put under a necessity, by his constitution as an intelligent being, to be determined in willing by his own thought and judgment what is best for him to do."²⁰ On the other hand, he believes "we are born free, as we are born rational,"²¹ that is to say, men have been created capable of freedom and capable of reason. Because reason understands the world order and identified with it finally. According to Locke, freedom attains its meaning merely when it is related to the order of the world itself, which is the order of reason.²²

For Locke, what it is that determines the will about our actions is an 'uneasiness' state in the want of an absent good. In fact, it is an uneasiness of the mind for want of some absent good. "Ease is that absent good; and till that ease be attained, we may call it desire. Besides this

¹⁸Cranston, Maurice, *Freedom; A New Analysis*, pp.121-122.

¹⁹Ibid., p.122.

²⁰Locke, John, 1952, p.191.

²¹Locke, John, *Two Treatises of Government*, Edited by Petter Laslett, Cambridge University Press, Cambridge, 2004, p.308.

²²Polin, Raymond, 1969, p.3.

desire of ease from pain, there is another of absent positive good; and here also the desire and uneasiness are equal. As much as we desire any absent good, so much are we in pain for it.”²³ Therefore “the removal of uneasiness is the first step to happiness”²⁴ and it determines the will but not always. Because, in Locke’s point of view, the mind has in most cases, “a power to suspend the execution and satisfaction of any of its desires; it is at liberty to consider the aims of them, examine them on all sides, and weigh them with others.”²⁵ This is liberty in the sense made by Locke and if it is abused, there right comes all that “variety of mistakes, errors, and faults which we run into in the conduct of our lives.” So according to Locke, power to suspend the prosecution of this or that desire is the source of all liberty; this seems to consist that which is called free-will.²⁶ For, during this suspension of any desire, before the will be determined to action, and the action done, we have opportunity to examine, view, and judge of the good or evil of what we are going to do. Otherwise “if to break loose from the conduct of reason, and to want that restraint of examination and judgment which keeps us from choosing or doing the worse, be liberty, true liberty, madmen and fools are the only freemen.”²⁷

Thus, in accordance with Locke, looking for the true happiness is the foundation of liberty. He declares “the highest perfection of intellectual nature lies in a careful and constant pursuit of true and solid happiness; so the care of ourselves, that we mistake not imaginary for real happiness, is the necessary foundation of our liberty.” Consequently, “we are, by the necessity of preferring and pursuing true happiness as our greatest good, obliged to suspend the satisfaction of our desires in particular cases.”²⁸

Therefore, In Locke’s view, power to suspend is the hinge the liberty of intellectual beings, in order to pursuit and to achieve a true felicity. That is to say, they can suspend to do desires and appetites in order to examine whether what is desired or interested “lie in the way to their

²³Locke, John, 1976, p.119.

²⁴Locke, John, 1952, p.186.

²⁵Ibid., p.190.

²⁶Ibid.

²⁷Ibid.

²⁸Locke, John, 1976, pp.120-121.

main end, and make a real part of that which is their greatest good. For, the inclination and tendency of their nature to happiness is an obligation and motive to them.” For Locke, “this is the great privilege of finite intellectual beings.”²⁹ From these assertions it can be concluded that liberty itself is a part of human nature not as a necessary constituent of its essence, But as an essential function of obligation. Thus, freedom, as a power or as a tendency to good, its source is in obligation and duty as such. Freedom is imprinted in the very nature of man, a duty to look for eternal salvation and to merit it. Freedom through this much desire to eternal salvation gets able to master any human desire.

Political freedom

In order to understand and discuss the political freedom of human being in Locke’s point of view, it is necessary that, at first, to discuss Locke’s political theory. His political doctrine, that is, the kind of government that individuals require, depends on his thought of the human nature like Hobbes’ political theory. This theory determines the end of government which creates for it in respect of ethical and it specifies the means and ways achievement to the end in respect of psychology as well as. For Locke and Hobbes, the end of state consists in Peace, security, and welfare of individuals but they have the basic indifference of the best way and method to reach to the end. This difference drives from their huge different viewpoints about human nature and his motives. Therefore let me I start my discussion on human nature.

Human nature

Hobbes’ view of human nature is a mixture of the ethical insight or humanism with dogma naturalism about the nature of mankind. But Locke’s theory of human nature, that is his psychology theory, is merely a humanistic theory, he believes in a human is a moral and social animal. Locke does not declare his point of view about human nature regularly and distinctly, nevertheless it can be inferred. His thought of human nature of several parts, that he presents in the *second treatises* (for instance, that section in which he explains about ‘paternal power’, that is, the relationships between fathers and children), shows his opinion

²⁹Ibid., p.121.

of human nature. The first step is that to be known for him, all human beings were born equally. That is to say, “all men are naturally in a state... equality...all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection.”³⁰ In this state “the natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule.”³¹

However, these statements do not mean that for Locke, the people enjoy rational and physical faculties equally, because he accepts “age or virtue may give men a just precedency: excellency of parts and merit may place others above the common level: birth may subject some, and alliance or benefits others, to pay an observance to those to whom nature, gratitude, or other respects, may have made it due: and yet all this consists with the equality, which all men are in, in respect of jurisdiction or dominion one over another; which was the equality I there spoke of, as proper to the business in hand, being that equal right, that every man hath, to his natural freedom, without being subjected to the will or authority of any other man.”³²

Locke means, here, every individual is counted as a unit (of society), therefore, he is equal with other individuals in respect moral, and that is to say, everybody enjoys rights in respect being mankind, and no for the superiority of power, wealth or position. Moreover, as others ought to respect his rights, he is obliged to respect their rights as well as. Locke asserts that “and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another’s uses, as the inferior ranks of creatures are for ours.”³³ That is men are not entitled to use each other as an instrument.

³⁰Locke, John, *Two Treatises of Government*, p.269.

³¹Ibid., p.283.

³²Ibid., p.304.

³³Ibid., p.271.

Therefore, in Locke's opinion, men are equal for purpose of moral, however, it may be different from the viewpoint of corporeal and other material conditions. For Locke, reason, that is, to be rational, is a criterion for the equality and liberty of men. Since, men's reason grows as they can recognize the natural laws which determine their rights and duties. They are equal for purpose of moral. Thus children can not enjoy rights and duties until their reason do not grow thoroughly. Because, the children when were born "by a natural birth, that produced them ignorant and without the use of reason, they were not presently under that law; for no body can be under a law, which is not promulgated to him; and this law being promulgated or made known by reason only, he that is not come to the use of his reason, cannot be said to be under this law; and Adam's children, being not presently as soon as born under this law of reason, were not presently free: for law, in its true notion, is not so much the limitation as the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law."³⁴ ...This holds in all the laws a man is under, whether natural or civil. Is a man under the law of nature? What made him free of that law? What gave him a free disposing of his property, according to his own will, within the compass of that law? I answer a state of maturity wherein he might be supposed capable to know that law, that so he might keep his actions within the bounds of it. When he has acquired that state, he is presumed to know how far that law is to be his guide, and how far he may make use of his freedom, and so comes to have it; till then, some body else must guide him, who is presumed to know how far the law allows a liberty."³⁵

Therefore, it is correct that for Locke, children for this reason their weakness of reason do not live in equality and liberty and have to be placed under their parents' guardianship. But he does not mean they are more animal than adults, therefore, it is not right that they be treated with violence. In addition, the authorities do not act like a despot ruler but must manage them like kind and compassionate father and mother. As he says: "Children, I confess, are not born in this full state of equality, though they are born to it. Their parents have a sort of rule and jurisdiction over them, when they come into the world and for some time after; but it is but a temporary one. The bonds of this subjection are like the swaddling clothes they art wrapt up

³⁴Ibid., pp.305-306.

³⁵Ibid., p.307.

in, and supported by, in the weakness of their infancy: age and reason as they grow up, loosen them, till at length they drop quite off, and leave a man at his own free disposal.”³⁶

Adam’s children “who are all born infants, weak and helpless, without knowledge or understanding: but to supply the defects of this imperfect state, till the improvement of growth and age hath removed them, Adam and Eve, and after them all parents were, by the law of nature, under an obligation to preserve, nourish, and educate the children they had begotten; not as their own workmanship, but the workmanship of their own maker, the Almighty, to whom they were to be accountable for them.”³⁷ Therefore, the power of parents over their children drives from that duty which is given to them that to look after of their children, “during the imperfect state of childhood. To inform the mind, and govern the actions of their yet ignorant nonage, till reason shall take its place, and ease them of that trouble, is what the children want, and the parents are bound to.”³⁸

On the other hand, in Locke’s opinion, mad and insane persons are as such, that is, the defects “may happen out of the ordinary course of nature, any one comes not to such a degree of reason, wherein he might be supposed capable of knowing the law, and so living within the rules of it, he is never capable of being a free man, he is never let loose to the disposal of his own will (because he knows no bounds to it, has not understanding, its proper guide) but is continued under the tuition and government of others, all the time his own understanding is incapable of that charge. And so lunatics and idiots are never set free from the government of their parents... All which seems no more than that duty, which God and nature has laid on man, as well as other creatures, to preserve their offspring, till they can be able to shift for themselves, and will scarce amount to an instance or proof of parents’ legal authority.”³⁹

Therefore, according to Locke, we do not have any reason that denotes an absolute arbitrary dominion of the father over his children, and the power of a father is just as far that “by such

³⁶Ibid., p.304.

³⁷Ibid., p.305.

³⁸Ibid., p.306.

³⁹Ibid., pp.307-308.

a discipline, as he finds most effectual, to give such strength and health to their bodies, such vigour and rectitude to their minds, as may best fit his children to be most useful to themselves and others.”⁴⁰

When a child got adult and his reason got perfect, like his father is free, “yet this freedom exempts not a son from that honour which he ought, by the law of God and nature, to pay his parents. God having made the parents instruments in his great design of continuing the race of mankind, and the occasions of life to their children; as he hath laid on them an obligation to nourish, preserve, and bring up their offspring; so he has laid on the children a perpetual obligation of honouring their parents, which containing in it an inward esteem and reverence to be shown by all outward expressions, ties up the child from any thing that may ever injure or affront, disturb or endanger, the happiness or life of those from whom he received his; and engages him in all actions of defence, relief, assistance and comfort of those, by whose means he entered into being, and has been made capable of any enjoyments of life: from this obligation no state, no freedom can absolve children. But this is very far from giving parents a power of command over their children, or an authority to make laws and dispose as they please of their lives or liberties. This is one thing to owe honour, respect, gratitude and assistance; another to require an absolute obedience and submission.”⁴¹

Locke believes in the main reason that have caused some people to argue that the power of father is absolute and arbitrary consists in “the want of distinguishing these two powers, viz. that which the father hath in the right of tuition, during minority, and the right of honour all his life, may perhaps have caused a great part of the mistakes about this matter.” While if we pay attention well, we will understand that the first of these is rather the privilege of children, and duty of parents, than any prerogative of paternal power. The nourishment and education of their children is a charge so incumbent on parents for their children’s good, that nothing can absolve them from taking care of it: and though the power of commanding and chastising them go along with it, yet God hath woven into the principles of human nature such a tenderness for their off-spring, that there is little fear that parents should use their power with

⁴⁰Ibid., p.310.

⁴¹Ibid., pp.311-312.

too much rigour; the excess is seldom on the severe side, the strong byass of nature drawing the other way.”⁴² In addition, “on the other side, honour and support, all that which gratitude requires to return for the benefits received by and from them, is the indispensable duty of the child, and the proper privilege of the parents.”⁴³ But it never means that children should obey all the commands of their fathers. “And thus we see how natural freedom and subjection to parents may consist together, and are both founded on the same principle.”

On the other hand, in accordance with Locke, we are both free and rational, although “not that we have actually the exercise of either: age, that brings one, brings with it the other too.”⁴⁴ furthermore, the mankind’s freedom depends on his reason growth and perfection. that is to say , for Locke, “The freedom then of man, and liberty of acting according to his own will, is grounded on his having reason, which is able to instruct him in that law he is to govern himself by, and make him know how far he is left to the freedom of his own will. To turn him loose to an unrestrained liberty, before he has reason to guide him, is not the allowing him the privilege of his nature to be free; but to thrust him out amongst brutes, and abandon him to a state as wretched, and as much beneath that of a man, as theirs. This is that which puts the authority into the parents hands to govern the minority of their children.”⁴⁵

Upon the grounds what is mentioned above, it can be inferred that according to Locke, mankind is free and wise being, thus, he can know nature law and manage his life upon this ground. For him, man is moral and social being, therefore, the relationship a father has with a child and as a child has a father, and thoroughly all relations between human beings are the human relation. It is means that there is a moral order in which men share and are obliged to regulate according to it. In addition, it means that since men are wise beings, they are able to recognize this order and to conform their duties to it as well as. Moreover, it means that men are doing such social and logical concernments for sympathy, love, and delicate motive. Briefly, the Locke’s view differs from the Hobbes point of view glaringly, because, in Hobbes’ opinion, a man is a pure animal and one of the creations of nature while Locke believes in that men are a member of a moral order and a follower of moral law, that is, the

⁴²Ibid., p.312.

⁴³Ibid., p.313.

⁴⁴Ibid., p.308.

⁴⁵Ibid., p.309.

law of nature. This moral law denotes a 'ought to' which not only shows the manner of the behavior of men but also expresses the manner that must be. Furthermore, for purposes of pure psychology, this fact that Locke believes in that a man is a follower of a moral system, his man makes him distinct from Hobbes' man. Because the man of Hobbes acts owing to corporeal and animal desires and pleasures, also he is a completely egoist being, while Locke's man knows the sound of duty and sometimes pays attention it and acts according to it, as well as occasionally he get humanitarian actually. On the hand, this denotes that Locke has been a realist philosopher in his theory of human nature. It is obviously, Locke's political philosophy relying on such view of man.

State of Nature

Locke's political theory begins with his theory about the state of nature which according to his statements, has been there before political system. As his words say, "TO understand political power right, and derive it from its original, we must consider, what state all men are naturally in."⁴⁶ Moreover, the starting point of his discussion of freedom places in the state of nature. In addition, Locke makes firm the foundations of man's freedom in human nature and the state of nature and the ruling law on it. Therefore, Locke starts his political theory with the idea of the state of nature as Hobbes. And for him "all men are naturally in that state, and remain so, till by their own consents they make themselves members of some politic society."⁴⁷ But his point of view about the state of nature differs from Hobbes' view about that. In fact, Hobbes is the chief opponent whom Locke has in mind in the second Treatise although he does not say clearly.⁴⁸

In Locke's opinion, as if there has been a state of nature that in where "all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons as they think fit, within the bounds of the Law of Nature, without

⁴⁶Ibid., p.269.

⁴⁷Ibid., p.278.

⁴⁸Copleston, S.J., Frederick, *A History of Philosophy*, Vol. 5, Hobbes to Hume, Burns and Oates Ltd., London, 1964, p.128.

asking leave or depending upon the will of any other man.”⁴⁹ Moreover, the state of nature is a state of equality in where the power and authority of all men are mutual, no one having more than another does. Obviously that all people are the same species, all they enjoy the same faculties, and no one is under other subordination or subjection. Moreover, Locke agrees Hooker which the equality of men by nature, it is the foundation of that obligation to mutual love among men, reciprocal duties men one another, and the great maxims of justice and charity is derived it.⁵⁰ In Locke’s view, man enjoys liberty perfectly in the state of nature, as he has absolute freedom philosophically, because Locke asserts explicitly that the state of nature is “a state of liberty.”⁵¹

In accordance with Locke, there is a radical difference between the state of nature and the state of war, as the state of peace, good will, mutual assistance and preservation differ from the state of enmity, malice, violence and mutual destruction. In Locke’s opinion, the state of nature is a state that “men living together according to reason, without a common superior on earth, with authority to judge between them.”⁵² But, the state of war is a state “force, or a declared design of force, upon the person of another, where there is no common superior on earth to appeal to for relief.” That is to say, the unjust use of force creates a state of war. “This is not to be identified with the state of nature; that is, of what it ought to be.”⁵³

Locke, although rejects innate law, he accepts that there are nature laws. In his opinion, as a matter of fact, “There is a great deal of difference between an innate law, and a law of nature; between something imprinted on our minds in their very original, and something that we, being ignorant of, may attain to the knowledge of, by the use and due application of our natural faculties.”⁵⁴ For him, natural law is also distinct from divine law that the latter, in the Christian tradition, normally referred to those laws that God had directly revealed through prophets and other inspired writers. Natural law can be discovered by reason alone and applies to all people, while divine law can be discovered only through God’s special

⁴⁹Locke, John, *Two Treatises of Government*, P.269.

⁵⁰Ibid., p.270.

⁵¹Ibid.

⁵²Ibid., p.280.

⁵³Copleston, 1964, p.128.

⁵⁴Locke, John, 1976, p.23.

revelation and applies only to those to whom it is revealed and who God specifically indicates are to be bound. In Locke's theory, divine law and natural law are consistent and can overlap in content.

For Locke, the ruling law of the state of nature is the law of nature, which its end is "the peace and preservation of all mankind."⁵⁵ According to him, "though this be a state of liberty, yet it is not a state of licence, though, man, in that state, have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one."⁵⁶ In addition, "reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent." Therefore, "no one ought to harm another in his life, health, liberty, or possessions." Since, all people are "the workmanship of one omnipotent and infinitely wise maker," no one does have such superiority among men with which to destroy one another. This is because we were not made for one another's uses like the inferior creatures, which are for our uses.

The law of nature, like every law has the execution. In the state of nature, the execution of the law of nature puts into every man's hands "whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation." For the law of nature would be in vain, "if there were no body that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do."⁵⁷ In other words, in the state of nature, i.e. all people enjoy the equal free and power to chastise aggressors and everybody has a right "to punish the offender, and be executioner of the law of nature."⁵⁸

⁵⁵Locke, John, *Two Treatises of Government*, p.271.

⁵⁶Ibid., pp.270-271.

⁵⁷Ibid., pp.271-272.

⁵⁸Ibid., p.272.

Thus, for Locke, man's conscience, in the state of nature, is limited to the law of nature. The meaning of the nature law in Locke's point of view is different from that for Hobbes entirely. According to Hobbes, the law of nature means the law of power, and force, and fraud, while in Locke's view it means a universally compulsory moral law that by the human reason promulgated as it considers on god and his rights, on man's relation to god and on the fundamental equality of all men as rational creatures. Nowadays, our purpose of the law of nature is a set of absolute and general principles and rules which present the action and reaction of various particulars of the material world. But Locke means the law of nature, just as the law for the human behavior, therefore, this law not only explains present behavior of men but also it expresses that behavior that men must be had.

In addition, the description of the state of nature is not a general explanation of the manner of men's behavior, but description of the behavior of men in state that there is not a political power. Therefore, the duties that men have in the state of nature are different from their duties in a political society, in some of view. Of Hooker, the Cambridge Platonists in England, Grotius, and Pufendorf are mentioned as the sources of Locke's theory about the moral law of nature."⁵⁹

Locke in answering to this question, that where are, or ever were there any men in such a state of nature? asserts that" since all princes and rulers of independent governments all through the world, are in a state of nature, it is plain the world never was, nor ever will be, without numbers of men in that state."⁶⁰ For commentators, Locke's analysis of the state of nature, on the one hand, leads to a moral system idea that political organizations have to conform themselves to it. On the other hand, this comes to the concept of individuals' consent who is the members of political society that their consent is caused the government be entitled and be just.

⁵⁹Copleston, 1964, p.129.

⁶⁰Locke, John, *Two Treatises of Government*, p.276.

At any way, Locke proposes that men originally exist in a state of nature where they are free and equal in right. Life in this state is not necessarily nasty, brutish, and short, but it involves a variety of inconveniences. Locke believes in that “all men are naturally in that state, and remain so, till by their own consents they make themselves members of some politic society.”⁶¹

As a result, it can be told that Locke, in his discussion of the state of nature and the ruling law on it, achieves the first principle of his political philosophy, that is, the principle of absolute and perfect freedom of man, the equality of all men against of the natural law in the state of nature, and no one have any superiority and domination on another. This is the debate base of man’s political liberty in civil society.

Social Contract and civil society

Two main models of social organization in Western thought consist in the organismic model and the social contract model.⁶² Social contract theory enjoys a rich history. It comes from the ancients with recognition that social arrangements were not products of nature but convention. Then it developed by theorists, who sought ethical criteria for distinguishing good conventions from bad during centuries. The inquiry for such ethical criteria continues in recent attempts to apply social contract theory to organizations.

Early Greek thought almost accepted existing social and political arrangements without inquiry. For them, cultural variety denoted that existing social arrangements were not natural developments but concernments of convention or contract. Although the Greeks could not create a thoroughly contractual political philosophy, but elements of such a philosophy appear in the thought of the Sophists. From olden times, the social contract idea has been at the heart of a progressive intellectual tradition that has questioned received authority in all its guises. For the early Greeks this authority came from nature. People lived and died under rules and rulers that were taken for granted. Laws of the state did not change, any more than

⁶¹Ibid., p.278.

⁶²Keeley, Michael, “Organizational Analogy: A Comparison of Organismic and Social Contract Models,” *Administrative Science Quarterly*, Vol. 25, No. 2 (Jun., 1980), pp.337-362, p.340.

laws governing physical phenomena, and both were assumed to be part of the natural order of things. While, physical laws were the same in Greece and in Persia: Fire burns everywhere but any where was not social customs like marriage or death identical.

From these facts, Sophists, in fifth-century (B.C.), inferred that social arrangements were not products of nature, but convention or contract. For them, the origin of social rules was Human beings that somewhere, sometime, invented them to suit their own purposes. Since social rules were human products, “the Sophists concluded, these rules were neither authoritative nor unalterable. They could and should be changed to suit those subject to them (not preserved as memorials to those who made them up).”⁶³ Sophist viewpoints support the democratic movements in Athens.

In addition, “the Sophists assumed that because social rules were conventional or contractual they were therefore arbitrary. This encouraged an ethical relativism that made right and wrong, concepts like justice, simply matters of opinion. Without some authority, there was no way to tell good rules from bad or might from right.”⁶⁴ This is counted a critical weakness for the Greek sample of social contract theories that was exploited by opponents like Plato and Aristotle, which came in in order to fill the void; Plato purposed philosopher-king idea that finally came by real kings. Plato explains a typical theory in his Republic: “What say that by nature to do wrong is a good thing; to undergo wrong an evil thing; but that the evil of undergoing wrong is greater than the good of wrongdoing. So, when men have wronged and been wronged by one another, and have the state of the two in their mouths, those who are without the power to do wrong or to keep from being wronged make an agreement with one another to put an end to both. And this is the state, they say, of ordered society, of law-making, and of agreements between men.”⁶⁵ Therefore, it can be deduced a lawful social order from the voluntary acts of self-interested individuals; it is an operational agreement among participants for the purpose of reciprocal satisfaction and it has only conditional validity. This thought was inspiring and motivating popular government in Athens. While for

⁶³Keeley, Michael, “Continuing the Social Contract Tradition,” *Business Ethics Quarterly*, Vol. 5, No. 2, Social Contracts and Business Ethics, (Apr., 1995), pp.241-255, p.242.

⁶⁴Ibid.

⁶⁵Plato, *Republic*, Edited and Translated by I. A. Richards, Cambridge University Press, Cambridge, 1966, p.34.

Plato, it merely cheered personal irresponsibility and social disorder. Thus, he sets forth a holistic plan for an ideal state in the Republic, which it seems it is the first organismic model in Western thinking.

A organic model consists in – of course we do not have to take it literally or too Seriously- that organizations are assemblages of interacting human beings and their the largest assemblages in our society is that anything resembling have a central coordinative system.⁶⁶ In Plato’s point of view, state is like the individual (soul) has three functional components- appetites, will, and intelligence- hence “Plato’s society has three corresponding classes - workers, auxiliaries (military, police, and executives), and rulers (philosopher-kings who alone establish laws, educational policies, etc.).”⁶⁷

For Plato, all men are not the same in their powers. One man is good at one thing, another at another. So it would be better every one of them works for needs of all. Hence, “more things are produced, and better things, when every man does what he can do best, without being troubled by having to do other things in addition.”⁶⁸ Therefore, one man is to practice throughout his life to the exclusion of all others, and quantity and quality are recognizing the limitations of human intelligence in matters.

Unification of society is achieved through using persuasion or compulsion to unite all citizens and make them share together the benefits which each individually can confer on the community by inspired legislation.⁶⁹ That is to say, motive among classes is restricted for the good of the community as a whole. In Platonic society, groups of individuals are different functionally just as organs of individual differ from working, individuals are considered to be fit naturally for providing and removing of particular community needs. For instance if one’s nature is to be a worker, it is impossible to interfere with community governance, because it is dysfunctional and in fact, it is unjust. “Justice means keeping one’s place in the social

⁶⁶Keeley, Michael, *Continuing the Social Contract Tradition*, 1980, p.337.

⁶⁷*Ibid.*, p.341.

⁶⁸Plato, *Republic*, pp.43-44.

⁶⁹*Ibid.*, p.128.

organism, a unified entity whose welfare is distinct from and superior to individual welfares.”⁷⁰

The social-contract theory renews in the sixteenth and seventeenth centuries with Tomas Hobbes and John Locke. On Hobbes' view, a man establishes a common-wealth for the advantages that a peaceful society have for him. As Hobbes words, by “the finall Cause, End, or Designe of men, (who naturally love Liberty, and. Dominion over others,) in the introduction of that restraint upon themselves, (in which wee see them live in commonwealth,) is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of Warre.”⁷¹ The Hobbes' solution for removing man's problems and difficulties consists in that men conferre “all their power and strength upon one man, or upon one Assembly of men, that may reduce all their wills, by plurality of voices, unto one will.” The contract is made by every man with every man, as if “every man should say to every man, I Authorise and give up my Right of Governing my selfe, to this man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authtorise all Actions in like manner. This done, the Multitude so united in one person, is called a COMMON-WEALTH, in latine CIVITAS. This is generation of that great LEVIATHAN”⁷²...Which we owe it our peace and security.

In Hobbes' view, when a state called a common wealth by institution that “Multitudes of men do Agree, and Covenant, everyone, with everyone, that to whatsoever Man, or Assembly of Men, shall be given by the major part, the Right to Present the Person of them all, (that is to say, to be their Representative,) everyone as well he that Voted for it, as he that voted against it, shall Authorise all the Action and judgements, of that Man, or Assembly of men, in the same manner, as if they were his own, to the end, to the peaceably amongst themselves, and be protected against other man.”⁷³ Then, the people begin establishing the ruling power only because of their desire to peace and security. In order to reach this end, he has to be adequate

⁷⁰Keeley, Michael, 1980, p.341.

⁷¹Hobbes, Thomas, *Leviathan*, Edited by Richard Tuck, Cambridge University Press, Cambridge, 1996, p.117.

⁷²Ibid., p.120.

⁷³Ibid., p.121.

power, that is to say, Hobbes believes in that governor ought to have been had the unconditional, superior and absolute power.

Therefore, in Hobbes' social contract, all individuals must entrust all powers to ruler "for by this Authoritie, given him by every particular man in Common-wealth, he hath the use of so much Power and Strength conferred on him, that by terror, he is inabled ayd con forme the wills of them all, to Peace at home, and mutuall ayd against their enemies abroad. And in him consisteth the Essence of Commonwealth; which (to define it,) is One Person, of whose Acts a great Multitude, by mutuall Covenants one with another, have made themselves everyone the Author, to the end he may use the strength, have and means of them all, as he shall think expedient, for their peace and Common Defence."⁷⁴

It is true that Locke adopts the social contact concept from Hobbes like the state of nature, but the social contact concept in Locke's point of view is very different from Hobbes' view. According to Locke, "the contract is a better model of how government could work than the "glib nonsense" of functional views that give primacy to the rights of persons in power."⁷⁵ Although for Locke, in state of nature, "Man being born... with a title to perfect freedom, and an uncontroled enjoyment of all the rights and privileges of the law of nature, equally with any other man, or number of men in the world, hath by nature a power, not only to preserve his property, that is, his life, liberty and estate, against the injuries and attempts of other men; but to judge of, and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself, in crimes where the heinousness of the fact, in his opinion, requires it."⁷⁶

Nevertheless, the state of nature, for Locke, always is not safe for human beings, because when "in the state of nature every one has the executive power of the law of nature... Self-love will make men partial to themselves and their friends: and on the other side, that ill nature, passion and revenge will carry them too far in punishing others."⁷⁷ In addition,

⁷⁴Ibid., pp.120-121.

⁷⁵Keeley, Michael, *Continuing the Social Contract Tradition*, 1995, p.243.

⁷⁶Locke, John, *Two Treatises of Government*, pp.323-324.

⁷⁷Ibid., p.276.

though man in the state of nature is free and he is “absolute lord of his own person and possessions, equal to the greatest, and subject to no body, ...yet the enjoyment of it is very uncertain, and constantly exposed to the invasion of others: for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very unsecure. This makes him willing to quit this condition which, however free, is full of fears and continual dangers.”⁷⁸

Hence, in order to get rid the unpleasant situation of the state of nature, men become compelled to cease it. Therefore, man “seeks out and is willing to join in society with others who are already united, or have a mind to unite for the mutual preservation of their lives, liberties and estates, which I call by the general name – property.”⁷⁹ Locke believes in that in this situation, the best solution is to establish civil government, he asserts that “I easily grant, that civil government is the proper remedy for the inconveniencies of the state of nature.”⁸⁰ Therefore, Lockean man, in such position, tries to leave these conditions and “to join in society with others, who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties and estates, which I call by the general name, property.”⁸¹ For Locke, only when and where the civil government is established that “every one of the members hath quitted this natural power, resigned it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire.”⁸² Eventually, Locke words his intention of civil contract and political society by “where-ever therefore any number of men are so united into one society, as to quit every one his executive power of the law of nature, and to resign it to the public, there and there only is a political, or civil society. And this is done, where-ever any number of men, in the state of nature, enter into society to make one people, one body politic, under one supreme government; or else when any one joins himself to, and incorporates with any government already made: for hereby he authorizes the society, or which is all one, the legislative thereof, to make laws for him, as the public good of the society shall require; to the execution

⁷⁸Ibid., p.350.

⁷⁹Ibid.

⁸⁰Ibid., p.277.

⁸¹Ibid., p.350.

⁸²Ibid., p.324.

whereof, his own assistance (as to his own decrees) is due. And this puts men out of a state of nature into that of a common-wealth, by setting up a judge on earth, with authority to determine all the controversies, and redress the injuries that may happen to any member of the commonwealth; which judge is the legislative, or magistrates appointed by it. And where-ever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of nature.”⁸³ Subjecting to more examination he declares “Whosoever ...out of a state of nature unite into a community, must be understood to give up all the power, necessary to the ends for which they unite into society, to the majority of the community, unless they expressly agreed in any number greater than the majority. And this is done by barely agreeing to unite into one political society, which is all the compact that is, or needs be, between the individuals, that enter into, or make up a commonwealth. And thus that, which begins and actually constitutes any political society, is nothing but the consent of any number of freemen capable of a majority to unite and incorporate into such a society. And this is that, and that only, which did, or could give beginning to any lawful government in the world.”⁸⁴

As a matter of fact, John Locke creates civil society through the interferer of contract that in which everyone, with contract other individuals entrusts the nature right of execution the reason law to society which being enabling to protect their life, freedom, and property. Therefore the individuals preserve the rest of their nature rights and this determines the boundaries of the unquestionable power of society. Vice versa Hobbes gives power to absolute governor; indeed the word absolute governor has not room in Locke’s thought. In addition, for Locke’s the contract is a limited and distinct contract, and not an unlimited and general one. In other words, in accordance with Locke, “governments (and other social systems) are analogous to contracts. Governments, like contracts, are made by and for people, not the reverse. In governments, as in contracts, one person’s rights should count as much as another’s. Since everyone counts, contracts, governments and other systems gain legitimacy and create obligations to the extent that all parties consent to them.”⁸⁵

⁸³Ibid., p.325.

⁸⁴Ibid., p.333.

⁸⁵Keeley, Michael, *Continuing the Social Contract Tradition*, 1995, p.243.

Therefore, for Locke, political society is established merely of one way and it is the consent of individuals, therefore Locke comes by consent concept. In other words, for Locke, civil society is established only through social contract and it is realized by individuals' consent. As Locke explains this issue by, "MEN being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent. The only way whereby any one divests himself of his natural liberty, and puts on the bonds of civil society, is by agreeing with other men to join and unite into a community for their comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of their properties, and a greater security against any, that are not of it. This any number of men may do... When any number of Men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude the rest."⁸⁶

Here, Locke sets forth one of the most important conceptions of political liberalism that is the vote of majority. "For when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority: for that which acts any community, being only the consent of the individuals of it, and it being necessary to that which is one body to move one way; it is necessary the body should move that way whither the greater force carries it, which is the consent of the majority: or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it, agreed that it should; and so every one is bound by that consent to be concluded by the majority."⁸⁷ Thus "every man, by consenting with others to make one body politic under one government, puts himself under an obligation, to every one of that society, to submit to the determination of the majority, and to be concluded by it."⁸⁸ Otherwise he will be in the state of nature.

Therefore, it is concluded of this conception that in civil government, all citizens must consent and confirm the state functions, but if a civil government is expected for the consent

⁸⁶Locke, John, *Two Treatises of Government*, pp.330-331.

⁸⁷Ibid., pp.331-332.

⁸⁸Ibid., p.332.

of all individuals, it would not be able to protect its existence because it will lead to anarchy definitely. Locke argues in special matters by, “For if the consent of the majority shall not, in reason, be received as the act of the whole, and conclude every individual; nothing but the consent of every individual can make any thing to be the act of the whole: but such a consent is next to impossible ever to be had, if we consider the infirmities of health, and avocations of business, which in a number, though much less than that of a common-wealth, will necessarily keep many away from the public assembly. To which if we add the variety of opinions, and contrariety of interests, which unavoidably happen in all collections of men, the coming into society upon such terms would be only like Cato’s coming into the theatre, only to go out again.”⁸⁹

Thus, it can be resulted that for Locke, consent means the majority will and decision. He presents two proofs; the first proof is a legal reasoning in this sense that to join primary individuals to a society or each other to establish civil society means they have accepted to relinquish, on the occasion of necessary, of their absolute freedom. The second proof treats that the civil government will remain and continue merely when all individuals of society admit the majority’s decision even when do not agree with it, otherwise the state is disintegrated. It is obvious that, neither of these proofs is satisfactory but it gives the importance of the consent concept for Locke. That is why, in Locke’s thought, no society can be a political society unless it is established on the basis of consent of individuals, belonging to it. Indeed, Locke means consent both in the sense of an explicit act of agreement, as in voting to a set of laws and the sense of an implicit act as well as, such as simply participating in some lawful activity.

Thus, upon grounds mentioned above it seems, “Locke rescues social contract theory from the ethical relativism of Sophist versions. He offers ways to tell good rules from bad and might from right: (1) by consulting moral laws, such as the rightful equality of persons, and (2) by determining what people will consent to. (In cases of conflict, Locke implies that the first takes priority; for example, persons cannot consent to enslave themselves.)”⁹⁰

⁸⁹Ibid., pp.332-333.

⁹⁰Keeley, Michael, *Continuing the Social Contract Tradition*, 1995, p.243.

The idea that society originates in a single explicit act of contract is, of course, historically unjustified. Thus Locke is criticized by critics in case the reality of the state of nature and the establishing of civil society by civil contact. For Locke, these objections consist in “First, that there are no instances to be found in story, of a company of men independent and equal one amongst another, that met together, and in this way began and set up a government. Secondly, it is impossible of right, that men should do so, because all men being born under government, they are to submit to that, and are not at liberty to begin a new one.”⁹¹ He, in answering to this objection, declares that “it is not at all to be wondered, that history gives us but a very little account of men, that lived together in the state of nature. The inconveniences of that condition, and the love and want of society, no sooner brought any number of them together, but they presently united and incorporated, if they designed to continue together. And if we may not suppose men ever to have been in the state of nature, because we hear not much of them in such a state, we may as well suppose the armies of Salmanasser or Xerxes were never children, because we hear little of them, till they were men, and imbodyed in armies. Government is every where antecedent to records, and letters seldom come in amongst a people till a long continuation of civil society has, by other more necessary arts, provided for their safety, ease, and plenty: and then they begin to look after the history of their founders, and search into their original, when they have outlived the memory of it: for it is with commonwealths as with particular persons, they are commonly ignorant of their own births and infancies.”⁹²

Then, Locke tries to present some historical instances for justifying his view. For example, he points to how in establishing of governments in Rome, Venice, and some other places in America that the people in places had no certain kings. Obviously for Locke that “ these men were actually free; and whatever superiority some politicians now would place in any of them, they themselves claimed it not, but by consent were all equal, till by the same consent they set rulers over themselves.” So he concludes “that their politic societies all began from a voluntary union, and the mutual agreement of men freely acting in the choice of their

⁹¹Locke, John, *Two Treatises of Government*, pp.333-334.

⁹²Ibid., p.334.

governors, and forms of government.”⁹³ In addition, “reason being plain on our side, that men are naturally free, and the examples of history shewing, that the governments of the world, that were begun in peace, had their beginning laid on that foundation, and were made by the consent of the people; there can be little room for doubt, either where the right is, or what has been the opinion, or practice of mankind, about the first erecting of governments.”⁹⁴ For some of commentators of Locke, however, the Locke’s statement of beginning of society is not satisfactory, “Yet Locke’s political theory does not require one to accept this idea literally. According to Locke, the social contract is continuously made as new participants expressly or tacitly assents to prevailing rules of order. Though individuals may sometimes have little choice but to tolerate established social and political arrangements, the requirement of assent to legitimate these arrangements is important.”⁹⁵

Thus, Locke, here, comes to the main principle of his political thought which is man’s freedom in establishing social society and in determining the kind of government that called political freedom. This freedom is realized in forming social contract and individuals consent. In this way, according to Locke, since “every man’s children being by nature as free as himself, or any of his ancestors ever were, may, whilst they are in that freedom, choose what society they will join themselves to, what common-wealth they will put themselves under.”⁹⁶ That is to say, man’s child “is under his father’s tuition and authority, till he comes to age of discretion; and then he is a freeman, at liberty what government he will put himself under, what body politic he will unite himself to: ..., it is evident there is no tie upon him by his father’s being a subject of this kingdom; nor is he bound up by any compact of his ancestors.”⁹⁷ Upon this ground, it is obvious for Locke that “mankind never owned nor considered any such natural subjection that they were born in, to one or to the other that tied them, without their own consents, to a subjection to them and their heirs.”⁹⁸ Therefore, there are few examples in history that “men withdrawing themselves, and their obedience, from the jurisdiction they were born under, and the family or community they were bred up in, and

⁹³Ibid., p.335.

⁹⁴Ibid., p.336.

⁹⁵Keeley, Michael, *Continuing the Social Contract Tradition*, 1980, p.341.

⁹⁶Locke, John, *Two Treatises of Government*, p.315.

⁹⁷Ibid., p.347.

⁹⁸Ibid., p.345.

setting up new governments in other places.”⁹⁹ In Locke’s view, political society and government depend on a rational foundation as well, because they rely on consent.

Now, here, some questions can be put; first, when men join to establish a political society, what do men give up? And to what do they give their consent? It is clear that man’s complete freedom of the state of nature is necessarily reduced to some extent by means the establishment of political society and government. As a matter of fact, every one gives up his legislative and executive powers which has in the state of nature to political community, that is, he permits society or the legislative to make laws which are required for the common good, and he entrusts to society the power to enforce these laws and exact punishment for their infringement. Then, to this extent the liberty of man in the state of nature is bounded. But they relinquish these Powers for enjoying their freedom in more secure conditions. This is so, because, for Locke, “for no rational creature can be supposed to change his condition with an intention to be worse.”¹⁰⁰ In other words, men do not give up their liberty to enter a state of slavery. Thus, we can consider Locke’s rationalist attempt for finding a justification for the boundaries of freedom in civil society after presupposing a state of nature in which man has been unlimited freedom.

Civil Government

In Locke’s opinion, the origin of the state and government is consent by men. For Hobbes, civil society and government, both them are created by means of one consent at the same time. That is, in Hobbes’ view, owing to the same consent by which some men are united over a sovereign and entrust him the rights that they enjoyed in the state of nature, here men both are forming civil society and determining the kind of government. But, it has been argued that Locke’s political theory has formed two contracts. One whereby political society is formed, and the other whereby a government, that is the kind of government- is established. Indeed, Locke does not specify anywhere of two contracts. But it has been argued, Locke assumes implicitly that there are two compacts. By the first covenant, men established civil

⁹⁹Ibid.

¹⁰⁰Ibid., p.353.

society and individuals become members of definite political society and compel themselves to accept the decisions of the majority. Whereas, by the second contract, the majority or all of members of the new- formed society determine the sort of government by agreement with each other. Consequently, according to Hobbes' theory, political society will dissolve logically if men overthrow the sovereign. While, *vis versa*, on the theory of Locke this is not the case, because, the political society is established by a distinct contract and can be dissolved by agreement of its members.¹⁰¹

So far, it is specified that in Locke's thought, men unite and form a political society and civil government "for the mutual preservation of their lives, liberties and estates, which I call by the general name, property" and the power of government "is obliged to secure every one's property, by providing against those three defects above mentioned, that made the state of nature so unsafe and uneasy." Therefore, the power of the society, or legislative that constituted by them, "can never be supposed to extend farther, than the common good... And so whoever has the legislative or supreme power of any common-wealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary decrees; by indifferent and upright judges, who are to decide controversies by those laws; and to employ the force of the community at home, only in the execution of such laws, or abroad to prevent or redress foreign injuries, and secure the community from inroads and invasion. And all this to be directed to no other end, but the peace, safety, and public good of the people."¹⁰² Thus, this power is limited, not absolute in this political system, "So that the end and measure of this power, when in every man's hands in the state of nature, being the preservation of all of his society, that is, all mankind in general, it can have no other end or measure, when in the hands of the magistrate, but to preserve the members of that society in their lives, liberties, and possessions; and so cannot be an absolute, arbitrary power over their lives and fortunes, which are as much as possible to be preserved; but a power to make laws, and annex such penalties to them, as may tend to the preservation of the whole, by cutting off

¹⁰¹Copleston, 1964, p.135.

¹⁰²Locke, John, *Two Treatises of Government*, p.353.

those parts, and those only, which are so corrupt, that they threaten the sound and healthy, without which no severity is lawful.”¹⁰³

In case of the relation of between citizens and government, Locke appears to believe in trusteeship. That is, men form a government and entrust it a set of definite tasks and the government obliges to fulfill this trust. In Locke’s opinion, since “absolute arbitrary power, or governing without settled standing laws, can neither of them consist with the ends of society and government”¹⁰⁴, then “the first and fundamental positive law of all commonwealths is the establishing of the legislative power.”¹⁰⁵ And “the community put the legislative power into such hands as they think fit, with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty, as it was in the state of nature.”¹⁰⁶ Although, “in a constituted common-wealth, standing upon its own basis, and acting according to its own nature, that is, acting for the preservation of the community, there can be but one supreme power, which is the legislative, to which all the rest are and must be subordinate, yet the legislative being only a fiduciary power to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them.”¹⁰⁷ Hence, the power of the Legislative body definitely is not absolute; it has a trust to fulfill.

According to Locke, as man has freedom in the state of nature in which he only subjected to the law of nature, also, in the society man has freedom, but with this difference that “the liberty of man, in society, is to be under no other legislative power, but that established, by consent, in the commonwealth; nor under the dominion of any will, or restraint of any law, but what that legislative shall enact, according to the trust put in it.”¹⁰⁸ In other words, in society man enjoys liberty but his freedom is under the positive law that the legislative has been authorized it and man has accepted it. In Locke’s words, “freedom of men under government is, to have a standing rule to live by, common to every one of that society, and

¹⁰³Ibid., p.382.

¹⁰⁴Ibid., p.359.

¹⁰⁵Ibid., p.355.

¹⁰⁶Ibid., p.359.

¹⁰⁷Ibid., pp.366-367.

¹⁰⁸Ibid., p.283.

made by the legislative power erected in it; a liberty to follow my own will in all things, where the rule prescribes not; and not to be subject to the inconstant, uncertain, unknown, arbitrary will of another man: as freedom of nature is, to be under no other restraint but the law of nature.”¹⁰⁹

On the other hand, in Locke’s view, since man is a creature of God, “a man, not having the power of his own life, cannot, by compact, or his own consent, enslave himself to any one, nor put himself under the absolute, arbitrary power of another, to take away his life, when he pleases. No body can give more power than he has himself; and he that cannot take away his own life, cannot give another power over it.”¹¹⁰ Thus, for Locke, the man’s freedom has a close necessary relation to his life and preservation, therefore “this freedom from absolute, arbitrary power, is so necessary to, and closely joined with a man’s preservation, that he cannot part with it, but by what forfeits his preservation and life together.”¹¹¹ On this ground, according to Locke, a man’s political liberty; of an absolute authority has a necessary relationship, as the want of freedom means the destruction of his being.

Freedom and Toleration

Since, Locke’s political thought was an answer to the problems of his time which in his view, are religious serious conflicts, it is necessary that he shows how individuals’ freedom can be preserved in civil society with existing religious violent differences in it.

At first, let us see, for Locke, what is the origin and cause of religious disputes. In Locke’s point of view, “this opinion prevails, that dominion is founded in grace and that religion is to be propagated by force of arms,” is the cause of religious differences and so long as there are these beliefs “no peace and security, no, not so much as common friendship, can ever be established or preserved amongst men”.¹¹² But indeed, what religious controversies are. It is possible to be said that religious assemblies and meetings are mentioned as causes of social

¹⁰⁹Ibid., p.284.

¹¹⁰Ibid.

¹¹¹Ibid.

¹¹²Locke, John, 1952, p.7.

and religious disputes and riots because of such communities have enough grounds to riot and civil wars. In other words they are more inclinable to factions, tumults, and civil wars. Nevertheless, for Locke, religion is not the cause of these differences and disturbances, “but the refusal of toleration to those that are of different opinions (which might have been granted), that has produced all the bustles and wars that have been in the Christian world upon account of religion.”¹¹³ That is, the magistrate is afraid of other Churches, he is severe and cruel in respect of them, he appoints them as “slaves and, how blamelessly so ever they demean themselves, recompenses them no otherwise than by galleys, prisons, confiscations, and death.” He cherishes and defends his coreligionists, but continually scourges and oppresses others.

Therefore, if men enter into subversive conspiracies, it is not religion that inspires them but their sufferings and oppressions that make them willing to get rid off themselves.¹¹⁴ In fact these riots and seditions are derived from “common disposition of all mankind, who when they groan under any heavy burthen endeavor naturally to shake off the yoke that galls their necks.”¹¹⁵ And “there is only one thing which gathers people into seditious commotions, and that is oppression.”¹¹⁶

Religious Freedom

Therefore, according to Locke, being conventicles is not a reason against this doctrine of toleration, but they come from discontented circumstances of want of liberty or ill-settled liberty.¹¹⁷ In here, Locke’s solution consists in toleration. Locke believes “if the law of toleration were settled”, that is, “all Churches were obliged to lay down toleration as the foundation of their own liberty, and teach that liberty of conscience is every man’s natural right, equally belonging to dissenters as to themselves; and that nobody ought to be compelled in matters of religion either by law or force. The establishment of this one thing would take away all ground of complaints and tumults upon account of conscience; and these

¹¹³Ibid., p.20.

¹¹⁴Ibid., p.19.

¹¹⁵Ibid.

¹¹⁶Ibid.

¹¹⁷Ibid.

causes of discontents and animosities being once removed.”¹¹⁸ Such community would be more peaceable and less to produce disturbance to state than other meetings. That is to say, if governor permits to his dissenters to enjoy civil privileges as his other subjects, he will quickly understand that these religious community and meetings will be no longer dangerous. In fact, if government takes away the partiality in respect of their common right; changes the laws, and ceases the heavy punishment to them, in this case all things will immediately become safe and peaceable. Therefore, in Locke’s point of view, the law of toleration consists in observing mutual peace, equity, and friendship by particular churches, and by private persons without any pretence of superiority or jurisdiction over one another.¹¹⁹

Thus, Locke opens the way for religious freedom. In fact, perhaps it can be said that in Locke’s view toleration is the same as religious freedom. According to Locke, since “the end of all religion is to please Him, and that liberty is essentially necessary to that end”, use of any rites or ceremonies in the worship of God is correct only when those believers are believed that those actions are accepted by God. Thus, “whatsoever is not done with that assurance of faith is neither well in itself, nor can it be acceptable to God.”¹²⁰ Therefore, the imposition of such matters on the people that are contrary to their own judgment and belief is absurd. As Locke believes, even American natives do not have to be punished either in body or goods for the kind of their faith and worship. “If they are persuaded that they please God in observing the rites of their own country and that they shall obtain happiness by that means, they are to be left unto God and themselves.”¹²¹

For Locke, religious beliefs and articles of faith can not be imposed on the people by any Church or government because to believe this or that to be true does not depend upon their will. As matter of fact, “nobody is obliged in that matter to yield obedience unto the admonitions or injunctions of another, further than he himself is persuaded. Every man in

¹¹⁸Ibid.

¹¹⁹Ibid., p.6.

¹²⁰Ibid., p.11.

¹²¹Ibid., p.13.

that has the supreme and absolute authority of judging for himself. And the reason is because nobody else is concerned in it, nor can receive any prejudice from his conduct therein.”¹²²

In other words, “every one is to be accountable for his own actions, and no man is to be laid under a suspicion or odium for the fault of another.” The offender and criminal men ought to be punished and suppressed apart from their Churches. “But those whose doctrine is peaceable and whose manners are pure and blameless ought to be upon equal terms with their fellow-subjects.”¹²³ If establishment formal assemblies, observations of festivals, public worship, public worship is free to one sort of religious sect or school, all these things ought to be permitted to other religious groups. In Locke’s opinion, if speaking frankly, we must say that “neither Pagan nor Mahometan, nor Jew, ought to be excluded from the civil rights of the commonwealth because of his religion.”¹²⁴

The ecclesiastical clergies must refrain from “violence and rapine and all manner of persecution” but it is not enough, besides they ought to “to admonish his hearers of the duties of peace and goodwill towards all men, as well towards the erroneous as the orthodox; towards those that differ from them in faith and worship as well as towards those that agree with them therein... he ought industriously to exhort all men, whether private persons or magistrates to charity, meekness, and toleration.”¹²⁵ Moreover, clergies must industriously attempt “to ally and temper all that heat and unreasonable averseness of mind which either any man’s fiery zeal for his own sect or the craft of others has kindled against dissenters.”¹²⁶ The assistance of ecclesiastical men with this doctrine of peace and toleration would be fruitful both in Church and State. The ecclesiastical orators do not have to supply their want of reasons with the instruments of force, because of this tools is belong to governor.

According to Locke, torment may impose the verbal expression of a judgment, but can not impose the judgment itself, whose freedom remains beyond the grasp of any violence. “To

¹²²Ibid., p.16.

¹²³Ibid., p.20.

¹²⁴Ibid.

¹²⁵Locke, John, *A Letter Concerning Toleration*, p.7.

¹²⁶Ibid.

this principle inherited from Stoics, Locke adds the affirmation of a modern individualism, the individualism of the free social man, rooted in this freedom of judgment.”¹²⁷

In order to guarantee religious freedom, Locke distinguishes between two realms government and Church on their natures and functions and restricts them in their dominions; political society and religious society. As a matter of fact, Locke limits the duty of civil government only to preserve the security of persons and their properties, amongst individuals’ liberty in the temporal world, and religious matters, amongst individuals’ souls salvation are excluded of government dominion.

On the other hand, Church society is a place in where God is served and adored, also it is a free and voluntary society, so that individuals are free in coming in to it and going out of it, that is, every body can become a member of it if he wants and desires and as such he can cease to be a member.

But, in Locke’s view, no peace and security can ever be in community as long as there are religious conflicts among men in it and if an opinion dominates that religion are to be propagated and preserved by force and power of arms.

In respect of the role of Church in realizing of toleration in society, Locke approaches toleration by the nature of true religion. For this purpose, he criticizes Christianity, thus he returns Christianity to its primary tradition to discover the characteristics of the real church. At first, he mentions that attempt for power and empires over one another were not concerned to the Church of Christ.¹²⁸ He said, “the kings of the Gentiles exercise leadership over them,” said our Saviour to his disciples, “but ye shall not be so.”¹²⁹ In other words, he criticized mundane government and domination of ecclesiastical teaching on people. According to Locke therefore, true religion “is not instituted to the erecting of an external pomp, or to the obtaining of ecclesiastical dominion, nor to the exercising of compulsive force, but to the regulating of men's lives, according to the rules of virtue and piety.”¹³⁰ Then

¹²⁷Polin, Raymond, pp.15-16.

¹²⁸Locke, John, *A Letter Concerning Toleration*, p.1.

¹²⁹Ibid.

¹³⁰Ibid.

a true believer should always attempt to holiness of life, purity of manners, benignity and meekness of spirit. Therefore, he expresses “toleration to be the chief characteristic mark of the true Church.”¹³¹ That is to say, in Locke’s view, toleration is the name of freedom in religious society and the chief criterion of a true church. As a matter of fact, for him “The toleration of those that differ from others in matters of religion is so agreeable to the Gospel of Jesus Christ, and to the genuine reason of mankind, that it seems monstrous for men to be so blind as not to perceive the necessity and advantage of it in so clear a light.”¹³²

Indeed, everybody “will list himself under the banner of Christ” and everyone that takes the name of Christ must firstly “make war upon his own lusts and vices” and “depart from iniquity.” In addition, a true Christian cannot be indifferent and careless about his own salvation when, “he (Christ) was extremely concerned for mine”. In fact, Locke believed that “, no man can be a Christian without charity and without that faith which works, not by force, but by love.”¹³³ Therefore, Locke censures the practices and behavior of Church for using force in religious matters. He explains his view intolerant churches as follows: “...when I shall see them thus express their love and desire of the salvation of their souls by the infliction of torments and exercise of all manner of cruelties. For if it be out of a principle of charity, as they pretend, and love to men’s souls that they deprive them of their estates, maim them with corporal punishments, starve and torment them in noisome prisons, and in the end even take away their lives - I say, if all this be done merely to make men Christians and procure their salvation, why then do they suffer whoredom, fraud, malice, and such-like enormities, which (according to the apostle)* (4) manifestly relish of heathenish corruption, to predominate so much and abound amongst their flocks and people?”¹³⁴

Moreover, in Locke’s view such sins - whoredom, fraud, malice, and enormities- “are certainly more contrary to the glory of God, to the purity of the Church and to the salvation of souls, than any conscientious dissent from ecclesiastical decisions, or separation from

¹³¹Ibid.

¹³²Ibid., p.2.

¹³³Ibid, p.1.

¹³⁴Ibid.

public worship, whilst accompanied with innocence of life.”¹³⁵ For this reason he believed that a true Christian man is who that “follows Christ, embraces His doctrine, and bears His yoke though he forsake both father and mother, separate from the public assemblies and ceremonies of his country, or whomsoever or whatsoever else he relinquishes, will not then be judged a heretic.”¹³⁶

Locke discussed toleration in two levels; individual and society in between Churches. He, at first, treated in the individual level of toleration that “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 the rights and franchises that belong to him as a man, or as a denizen, are inviolably to be preserved to him. These are not the business of religion. No violence nor injury is to be offered him, whether he be Christian or Pagan. Nay, we must not content ourselves with the narrow measures of bare justice; charity, bounty, and liberality must be added to it. This the Gospel enjoins, this reason directs, and this that natural fellowship we are born into requires of us. If any man err from the right way, it is his own misfortune, no injury to thee; nor therefore art thou to punish him in the things of this life because thou supposest he will be miserable in that which is to come.”¹³⁷ Because for Locke, anybody is not at all accountable or responsible for other sins and practices in for God. Moreover, Locke believes in toleration between different Churches, that is to say, for him the same mutual toleration of private persons differing from one another in religion, has to be among different Churches. Therefore he says “I understand also of particular churches which stand, as it were, in the same relation to each other as private persons among themselves: nor has any one of them any manner of jurisdiction over any other.”¹³⁸ Thus, Locke believes that peace, equity, and friendship are always jointly to be observed by particular churches, as by private persons, without any pretence of superiority or jurisdiction over one another.¹³⁹

¹³⁵Ibid.

¹³⁶Ibid., p.2.

¹³⁷Ibid., p.6.

¹³⁸Ibid.

¹³⁹Ibid.

The extent of Toleration: Realm and Limitations

The realm of Toleration:

1. According to Locke, religious societies established for public worshiping of God have to be tolerated. He says that “the magistrate ought to tolerate, for the business of these assemblies of the people is nothing but what is lawful for every man in particular to take care of- I mean the salvation of their souls; nor in this case is there any difference between the National Church and other separated congregations.”¹⁴⁰
2. The practices that do not lead to injury of anyone or had no prejudice to another man’s goods, for Locke, must be tolerated. He declares, “If any people congregated upon account of religion should be desirous to sacrifice a calf, I deny that that ought to be prohibited by a law. Meliboeus, whose calf it is, may lawfully kill his calf at home, and burn any part of it that he thinks fit. For no injury is thereby done to any one, no prejudice to another man’s goods. And for the same reason he may kill his calf also in a religious meeting. Whether the doing so be well-pleasing to God or no, it is their part to consider that do it.”¹⁴¹
3. In Locke’s opinion, since power is given to the magistrate for the suppression of an idolatrous Church, it is possible in other time and place be made use of to the ruin of an orthodox one, then an idolatrous Church can be tolerated by the magistrate. “For it must be remembered that the civil power is the same everywhere, and the religion of every prince is orthodox to himself.”¹⁴² Therefore, if such a power be granted to the civil magistrate in spirituals, he can always eradicate the religion which is there reputed idolatrous by violence and blood. Because, according to Locke, “the civil power can either change everything in religion, according to the prince's pleasure, or it can change nothing. If it be once permitted to introduce anything into religion by the means of laws and penalties, there can be no bounds put to it; but it will in the same manner be lawful to alter everything, according to that rule of truth which the magistrate has framed unto himself.”¹⁴³ For Locke, idolatry may be a sin and then it is

¹⁴⁰Ibid., p.11.

¹⁴¹Ibid., p.12.

¹⁴²Ibid., p.13.

¹⁴³Ibid.

to be avoided, but this does not mean since it is a sin therefore it ought to be punished by the magistrate. “For it does not belong unto the magistrate to make use of his sword in punishing everything, indifferently, that he takes to be a sin against God.”¹⁴⁴

Locke counts idolatry as part of sins like Covetousness, uncharitableness, idleness, and many other things classified as sins by the consent of men, and which, yet, no man ever said were to be punished by the magistrate. “For the reason that they are not prejudicial to other men’s rights, nor do they break the public peace of societies.”¹⁴⁵

4. In addition, Locke asserts that opinions that are not contrary to human society, or to those moral rules, which are necessary to the preservation of civil society, are to be tolerated by the magistrate.¹⁴⁶
5. However, Locke believes that atheists must not be tolerated nevertheless he says that “As for other practical opinions, though not absolutely free from all errors, if they do not tend to establish domination over others, or civil impunity to the Church in which they are taught, there can be no reason why they should not be tolerated.”¹⁴⁷

Finally, Locke believes that “no church is bound, by the duty of toleration”. In addition, “no man whatsoever ought, therefore, to be deprived of his terrestrial enjoyments upon account of his religion.”¹⁴⁸ As well as, neither single persons nor churches, nor even commonwealths, have any just title to invade the civil rights and worldly goods of each other upon pretence of religion.

Limitations of Toleration:

In Locke’s opinion, toleration is not a general principle, but he excludes some matters of the duty of toleration and he asserts that certain things could not be tolerated which as follows:

1. In Locke’s opinion, propagandists of beliefs contrary to human society, or to those moral rules which are essential for preserving of civil society could not be tolerated.¹⁴⁹ Upon this ground, Locke asserts that “If some congregations should have

¹⁴⁴Ibid., p.14.

¹⁴⁵Ibid.

¹⁴⁶Ibid., p.17.

¹⁴⁷Ibid., p.18.

¹⁴⁸Ibid., p.13.

¹⁴⁹Cranston, Maurice, “Toleration,” *The Encyclopedia of Philosophy*, Edited by Paul Edwards, Vol. 8,

a mind to sacrifice infants, or (as the primitive Christians were falsely accused) lustfully pollute themselves in promiscuous uncleanness, or practice any other such heinous enormities, is the magistrate obliged to tolerate them, because they are committed in a religious assembly? I answer: No. These things are not lawful in the ordinary course of life, nor in any private house; and therefore neither are they so in the worship of God, or in any religious meeting.”¹⁵⁰

2. Locke believes especial matters which are harmful to peoples’ civil interests can not be tolerated. As he says that “Those things that are prejudicial to the commonweal of a people in their ordinary use and are, therefore, forbidden by laws, those things ought not to be permitted to Churches in their sacred rites.”¹⁵¹
3. In addition, in Locke’s point of view, the magistrate do not have to be tolerated “these who attribute unto the faithful, religious, and orthodox, that is, in plain terms, unto themselves, any peculiar privilege or power above other mortals, in civil concerns; or who upon pretence of religion do challenge any manner of authority over such as are not associated with them in their ecclesiastical communion, ...as those that will not own and teach the duty of tolerating all men in matters of mere religion.”¹⁵² Because of they want to grab the Government and take estates and fortunes of their fellow subjects. They only want toleration until they find themselves strong enough to affect it.
4. Moreover, Locke believes they who have transferred this first allegiance to foreign prince do not have to be tolerated, he asserts “that Church can have no right to be tolerated by the magistrate which is constituted upon such a bottom that all those who enter into it do thereby ipso facto deliver themselves up to the protection and service of another prince. For by this means the magistrate would give way to the settling of a foreign jurisdiction in his own country and suffer his own people to be listed, as it were, for soldiers against his own Government.”¹⁵³ That is to say, the citizens of a certain government can not obey two sovereigns at the same time. Locke mentions Muslims, for instance, but most commentators have pointed out that the intention of

1967, p.145.

¹⁵⁰Locke, John, *A Letter Concerning Toleration*, p.12.

¹⁵¹Ibid., p.13.

¹⁵²Ibid., p.17-18.

¹⁵³Ibid., p.18.

Locke had been Roman Catholic Church. Some thinkers such as Cranston believe that Locke did not like to extend toleration to Roman Catholics, not on religious grounds but because of political reasons. Because Locke had a faith that Roman Catholics were not loyal subjects of the England crown, since their first allegiance was to the pope.¹⁵⁴ As a matter of fact, Locke's objection to Catholics is not doctrinal but political. In other words, "treason, not religion, is the charge against Catholics, Locke claims. The difference between Catholic and Protestant dogmas was not at the heart of his objection to including them in the toleration. Only the political danger of the Catholics condemns them, not any threat they posed to Protestantism per se."¹⁵⁵ I think, it, to some extent, it means that Locke does not agree to include political opinions in the toleration. In addition, this objection of Locke to Catholics is "surely overwrought in much the same way that the ban on the communist party in America in the mid-twentieth century was overzealous."¹⁵⁶

5. This argument of Locke, has astonished most of scholars, because of they were not traitors, although most people in the English society, at that time, thought they were more dangerous than the Catholics for their countries. Locke argues atheists cannot be tolerated, he declares "those are not at all to be tolerated who deny the being of a God. Promises, covenants, and oaths, which are the bonds of human society, can have no hold upon an atheist. The taking away of God, though but even in thought, dissolves all; besides also, those that by their atheism undermine and destroy all religions, can have no pretence of religion whereupon to challenge the privilege of a toleration."¹⁵⁷ In accordance with Locke's philosophy, moral and political obligations, moral and political virtues, are necessarily linked and subordinated to the belief in an omnipotent and omniscient wise God.¹⁵⁸ Moreover, the foundation of morality rest on an opinion in the afterlife. Upon this ground, Locke thinks that an atheist does not have any reason to hold his promises; because he does not fear eternal damnation. Thus, for Locke, the atheists could not be virtuous man and good citizens. Perhaps, here we find a disagreement or incompatibility in Locke's doctrine of freedom. But it

¹⁵⁴Cranston, Maurice, 1967, p.145.

¹⁵⁵Dees, Richard H., *Trust and Toleration*, Routledge, London, 2004, p.109.

¹⁵⁶Ibid.

¹⁵⁷Locke, John, 1689, p.18.

¹⁵⁸Polin, Raymond, p.17.

should be said that in essence, this is not so, because in Locke's point of view "freedom is fundamentally a moral freedom, man a moral man, we must certainly admit that, within the frame of his system, those who do not believe in God can neither think nor act in conformity with the law of human nature, which is a moral law."¹⁵⁹

At any rate, this seems to me, Locke limits religious freedom or religious toleration to forms of worship that do not have effect on politics or have positive political advantages.

¹⁵⁹Ibid.

Chapter 4

Toleration and Rights

In Locke's political philosophy, the conception of the state of nature has occupied a central position and for some scholars "our entire understanding of that philosophy is at stake."¹ Therefore, Locke's concept of the state of nature has been discussed and commented by commentators recently. Of the debates that their understanding depends on the state of nature is Locke's view of rights. As a matter of fact, Locke efforts to find equilibrium between consent, natural law, and natural rights, so that any one does not constitute by itself his complete concept of right, as in Locke's politics and his politic theory. As is known voluntary consent, and contract sets up a political arrangements which guarantees the natural rights which one has in the state of nature in virtue of natural law.² Moreover, he asserts that in order "to understand political power right, and derive it from its original, we must consider, what state all men are naturally in," that called the state of nature. Thus, this seems to me it is better or necessary that I start to study Locke's view of rights from the state of nature and the ruling law on it, that is, natural law.

Natural Law and Natural Right

It is obviously in political philosophy that every political theory should be established explicitly or implicitly on the theory of human nature if that political theory wants to justify or defend one special governmental system, or the definite and indefinite rights and duties of citizens against of state. The theorist must show or accept what men need and are capable to protect and manage their desired political regime that have to obey and act on it.

¹Arsleff, Hans, "The State of Nature and The Nature of MSN in Locke," *John Locke: Problems and Perspectives (A Collection of New Essays)*, Edited by John W. Yolton, Cambridge University Press, Cambridge, 1969, pp.99-136, p.99.

²Riley, Patrick, "Locke on Voluntary Agreement and Political Power," *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 3, Routledge, London, 1991, pp.584-597, p.584.

In the seventeenth and eighteenth centuries, this was done by imagining the theory of the state of nature to be obvious. In this theory, men, in respect of historical necessity, have come to political society or civil society from the state of nature by making a kind of contract or agreement to each other. The debate of the state of nature is beginning apparently with Hobbes in the history of western thoughts.

For Hobbes in order to understand the nature, function, and properties of a government we have first to understand the dispositions, affections, and manners of man.³ For Hobbes “nature hath made men so equal in the faculties of body and mind as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with others that are in the same danger with himself.”⁴ This natural equality produces in individuals an equal hope of attaining their ends. Everybody seeks and pursues himself conservation, desires, and pleasures and this leads to conflicts. As he believes in “From this equality of ability ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end (which is principally their own conservation, and sometimes their delectation only) endeavour to destroy or subdue one another.”⁵ This fact that every person looks for himself conservation and delectations leads to competition and mistrust of others.

In addition, for Hobbes “in the nature of man, we find three principal causes of quarrel. Firstly, competition; secondly, diffidence; thirdly, glory: the first makes men invade for gain; the second, for safety; and the third, for reputation. The first use violence, to make themselves masters of other men’s persons, wives, children, and cattle; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of

³Copleston, Frederick, *A History of Philosophy*, Vol. 5, Hobbes to Hume, Burns And Oates Ltd., London, 1964, p.9.

⁴Hobbes, Thomas, *Leviathan*, Edited by Richard Tuck, Cambridge University Press, Cambridge, 1996, pp.86-87.

⁵*Ibid.*, p.87.

undervalue, either direct in their persons or by reflection in their kindred, their friends, their nation, their profession, or their name.”⁶ Of course, human nature has other aspect as well as that inclines to peace and coordination such as desire to convenience, sensual delights, and desire to knowledge.⁷ But doubtless, for Hobbes’ eyes, most nature desires and wishes of man are in the direction of fight to his own kind. Because it is truth, for Hobbes, although all the people accept that peace is good, but the fundamental and selfish of man causes to create desire to power in his existence and this is incompatible with his desire to peace and security. Upon this ground, he asserts that “I put for a general inclination of all mankind a perpetual and restless desire of power after power, that ceaseth only in death. And the cause of this is not always that a man hopes for a more intensive delight than he has already attained to, or that he cannot be content with a moderate power, but because he cannot assure the power and means to live well, which he hath present, without the acquisition of more.”⁸

This point is important that “perpetual and restless desire of power” does not restrict to some ambitious men but there is it necessarily in every individual. Then power is a standard for deliberation of all virtues, because according to Hobbes “the power of a man, to take it universally, is his present means to obtain some future apparent good, and is either original or instrumental. Natural power is the eminence of the faculties of body, or mind; as extraordinary strength, form, prudence, arts, eloquence, liberality, nobility. Instrumental are those powers which, acquired by these, or by fortune, are means and instruments to acquire more; as riches, reputation, friends, and the secret working of God, which men call good luck. For the nature of power is, in this point, like to fame, increasing as it proceeds; or like the motion of heavy bodies, which, the further they go, make still the more haste.”⁹

Hobbes, contrary to Locke and Kant, believes in that man does not have in itself value but “The value or worth of a man is, as of all other things, his price; that is to say, so much as would be given for the use of his power, and therefore is not absolute, but a thing dependent on the need and judgement of another.... And as in other things, so in men, not the seller, but

⁶Ibid., p.88.

⁷Ibid., pp.70-71.

⁸Ibid., p.70.

⁹Ibid., p.62.

the buyer determines the price.”¹⁰ In these conditions, for Hobbes, men live in the natural state of war. In other words, Hobbes concludes the natural state of war from considering and studying of the nature of man and his passions and desires. In accordance with Hobbes, the nature state of war continues and men are in a state of war with each other until they make decision to live under a common power. As Hobbes notes “Hereby it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man.”¹¹

Therefore, in the state of war “every man is enemy to every man” and the individual is dependent on his own strength and knowledge for his security. In such condition, according to Hobbes “there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short.”¹² Here, it is clear that Hobbes is drawing the natural state of war as a condition in which human civilization cannot prosper and mankind obtains no benefits and it means that, for him, peace and civilization can be attained just through organizing of society and establishing of government.

Now a question is put: does Hobbes mean that the natural state of war was historical fact, that is, it is prior to the organization of society? Or does he mean that logically this state precedes the institution of society? Of course, Hobbes means the latter. Indeed, it is not more important that the state of nature is a historical fact for him. What matters for him is that human life will be “solitary, poor, nasty, brutish, and short” without a ruler power. The validity of the belief does not depend on the natural state of war historical fact. But for him, “though there had never been any time wherein particular men were in a condition of war one against another, yet in all times kings and persons of sovereign authority, because of their independency, are in continual jealousies, and in the state and posture of gladiators, having

¹⁰Ibid., p.63.

¹¹Ibid., p.88.

¹²Ibid., p.89.

their weapons pointing, and their eyes fixed on one another; that is, their forts, garrisons, and guns upon the frontiers of their kingdoms, and continual spies upon their neighbours, which is a posture of war.”¹³ Thus, the state of nature, as Hobbes imagines it, can be the real state.

Generally speaking, what Hobbes purposes is that although man wants peace but considering of his personal profits and interests; that is motive of human behavior, always cause to fight with his neighbors. Any thing does not prevent human passions even reason, because, in Hobbes' view, human wit and wisdom is slave and server of passions in final analysis. What can control human passions is only and only forces no reason.

It is obvious that it is to man's interest which exits from the natural state of war, and the possibility of doing this affair is provided by nature itself. Because, according to Hobbes, moreover passions which there are in man by nature and bring about the state of war, there are other desires and passions in man which incline him to seek for peace such as “desire of ease, and sensual delight,” and “desire of knowledge, and arts of peace.” Here, the task of reason is that show how the fundamental desire of self-conservation can be made effective. At first, it suggests the conditions and subjects of peace on which men may agree. These subjects are called the laws of nature. As Hobbes notes “a law of nature, *lex naturalis*, is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved.”¹⁴ Of course, we have to avoid attributing to the word of ‘law’ any theological or metaphysical significance or reference. The law of nature in the context, in Hobbes' point of view, is a dictate of egoistic prudence. Everybody instinctively pursues self- preservation and security. Man is not only a creature of instinct and blind impulse, but there is such a thing as rational self- preservation. The so-called laws of nature set forth the conditions of this rational self-preservation. This affair leads men to form governments or states and the laws of nature give the conditions for establishing of

¹³Ibid., p.90.

¹⁴Ibid., p.91.

society and stable government.¹⁵ Here, we now come to the debate of the natural rights and as to how they can be transferred to society and government.

Short History of Natural Right

For some scholars, the rights of nature are which man enjoys them merely for being man apart from genus, race, language, and etc. Indeed, the nature- right is the most obvious right of man such as rights to life, freedom, choice, vote, property, earning a living, dwelling, and a minimum welfare. The idea of the nature rights was first set forth by ancient Greek thinkers and philosophers. The pre-Socrates, thinkers agreed with egalitarian natural right; they had believed that “all men are by nature free and equal. Natural freedom and natural equality are inseparable from each other. If all men are by nature free and equal, no one is by nature the superior of any other, and hence by nature all men are equal to each other. If all men are by nature free and equal, it is against nature to treat any man as unfree or unequal; preservation or restoration of natural freedom or equality is required by natural right,”¹⁶ Therefore, for them, existence of the city is against nature and for this reason they object to be natural lavatory and dividing to tribal groups and political parties.. Because the city is founded on inequality or obedience and on limitations on freedom. This social organization derives from violence and ultimately and from the corruption and wrong opinion of the nature of human. In other words, for them, “natural freedom and equality will be thought to have been fully effective at the beginning, when nature was not yet corrupted by opinion.”¹⁷ Therefore, according to Strauss' view “the doctrine of natural freedom and equality allies itself with the doctrine of a golden age.”¹⁸

The nature right is entered a new stage by Socrates. He is the founder of the nature rights in the Classic form which is distinct from egalitarian natural rights and modern natural rights. The doctrine of natural right appears in the theories which Socrates has created and then has been developed by Plato, Aristotle, the Stoics, and the Christian thinkers specially Thomas

¹⁵Copleston, *A History of Philosophy*, Vol. 5, p.35.

¹⁶Strauss, Leo, *Natural Rights and History*, The University of Chicago Press, Chicago & London, 1965, p.118.

¹⁷Ibid.

¹⁸Ibid.

Aquinas. In order to understand of the classical nature right doctrine perfectly we need to understand the deep changes in human thought brought about by Socrates. Socrates is said to be the first who brought philosophy down from heaven and made it inquiries of life and manners and good and bad things. Moreover, he is named as founder of political philosophy, thus he has been “the originator of the whole tradition of natural right teachings.”¹⁹ Socrates abandoned the study of nature and limited his investigations to human things. He preferred to identify law and nature and the just with the legal. This result is the substance of his thought.

For classic thinkers, the reason and foundation of justification of the natural right of human is in the hierarchic order of man’s natural constitution. The soul is superior to the body and man is different of other beasts through his speech or reason or understanding. Therefore, the characteristic of man consists in “living thoughtfully, in understanding, and thoughtful action.” Upon this ground, the good life for mankind is the life derives from a well-ordered or healthy soul and this kind of life is in conformity with the natural order of man’s being. The good life is the life in which “the requirements of man’s natural inclinations are fulfilled in the proper order to the highest possible degree.” The good life is the life according to nature and the perfection of man’s nature. For them, the rules that are circumscribing the general character of the good life are called the natural laws. Also Plato and Aristotle treat the life in accordance with the understanding that “nature is the life of human excellence or virtue, the life of a high-class person, and not the life of pleasure as pleasure.”²⁰

According to classic thinkers, man is a social being naturally. “It is men’s natural sociality that is the basis of natural right in the narrow or strict sense of right. Because man is by nature social the perfection of his nature includes the social virtue par excellence, justice; justice and right are natural.”²¹ Man achieves his perfection in civil society, such society is a closed and small society for them. In this society, man’s freedom is limited and it has bounds. “By virtue of his rationality, man has latitude of alternatives such as no other earthly being has. The sense of this latitude, of this freedom, is accompanied by a sense that the full

¹⁹Ibid., p.120.

²⁰Ibid., p.127.

²¹Ibid., p.129.

and unrestrained exercise of that freedom is not right.”²² Then restraint is as natural as freedom.

Since classics considered moral and political matters in the light of man’s perfection, they were not egalitarians. They believed that men are not equally prepared by nature for progress toward their perfection because all natures are not good natures. In addition, all men, apart from their differences on nature and capacity, do not attempt for virtue with equal seriousness. As a result, “since men are then unequal in regard to human perfection, i.e., in decisive respect, equal rights for all appeared to the classics as most unjust. They contended that some men are by nature superior to others and therefore, according to natural right rulers to others.”²³ In other words, for classics, men are unequal in the decisive respect. For achievement his highest position, man must live in the best sort of community, that is, in the sort of society that is most conducive to human perfection. “The classics called the best society the best politeia. By this expression they indicated, first of all, that in order to good, society must be civil or political society, a society in which there exists government of men and not merely administration of things.”²⁴

The important point and aim for classics consists in determining the best regime because it is, for them, the paramount social phenomenon. According to classics, “the best regime would seem to be the rule of the wise.” Because, wisdom is the highest characteristic of who wants to rule. On the other hand, since “it would be absurd to hamper the free flow of wisdom by any regulations; hence the rule of the wise must be absolute rule.”²⁵ Then, by the classics’ point of view, the wise rulers ought not be responsible to their unwise subjects. Because, for them, “to make the rule of the wise dependent on election by the unwise or consent of the unwise would mean to subject what is by nature higher to control by what is by nature lower, i.e. to act against nature.”²⁶ As a result, it is obvious that classics do not believe in the necessity of the people’s consent to rule, and for them, wisdom is superior to the people’s consent while from viewpoint of egalitarian natural right, their consent is prior to wisdom.

²²Ibid., p.130.

²³Ibid., p.135.

²⁴Ibid., pp.135-136.

²⁵Ibid., p.140.

²⁶Ibid., p.141.

The classic nature right got a religious tune by Christianity. In Thomistic view, natural law does not separate from natural theology that is based on belief in biblical revelation and from revealed theology.²⁷

In the seventeenth century, Dutch Grotius was the first who considered nature right. He placed nature right on rational argument not metaphysics. In Grotius' view, nature right is derived from reason and nature and there is freedom to fulfill nature right, therefore, nobody or no authority has the right to oppose it. Thus, natural right is substituted religious innate right. Grotius' political philosophy inspired some philosophers such as Hobbes and Locke.

According to Hobbes, there is the kind of nature right that is independent entirely from any contact or human compact. In classic political philosophy, natural law is defined as the end and perfection of man as a rational and social animal. Hobbes on the one hand attempted to maintain the idea of natural law and on the other hand to separate it from the idea of man's perfection. For him, provided that "natural law can be deduced from how men actually live, from the most powerful force that actually determines all men, or most men most of time, can it be effectual or of practical value. The complete basis of natural law must be sought, not in the end of man, but in his beginnings, in the *prima naturae* or, rather, in the *primum naturae*."²⁸ That it is passion; it means that in most man, passion is more powerful than reason in most of the time. As well as, natural law must be deduced from the most powerful of all passions in which Hobbes' view it is the fear of violent death which expresses the most powerful and the most fundamental of all natural desires which is initial desire, that is, the desire for self-preservation. Therefore natural law must be deduced from the desire for self-preservation and it is only origin and root of all justice and morality, therefore the fundamental moral fact is not a duty but a right. The fundamental natural right is the right of self-preservation that is unconditional and absolute and all duties are arisen from the fundamental and inalienable right of self-preservation.

²⁷Ibid., p.164.

²⁸Ibid., p.180.

According to Hobbes “the right of nature, which writers commonly call jus naturale, is the liberty each man hath to use his own power as he will himself for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything which, in his own judgement and reason, he shall conceive to be the aptest means thereunto.”²⁹ That is to say, the right of nature consists in “by all means we can, to defend our selves.”³⁰ Therefore, there are not any absolute or unconditional duties and they are necessary to the extent to which their performance does not endanger our self-preservation. There is only a perfect right and no perfect duty by nature. Consequently, since the foundational and moral fact is a right and not a duty, the function limits of civil society must be determined according to the natural right of man and not according to his natural duty. There is not the function of state and government to produce or promote a virtuous life, but the role of state just consists in defending the natural right of all men. The natural right is only that determines the limits of the power of state and no other moral fact.³¹

In accordance with classic political philosophy, man can not achieve the perfection of his nature except by community, that is, in and through civil society. Then the civil society is prior to the individual. This theory led to the idea that the fundamental moral fact is duty not rights. Hobbes rejects classics theory and he accepts the primacy of natural rights of mankind on his duties while he sets forth this principle that individual is prior to civil society in every respect. It means all rights of civil society or of the sovereign are derivative from rights which originally belonged to the individual that through consent to convey to civil society or to the sovereign.³² The Individual as such, the individual regardless of his qualities must consider as the entity that essentially complete in dependent of civil society. This implies that there is a state of nature which is prior to civil society.³³

²⁹Hobbes, *Leviathan*, p.91.

³⁰Ibid., p.92.

³¹Struss, *Natural Right and History*, p.181.

³²Hobbes, *Leviathan*, p.121.

³³Struss, *Natural Right and History*, p.183.

The Locke's theory of the state of nature and natural law

The debate of the state of nature reached its zenith by Locke. He starts the *Two Treatises* with proposing theory of the state of nature. In order to understanding Locke's view about the human nature and his needs and capacities, it is necessary that we come back to The Essay Concerning Human Understanding. While Locke rejects the innate principles whether logical and whether moral in his book, on the other hand, he asserts that there are tendencies and inclinations in human being which consist in "a desire of happiness and an aversion to misery." As Locke puts it "Nature, I confess, has put into man a desire of happiness and an aversion to misery: these indeed are innate practical principles which (as practical principles ought) do continue constantly to operate and influence all our actions without ceasing: these may be observed in all persons and all ages, steady and universal; but these are inclinations of the appetite to good, not impressions of truth on the understanding."³⁴

In other words, for Locke "Principles of actions indeed there are lodged in men's appetites; but these are so far from being innate moral principles, that if they were left to their full swing they would carry men to the overturning of all morality. Moral laws are set as a curb and restraint to these exorbitant desires, which they cannot be but by rewards and punishments that will overbalance the satisfaction any one shall propose to himself in the breach of the law."³⁵ These tendencies and inclinations need to be inquired and controlled by reward and punishment under the natural law.

In addition, Locke comes to conclusion that our certain knowledge is very limited; on the contrary, probably our Knowledge's realm is more extensive than it. Nevertheless, according to Locke, our same limited and probably knowledge is enough for passing our lifetime satisfactorily. "Our capacity suited to our state and concerns. For though the comprehension of our understandings comes exceeding short of the vast extent of things,... when we entertain all objects in that way and proportion that they are suited to our faculties, and upon those grounds they are capable of being proposed to us; and not peremptorily or

³⁴Locke, John, *An Essay Concerning Human Understanding*, Edited by John W. Yolton, Dent: London, Dutton: New York, 1976, pp.18-19.

³⁵Ibid., p.23.

intemperately require demonstration, and demand certainty, where probability only is to be had, and which is sufficient to govern all our concernments. If we will disbelieve everything, because we cannot certainly know all things, we shall do much what as wisely as he who would not use his legs, but sit still and perish, because he had no wings to fly.”³⁶ Upon this ground, for him “it is unavoidable to the greatest part of men, if not all, to have several opinions, without certain and indubitable proofs of their truth.”³⁷ It should be better that men do not show prejudice and do not insist others to assent their opinions. In such conditions, for Locke “it would, methinks, become all men to maintain peace, and the common offices of humanity, and friendship, in the diversity of opinions; since we cannot reasonably expect that any one should readily and obsequiously quit his own opinion, and embrace ours, with a blind resignation to an authority which the understanding of man acknowledges not.”³⁸

In two treatises, Locke expresses more on human nature while he treats the state of nature. According to Locke, the state of nature is “what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man. A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection.”³⁹ As well, in Locke’s point of view in the state of nature as “we are born free, as we are born rational.”⁴⁰ Therefore, for him, men in the state of nature, first, are freedom perfectly by nature and second, are equal and third, are rational beings. In addition, although for Locke the state of nature is “a state of liberty, yet it is not a state of licence.”⁴¹ Because he believes in that “the state of nature has a law of nature to govern it, which obliges every one.”⁴²

³⁶Ibid., pp.2-3.

³⁷Ibid., p.359.

³⁸Ibid., p.360.

³⁹Locke, John, *Two Treatises of Government*, Edited by Petter Laslett, Cambridge University Press, Cambridge, 2004, p.269.

⁴⁰Ibid., p.308.

⁴¹Ibid., pp.270-271.

⁴²Ibid., p.271.

According to Locke, law is something by which we judge of the correctness or mistake and wrong of our actions by means different enforcements, or rewards and punishments. Because, for him “it would be utterly in vain to suppose a rule set to the free actions of men, without annexing to it some enforcement of good and evil to determine his will, we must, wherever we suppose a law, suppose also some reward or punishment annexed to that law. It would be in vain for one intelligent being to set a rule to the actions of another, if he had it not in his power to reward the compliance with, and punish deviation from his rule, by some good and evil, that is not the natural product and consequence of the action itself. For that, being a natural convenience or inconvenience, would operate of itself, without a law. This, if I mistake not, is the true nature of all law, properly so called.”⁴³

For Locke, the laws that men generally refer their actions to, to judge of their rectitude or obliquity, are four and he describes three of them in *An Essay Concerning Human Understanding*. These three are 1. The divine law, 2. The civil law, 3. The law of opinion or reputation. These laws have three functions “the first of these, men judge whether their actions are sins or duties; by the second, whether they be criminal or innocent; and by the third, whether they be virtues or vices.”⁴⁴ In his opinion, divine law is the measure of sin and duty. The divine law is “that law which God has set to the actions of men, whether promulgated to them by the light of nature, or the voice of revelation.”⁴⁵ By the light of nature he means reason; and obviously he thought that man can discover something of the law of God by reason alone, even if Christian revelation gives him further more light. In addition, civil law is the measure of crimes and innocence. The civil law which “set by the commonwealth to the actions of those who belong to it--is another rule to which men refer their actions; to judge whether they be criminal or no. This law nobody overlooks: the rewards and punishments that enforce it being ready at hand, and suitable to the power that makes it: which is the force of the Commonwealth, engaged to protect the lives, liberties, and possessions of those who live according to its laws, and has power to take away life, liberty, or goods, from him who disobeys; which is the punishment of offences committed against his

⁴³Locke, John, *An Essay Concerning Human Understanding*, p.174.

⁴⁴Ibid.

⁴⁵Ibid.

law.”⁴⁶ Moreover, law of opinion or reputation is the measure of virtue and vice which “are names pretended and supposed everywhere to stand for actions in their own nature right and wrong: and as far as they really are so applied, they so far are coincident with the divine law above mentioned.”⁴⁷ But, for Locke, virtue and vice are different in the particular instances of their application between the several nations and societies of men in the world, they are constantly attributed only to such actions as in each country and society are in reputation or discredit.⁴⁸

Furthermore, Locke believes in natural law. In his opinion, nature law is in nature but we are ignorant of it and we can know it by using our natural faculties. And it is very different from innate law which is said it is imprinted on our minds and it is refused by Locke.⁴⁹

In accordance with Locke, man enjoys initial and primary rights in the state of nature such as lives, liberties, estates which he calls them by the general name, property.⁵⁰ For him, these rights do not depend on consent but they are natural or precontractual. That is to say, they antedate not only civil society but also other types of social arrangements. Therefore, Locke, in order to justify these rights, must appeal to some other prescriptive principle or set of principles which in his eyes turn out to be the law of nature. Then to understand these rights, it is necessary to first consider his view of natural law.⁵¹

According to Locke, “it is certain there is such a law, and that too, as intelligible and plain to a rational creature, and a studier of that law, as the positive laws of commonwealths; nay, possibly plainer; as much as reason is easier to be understood, than the fancies and intricate contrivances of men, following contrary and hidden interests put into words.”⁵²

⁴⁶Ibid, pp.174-175.

⁴⁷Ibid., p.175.

⁴⁸Ibid.

⁴⁹Ibid., P.23.

⁵⁰Locke, *Two Treatises of Government*, p.350.

⁵¹Snyder, David C., “Locke on Natural Law and Property Rights,” *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 3, Routledge, London, 1991, pp.362-384, p.363.

⁵²Locke, *Two Treatises of Government*, p.275.

Locke, in *two treatises* refers to law of nature as “write in the hearts of all mankind.”⁵³ It is possible that he means that the natural law is innate. But Locke, in *Essay on the Law of Nature*, explains his intention of this phrase and distinguishes the natural law from innate knowledge. He says that “we do not maintain that law of nature, written as it were on tablets, lies open in our hearts, and that, as soon as some inward light comes near it (like a torch approaching a notice board hung up in darkness), it is at length read, perceived, and noted by the rays of that light. Rather, by saying that something can be known by the light of nature, we mean nothing else but that there is some sort of truth to the knowledge of which a man can attain by himself and without the help of another, if he makes proper use of the faculties he is endowed with by nature.”⁵⁴ Therefore, Locke's comment from the law of nature, on the one hand, is not in consistent with his position against the conception of innate knowledge, on the other hand “there are self-evident principles to which the rational man will readily assent, for it is the ability to discover these truths, not the truths themselves, which is innate.”⁵⁵

According to Locke, the law of nature is the same reason “which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master.”⁵⁶ In other words, the law of nature is the rule of reason and common equity “which is that measure God has set to the actions of men, for their mutual security.”⁵⁷ Also, through *Essay on the Law of Nature*, Locke mentions the law of nature as the law of reason. But we should note that in Locke's view there are two reasons; reason as a faculty of the mind for epistemic and reason as a moral law which decrees principles of action and obedience to which is rational and they are different from each other. In other words, Locke equates moral good with the law of right reason and all statements refer to the law of nature. As Locke notes “by reason, however, I do not think is meant here that faculty of the understanding which forms trains of thought and

⁵³Ibid., p.274.

⁵⁴Locke, John, *Essay on the Law of Nature*, edi. W. von Leyden, Oxford At the Clarendon Press, London, 1988, p.123.

⁵⁵Snyder, David C., *Locke on Natural Law and Property Rights*, p.365.

⁵⁶Locke, *Two Treatises of Government*, p.271.

⁵⁷Ibid., p.272.

deduces proofs, but certain definite principles of action from which spring all virtues and whatever is necessary for the proper moulding of morals. For that which is correctly derived from these principles is justly said to be in accordance with right reason.”⁵⁸

Locke does not mention the laws of nature which rule on the state of nature like Hobbes did clearly, yet we try extracting the natural laws of the state of nature for Locke from *Two Treatises* in the following way:

1. All men have perfect freedom to arrange their actions, and dispose of their possessions and persons, as they think fit, without asking leave, or depending upon the will of any other man.⁵⁹
2. All the power and jurisdiction is reciprocal, no one having more than another.⁶⁰
3. All men born of the same species and rank have all the same advantages of nature, and the use of the same faculties, therefore they should also be equal one amongst another without subordination or subjection.⁶¹
4. Since men are all the workmanship of one omnipotent, and infinitely wise maker, men do not have liberty to destroy himself, or so much as any creature in his possession. Also, no one ought to harm another in his life, health, liberty, or possessions.⁶²
5. Since, all men are furnished with like faculties, sharing all in one community of nature; therefore it cannot be supposed that anybody is superior among them that may authorize them to destroy one another, as if they were made for one another’s uses, as the inferior ranks of creatures are for theirs.⁶³
6. Every one, as he is bound to preserve himself, and not to quit his station deliberately, so by the like reason when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind.⁶⁴

⁵⁸Locke, John, *Essays on the Law of Nature*, p.111.

⁵⁹Locke, *Two Treatises of Government*, p.269.

⁶⁰Ibid.

⁶¹Ibid.

⁶²Ibid., p.271.

⁶³Ibid.

⁶⁴Ibid.

7. All men are responsible to the preservation of the life, the liberty, health, limb, or goods of another, except that time they are to do justice on an offender, take away, or impair the life.⁶⁵
8. The execution of the law of nature is, in the state of nature, put into every man's hands. Because the law of nature like all other laws that concern men in this world would be in vain.⁶⁶
9. In the state of nature, when one man comes by a power over another, this power is not absolute or arbitrary. Therefore, when he has got a criminal in his hands, he can not punish him according to the passionate heats, or boundless extravagancy of his own will, but his punishment must be on decree of calm reason and conscience and it is to fit to his transgression, which is to be so much as may serve for reparation and restraint: for these two are the only reasons, why one man may lawfully do harm to another, which is that we call punishment.⁶⁷
10. Who so sheddeth man's blood, by man shall his blood be shed.⁶⁸
11. By the fundamental law of nature, man being to be preserved as much as possible.⁶⁹
12. He who attempts to get another man into his absolute power does thereby put himself into a state of war with him; it being to be understood as a declaration of a design upon his life.⁷⁰
13. The freedom is the foundation of all things, therefore every man who, in the state of nature, would take away the freedom that belongs to any one in that state, must necessarily be supposed to have a design to take away every thing else.⁷¹
14. Man freedom from absolute, arbitrary power is necessary to his preservation.⁷²
15. Since, a man not having the power of his own life, cannot, by compact, or his own consent, enslave himself to any one, nor put himself under the absolute, arbitrary power of another, to take away his life, when he pleases. No body can give more

⁶⁵Ibid.

⁶⁶Ibid.

⁶⁷Ibid., p.272.

⁶⁸Ibid., p.274.

⁶⁹Ibid., pp.278-279.

⁷⁰Ibid., p.279.

⁷¹Ibid.

⁷²Ibid., p.284.

power than he has himself; and he that cannot take away his own life, cannot give another power over it.⁷³

16. Nevertheless, if a criminal deserves death, he, to whom he has forfeited it, may (when he has him in his power) delay to take it, and make use of him to his own service and he does him no injury by it, whenever he finds the hardship of his slavery outweigh the value of his life, it is in his power, by resisting the will of his master, to draw on himself the death he desires.⁷⁴
17. Every man has a property in his own person: this no body has any right to but himself. The labour of his body, and the work of his hands, is properly his.⁷⁵
18. All men are equal in respect of law and jurisdiction or dominion.⁷⁶
19. All parents are by the law of nature, under an obligation to preserve, nourish, and educate the children they have begotten.⁷⁷
20. God having given man an understanding to direct his actions, has allowed him a freedom of will, and liberty of acting, as properly belonging thereunto, within the bounds of that law he is under.⁷⁸
21. The freedom then of man, and liberty of acting according to his own will, is grounded on his having reason, which is able to instruct him in that law he is to govern himself by, and make him know how far he is left to the freedom of his own will.⁷⁹
22. The command of the father over his children is temporary, and reaches not their life or property.⁸⁰

We can deduce these laws to three: man's perfect freedom, man's preservation, and the man's ownership in his own person and the work of his hands.

According to Locke, the law of nature not only determines moral and rational action, but also it grants certain rights to persons require certain duties of them. For him Natural rights are

⁷³Ibid.

⁷⁴Ibid.

⁷⁵Ibid., pp.287-288.

⁷⁶Ibid., p.304.

⁷⁷Ibid., p.305.

⁷⁸Ibid., p.306.

⁷⁹Ibid., p.309.

⁸⁰Ibid., p.311.

those rights which we have as human beings, before ever government be formed. But we should know that Locke has not made out especial theory of rights.⁸¹ Yet, since the natural rights rest on the laws of nature, I think we can come by Locke's point of view about the natural rights of men in the state of nature.

In Locke's eyes, rights and duties are correlative, that is, wherever the law of nature prescribes a rule of conduct (duty) it describes a right. For him, rights always are grounded on duties, whether owed to other people or to God. For example, since parents are obligation to norish and educate their childern in terme of the natural law (duty), the childern have a right to receive these things. In this case the duty of parents is logically prior to the right of children. In accordance with Locke, various rights and duties are correlative for various reasons, certain duties are necessary to perform the law of nature, and these duties cause correlative rights, other duties are correlative with God's right of ownership, and still other rights and duties grow through agreements. Locke's opinion of correlativity is only that rights and duties occur together; his view is, however, ambiguous of reasons for this. But it is obvious that the theory is important for Locke to justify the rights of men in civil sociey and civil government such as right of revolution.⁸² Now, I want to study Locke's view about the rights of man in the state of nature and then in political society and civil government. I think, we can list the natural rights upon the ground of the natural laws in Locke's view as follows:

1. All men have the equal right to enjoy all the same advantages of nature.⁸³
2. Everyone has a right to punish the transgressors of that law to such a degree, as may hinder its violation.⁸⁴
3. Owing to have the right to preserve mankind in general, every man has the right to restrain, or where it is necessary, to destroy things harmful to them.⁸⁵
4. In term of the law of nature, all men may bring such evil on any one, who has transgressed that law, as may make him repent the doing of it, and thereby deter him.⁸⁶

⁸¹Snyder, David C., *Locke on Natural Law and Property Rights*, p.366.

⁸²*Ibid.*, p.367.

⁸³Locke, *Two Treatises of Government*, p.269.

⁸⁴*Ibid.*, p.271.

⁸⁵*Ibid.*, p.272.

⁸⁶*Ibid.*

5. Every man has a right to punish the offender, and be executioner of the law of nature.⁸⁷
6. The man who receives damage by his transgression has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it.⁸⁸
7. A man who has suffered the damage has a right to demand in his own name, and he alone can remit: the damnified person has this power of appropriating to himself the goods or service of the offender.⁸⁹
8. Upon the ground right of self-preservation, every man has a power to punish the crime, to prevent its being committed again.⁹⁰
9. Every man has the right to preserve all mankind, and doing all reasonable things he can in order to that end.⁹¹
10. Every man, in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, and also to secure men from the attempts of a criminal, who having renounced reason as well.⁹²
11. I should have the right to destroy that which threatens me with destruction. That is every one may destroy a man who makes war upon him and since such men are not under the common law of reason, have no other rule, but that of force and violent, every man, the same reason that he may kill a wolf or a lion, may be treated as beasts of prey, those dangerous and noxious creatures, that will be sure to destroy him whenever he falls into their power.⁹³
12. To be free from other man's absolute power and force is the only security of my preservation; and reason bids me look on him, as an enemy to my preservation, who would take away that freedom which is the fence to it; so that he who makes an attempt to enslave me, thereby puts himself into a state of war with me. Then he has the right to kill him to save me from such compulsory.⁹⁴

⁸⁷Ibid.

⁸⁸Ibid., p.273.

⁸⁹Ibid., p.274.

⁹⁰Ibid.

⁹¹Ibid.

⁹²Ibid.

⁹³Ibid., p.279.

⁹⁴Ibid.

13. Upon this ground it is lawful for a man to kill a thief. That is, it is lawful for me to treat him as one who has put himself into a state of war with me, i.e., kill him if I can; for to that hazard does he justly expose himself, whoever introduces a state of war, and is aggressor in it.⁹⁵
14. When there is not a common superior on earth, with authority to judge between men whether in the state of nature or in political society, where there is no common superior on earth to appeal to for relief, is the state of war: and it is the want of such an appeal gives a man the right of war even against an aggressor. Thus, I may kill a thief, when he sets on me to rob me but of my horse or coat; because the law, which was made for my preservation, where it cannot interpose to secure my life from present force, which, if lost, is capable of no reparation, permits me my own defence, and the right of war, a liberty to kill the aggressor, because the aggressor allows not time to appeal to our common judge, nor the decision of the law, for remedy in a case where the mischief may be irreparable. Want of a common judge with authority, puts all men in a state of nature: force without right, upon a man's person, makes a state of war, both where there is, and is not, a common judge.⁹⁶
15. The state of war once begun, continues, with a right to the innocent party to destroy the other whenever he can, until the aggressor offers peace, and desires reconciliation on such terms as may repair any wrongs he has already done, and secure the innocent for the future.⁹⁷
16. The natural reason tells us, that men, being once born, have a right to their preservation, and consequently to meat and drink, and such other things as nature affords for their subsistence.⁹⁸
17. Every man has a property in his own person: this no body has any right to but himself. The labour of his body, and the work of his hands, we may say, is properly his. Whatsoever then he removes out of the state that nature has provided, and left it

⁹⁵Ibid., pp.279-280.

⁹⁶Ibid., pp.280-281.

⁹⁷Ibid., p.281.

⁹⁸Ibid., p.285.

in, he has mixed his labour with, and joined to it something that is his own, and thereby makes it his property.⁹⁹

18. Although the things of nature are given in common, nevertheless man, by being master of himself, and proprietor of his own person, and the actions or labor of it, had still in himself the great foundation of property; and that, which made up the great part of what he applied to the support or comfort of his being, when invention and arts had improved the conveniences of life, was perfectly his own, and did not belong in common to others.¹⁰⁰
19. All men by nature are equal, that is, every man has equal right to his natural freedom, without being subjected to the will or authority of any other man.¹⁰¹
20. The power of the father over his children is right of nature only when he looks after his children and he goes along with their nourishment and education. But when he quits his care of them, he loses his power over them.¹⁰²
21. As God has made the parents instruments in his great design of continuing the race of mankind, and the occasions of life to their children; as he has laid on them an obligation to nourish, preserve, and bring up their off-spring; so he has laid on the children a permanent obligation of honoring their parents.¹⁰³
22. All men generally have the right to grant their estates on those who please them best.¹⁰⁴
23. Man being born with a right to perfect freedom and an unrestrained enjoyment of all the rights and privileges of the law of nature, equally with any other man or number of men in the world. In addition, every man has by nature a power, not only to preserve his property, that is, his life, liberty and estate, against the injuries and attempts of other men; but also every one has the right to judge, and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself, in crimes where the heinousness of the fact, in his opinion, requires it.¹⁰⁵

⁹⁹Ibid., pp.287-288.

¹⁰⁰Ibid., pp.298-299.

¹⁰¹Ibid., p.304.

¹⁰²Ibid., p.310.

¹⁰³Ibid., p.311.

¹⁰⁴Ibid., p.315.

¹⁰⁵Ibid., p.323.

Therefore, this seems to me that, on the contrary Hobbes, Locke has confidence that individuals have the rights to the extent of nature. The rights may be deduced to some main rights; right of self-preservation, right to execute natural law, right to enjoy to all the same advantages of nature, the right of perfect freedom.

Entrance to Civil Society and Establishment of Civil Government

Although, for Locke, the state of nature is “a state of peace, good will, mutual assistance and preservation”¹⁰⁶ but in the state of nature many things: First, there is no known law. In Locke’s view, although the law of nature is clear and intelligible to all rational creatures, yet there are prejudiced and selfish men and ignorant persons to natural law, who cause to seem the state of nature wants especial law. As Locke puts it “there wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them.”¹⁰⁷ Secondly, since in the state of nature every one has the executive power of the law of nature and it is not reasonable that men being judges in their own actions, for it is possible that men, on “that ill nature, passion and revenge will carry them too far in punishing others”¹⁰⁸ and this leads to confusion and disorder in the state of nature. Locke explains this case that “in the state of nature there wants a known and indifferent judge, with authority to determine all differences according to the established law: for every one in that state being both judge and executioner of the law of nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat, in their own cases; as well as negligence, and unconcernedness, to make them too remiss in other men’s.”¹⁰⁹ Thirdly, according to Locke, in the state of nature there often is not enough power to support, defend, and execute of men’s rights. “They who by any injustice offended, will seldom fail, where they are able, by force to make good their injustice; such resistance many times makes the punishment dangerous, and frequently destructive, to those who attempt it.”¹¹⁰

¹⁰⁶Ibid., p.280.

¹⁰⁷Ibid., p.351.

¹⁰⁸Ibid., p.275.

¹⁰⁹Ibid., p.351.

¹¹⁰Ibid.

As a matter of fact, an economy developing by consent to use money results in large inequalities in property holdings. This “causes widespread envy, covetousness and strife, and this disintegrate the peaceful state of nature and ushers in a state of war.”¹¹¹ In other words, this increase in possessions causes the peaceful state of nature to disintegrate into war, in which peace and preservation, the natural law, is not observed.

Therefore, although in the state of nature, man has perfect freedom and he is the absolute lord of his own person and possessions, he is equal to the greatest, and he is not subject to any body. Yet, for Locke “the enjoyment of it is very uncertain, and constantly exposed to the invasion of others: for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very unsecure.”¹¹² Here, Locke appeals to God and says that “God has certainly appointed government to restrain the partiality and violence of men.”¹¹³ Then, he simply confirms that “civil government is the proper remedy for the inconveniencies of the state of nature.”¹¹⁴ Therefore, the endangerment of peace, preservation, and the elimination of convenience, is caused men find relief in the remedial civil society and be willing to form it.¹¹⁵ That is to say, men have the will to give up free conditions which is full of fears and continual dangers, and then they seek to join in society which is already established or is suppose to be formed soon, in order to preserve their lives, liberties and estates reciprocally.

At this time, Locke’s project pushes him strongly in the direction of the social contract which is mediator between the state of nature and civil society. In Locke’s eyes, legitimate civil government is established by the explicit consent of those governed. That is to say, individuals, who are in the state of nature, accept that their condition is unsatisfactory, and therefore agree to transfer some of their rights to a central government, while keeping others. “There are many versions of natural rights theory and the social contract in seventeenth and eighteenth century European political philosophy, some conservative and some radical.

¹¹¹Snyder, David C., *Locke on Natural Law and Property Rights*, p.380.

¹¹²Locke, *Two Treatises of Government*, p.350.

¹¹³Ibid., p.276.

¹¹⁴Ibid.

¹¹⁵Snyder, David C., *Locke on Natural Law and Property Rights*, p.381.

Locke's version belongs on the radical side of the spectrum. These radical natural right theories influenced the ideologies of the American and French revolutions."¹¹⁶

But, it is important to be studied that individuals, the people which their rights, commit to civil government. As a matter of fact, individuals formed civil society by a contract to willingly and voluntary transfer some of their rights to civil government. Thus they agree to transfer their right of executing the law of nature and judging their own case to the civil government. For, Locke, "a man has two powers in the state of nature besides personal freedoms." "The first power is to do whatsoever he thinks fit for the preservation of himself, and others within the permission of the law of nature: by which law, common to them all, he and all the rest of mankind are one community, make up one society, distinct from all other creatures... The other power a man has in the state of nature is the power to punish the crimes committed against that law."¹¹⁷ But, when he joins a particular political society, he gives up both of them to that society.¹¹⁸ The first power that consists in doing whatsoever he thought for the preservation of himself, and the rest of individuals, he transfers to the community in order "to be regulated by laws made by the society, so far forth as the preservation of himself, and the rest of that society shall require,"¹¹⁹ and this matter causes "which laws of the society in many things confine the liberty he had by the law of nature."¹²⁰

In addition, every man, his second power which consists in punishing, "wholly gives up, and engages his natural force, (which he might before employ in the execution of the law of nature, by his own single authority, as he thought fit) to assist the executive power of the society, as the law thereof shall require: for being now in a new state, wherein he is to enjoy many conveniencies, from the labour, assistance, and society of others in the same community, as well as protection from its whole strength; he is to part also with as much of his natural liberty, in providing for himself, as the good, prosperity, and safety of the society shall require; which is not only necessary, but just, since the other members of the society do

¹¹⁶www.thestanfordencyclopediaofphilosophy, substantive revision Sat May 5, 2007.

¹¹⁷Locke, *Two Treatises of Government*, p.352.

¹¹⁸Ibid.

¹¹⁹Ibid.

¹²⁰Ibid., p.353.

the like.”¹²¹ Individuals do such with an intention for the better to preserve himself, his liberty and property, because no rational being can be supposed to change his state with an intention to be worse.

Civil Government and Continuance Natural Rights

So far, we saw that Locke advanced his political theory that those men, who lived in the state of nature for preserving their lives, freedom, and estates, agreed voluntarily which “all their natural power,”¹²² or “all the power, necessary to the ends for which they unite,”¹²³ even legal authorities “those possessions, which he has, or shall acquire”¹²⁴ give up to the society. Therefore the people by consenting with others make one body politic under one government put themselves under an obligation, to every one of that society, to submit to the determination of the majority.¹²⁵ Thus, to conclude that according to Locke, first the foundation of one political society depends on consent and contract. Therefore, in Locke’s point of view, “this is done by barely agreeing to unite into one political society, which is the entire compact that is, or needs be, between the individuals, that enter into, or make up a commonwealth.”¹²⁶ This is only the point of beginning of any lawful government in the world. In other words, since for Locke the natural law and rights are moral and political ends which have been appointed by God, and the law of nature would be in vain if it does not execute, then “the power which executes that law must be set up by consent and contract (in where) there is no natural political authority.”¹²⁷ Second, the will and determination of the majority is the main force which carries the society. As he writes “when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority: for that which acts any community, being only the consent of the individuals of it, and it being necessary to that which is one body to move one way; it is

¹²¹Ibid.

¹²²Ibid., p.359.

¹²³Ibid., p.333.

¹²⁴Ibid., p.348.

¹²⁵Ibid., p.332.

¹²⁶Ibid., p.333.

¹²⁷Riley, Patrick, *Locke on Voluntary Agreement and Political Power*, p.584.

necessary the body should move that way whither the greater force carries it, which is the consent of the majority.”¹²⁸

Therefore, when the society constituted, it can determine the form of government as preferred. But it is unlikely that the community would want to submit arbitrarily and absolute power to any government for two reasons. First, because for Locke, men by nature do not have an absolute arbitrary power over his self or over any other, hence they can not transfer to society an absolute arbitrary power, thus the society has no such power which entrust to a government too.¹²⁹ Second, absolute arbitrary power is inconsistent with the ends of society and government, that is, to preserve their lives, liberties and estates. “It cannot be supposed that they should intend, had they a power so to do, to give to any one, or more, an absolute arbitrary power over their persons and estates, and put a force into the magistrate’s hand to execute his unlimited will arbitrarily upon them. This were to put themselves into a worse condition than the state of nature, wherein they had a liberty to defend their right against the injuries of others, and were upon equal terms of force to maintain it, whether invaded by a single man, or many in combination.”¹³⁰

At any rate, in Locke’s opinion the ideal government is not an absolute arbitrary government. In fact, there are some main rights for mankind and these rights belong to human beings for they are rational beings and a community can be named civil society or political entity, only when its organizations and institutes perform and respect those rights.

Locke's Characteristics of the Moral and Ideal Government

Now, it should be better to study the characteristics of the moral and ideal government in Locke’s point of view and its relation with his idea of toleration. This seems to me that in order to describe properly and perfectly Locke’s political theory about ideal civil government we have to consider and study both the books *Two Treatises of Government* and *A letter concerning Toleration* (toleration principle) together. Otherwise the description is defective

¹²⁸Locke, *Two Treatises of Government*, pp.331-322.

¹²⁹*Ibid.*, p.357.

¹³⁰*Ibid.*, p.359.

and imperfect. Because, for Locke, mankind has two dimensions, in other words, man has two kinds of lives; one whereby he enjoys an eternal and spiritual life and other whereby he the material and transient life. As he says that men “besides their souls, which are immortal, men have also their temporal lives here upon earth.”¹³¹ Whichever of them needs special care and employment. Locke devotes *Two Treatises* to explain how to arrange man’s temporal life and discusses in *A letter* as to how to take care of the eternal and spiritual life. In addition, according to Locke, “a good life, in which consist not the least part of religion and true piety, concerns also the civil government; and in it lies the safety both of men’s souls and of the commonwealth.”¹³² Therefore I continue to discuss the question of ideal civil government by considering Locke’s *A letter* and its main point, that is, toleration too.

Locke, in his political theory in order to protect men’s rights in the civil society, on the one hand separates civil government and religion jurisdictions, in other words, state and Church and their rights and duties as well as. He, on the other hand in discussion of government, distinguishes between powers and duties of government’s faculties; the legislative, executive, and federative. For, he asserts that “I esteem it above all things necessary to distinguish exactly the business of civil government from that of religion and to settle the just bounds that lie between the one and the other. If this be not done, there can be no end put to the controversies that will be always arising between those that have, or at least pretend to have, on the one side, a concernment for the interest of men’s souls, and, on the other side, a care of the commonwealth.”¹³³

Civil Government and Its Powers

Now, I continue my discussion with civil government and the powers. In the first step, Locke tries to determine the dominion of the state by defining it. According to Locke, government is “a society of men constituted only for the procuring, preserving, and advancing their own civil interests.” Civil interests are “life, liberty, health, and indolency of body; and the

¹³¹Locke, John, *A letter concerning Toleration*, p.16.

¹³²Ibid., p.15.

¹³³Ibid., pp.2-3.

possession of outward things, such as money, lands, houses, furniture, and the like.”¹³⁴ Civil government consists of the three faculties; the legislative, executive, and federative.

A) The Legislative

According to Locke, the sovereignty and rulership of the legislative is main characteristic of an ideal state. For Locke “the legislative power is that, which has a right to direct how the force of the common-wealth shall be employed for preserving the community and the members of it.”¹³⁵ Therefore, the first and fundamental positive law of all Political society is the establishing of the legislative.¹³⁶ The legislative, whether placed in one or more, whether it be always in being, or only by intervals, it is the supreme power in every civil government. The people place the legislature in collective bodies of men, call them senate, parliament, or what you please.¹³⁷ Indeed, men authorize the legislative to make laws for them upon the ground the public good of the society shall require, and they accept to give up their power to the society for executing the laws.¹³⁸ That is to say, the legislative is derived from the union of individual wills, and then the legislative is a manifestation of the union of the society. As Locke writes this case “the members of a commonwealth are united, and combined together into one coherent living body. This is the soul that gives form, life, and unity, to the common-wealth.... The essence and union of the society consisting in having one will, the legislative, when once established by the majority, has the declaring, and as it were keeping of that will. The constitution of the legislative is the first and fundamental act of society, whereby provision is made for the continuation of their union, under the direction of persons, and bonds of laws, made by persons authorized thereunto, by the consent and appointment of the people, without which no one man, or number of men, amongst them, can have authority of making laws that shall be binding to the rest.”¹³⁹

¹³⁴Ibid., p.3.

¹³⁵Locke, *Two Treatises of Government*, p.364.

¹³⁶Ibid., p.355.

¹³⁷Ibid., p.329.

¹³⁸Ibid., p.325.

¹³⁹Ibid., pp.407-408.

Thus the legislative that is picked by individuals, is committed to legislate laws, to execute justice and preserve men's rights, which be conformed to the laws of nature. Because, in Locke's eyes, laws of nature are eternal principles, upon whose ground the people can legislate the positive laws in the society. In other words, the legislature determines the particular laws of special conducts and concernments in accordance with the law of nature. This means that for Locke "the obligations of the law of nature cease not in society, but only in many cases are drawn closer, and have by human laws known penalties annexed to them, to in force their observation. Thus the law of nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions, must, as well as their own and other men's actions, be conformable to the law of nature, i.e. to the will of God, of which that is a declaration, and the fundamental law of nature being the preservation of mankind, no human sanction can be good, or valid against it."¹⁴⁰

As a matter of fact, since Locke wants to preserve the law of nature and natural rights by voluntary consent and contract in society as the foundation and origin of the political and social rights, hence he "gives consent a great deal of weight as one standard of political right, that he thought 'voluntary union', 'mutual agreement', 'the consent and contrivance of men' are essential in setting up a known and indifferent judge to enforce natural law and to protect the natural rights which flow from natural law."¹⁴¹

In Locke's opinion, the general good is the end of legislation in a society, because law, in its true notion is "the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law."¹⁴² In fact, we can say that the aim of the legislation and execution of laws in civil society is the same end the establishing of the society. As Locke writes "the great end of men's entering into society, being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society; the first and fundamental positive law of all commonwealths is the establishing of the legislative power; as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of

¹⁴⁰Ibid., pp.357-358.

¹⁴¹Riley, Patrick, *Locke on Voluntary Agreement and Political Power*, p.585.

¹⁴²Locke, *Two Treatises of Government*, p.305.

the society, and (as far as will consist with the public good) of every person in it.”¹⁴³ Indeed, the civil government is engaged to protect the lives, liberties, rights and possessions of those who live according to its laws.¹⁴⁴

According to Locke, the legislative must be the shelter of the people, as they are under the patronage of its approved laws. They are thus to be safely protected from the violation and aggression by other persons and rulers. For him, the comfort and safety of men is derived from the performance of laws and justice whether in the state of nature or in the society. Therefore, other end of the legislation and its performance consists in restricting and confining the rulers’ power and preventing injustice by governors on their subjects. As Locke argues that “the reason why men enter into society, is the preservation of their property; and the end why they choose and authorize a legislative, is, that there may be laws made, and rules set, as guards and fences to the properties of all the members of the society, to limit the power, and moderate the dominion, of every part and member of the society.”¹⁴⁵

In addition, he asserts that in civil government “the ruling power ought to govern by declared and received laws, and not by extemporary dictates and undetermined resolutions...all the power the government has, being only for the good of the society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by established and promulgated laws; that both the people may know their duty, and be safe and secure within the limits of the law; and the rulers too kept within their bounds.”¹⁴⁶ Therefore, the power of the legislative “Their power, in the utmost bounds of it, is limited to the public good of the society. It is a power that hath no other end but preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects.”¹⁴⁷

The legislative, on the one hand, does not have the rights to interfere and to determine some laws for the religious matters of men such as religious opinions and principles, because in Locke’s opinion, “speculative opinions, and articles of faith which are required only to be

¹⁴³Ibid., p.355-356.

¹⁴⁴Locke, *An Essay Concerning Human Understanding*, p.175.

¹⁴⁵Locke, *Two Treatises of Government*, p.412.

¹⁴⁶Ibid., p.360.

¹⁴⁷Ibid., p.357.

believed, cannot be imposed on any Church by the law of the land. For it is absurd that things should be enjoined by laws which are not in men's power to perform. And to believe this or that to be true does not depend upon our will."¹⁴⁸ On the other hand, for Locke, "the business of laws is not to provide for the truth of opinions, but for the safety and security of the commonwealth and of every particular man's goods and person. And so it ought to be."¹⁴⁹

Thus, this seems to me that Locke's view to law is an instrumental view. The law is not end in itself but it is a tool for reaching high ideals and ends like justice, peace, and security in a society. In order to achieve these ends, the legislative must be free in its own duties and functions confined. For in Locke's point of view, the end of establishment of the legislative "is not a certain number of men, no, nor their meeting, unless they have also freedom of debating, and leisure of perfecting, what is for the good of the society, wherein the legislative consists: when these are taken away or altered, so as to deprive the society of the due exercise of their power, the legislative is truly altered; for it is not names that constitute governments, but the use and exercise of those powers that were intended to accompany them; so that he, who takes away the freedom, or hinders the acting of the legislative in its due seasons, in effect takes away the legislative, and puts an end to the government."¹⁵⁰

Since, in Locke's political theory while the government subsists, the legislative is one supreme power in political society, the powers of the legislative is very wide, such as assigning duties and powers of the executive, and the right of legislation for all the parts of the society. As Locke argues in the case that "the legislative is the supreme power: for what can give laws to another, must needs be superior to him; and since the legislative is no otherwise legislative of the society, but by the right it has to make laws for all the parts, and for every member of the society, prescribing rules to their actions, and giving power of execution, where they are transgressed, the legislative must needs be the supreme, and all other powers, in any members or parts of the society, derived from and subordinate to it."¹⁵¹

¹⁴⁸Locke, John, *A letter concerning Toleration*, Great Books of the Western Worlds, Editor In Chief: Robert Maynard Hutchins, Publisher: William Benton, 1952, p.15.

¹⁴⁹Ibid.

¹⁵⁰Locke, *Two Treatises of Government*, p.409.

¹⁵¹Ibid., pp.367-368.

Moreover, the legislative has the right to control the executive and the federative, as Locke asserts in the case “when the legislative hath put the execution of the laws, they make, into other hands, they have a power still to resume it out of those hands, when they find cause, and to punish for any maladministration against the laws. The same holds also in regard of the federative power, that and the executive being both ministerial and subordinate to the legislative, which, as has been shew’d, in a constituted common-wealth is the supreme.”¹⁵²

Nevertheless, though for Locke, the legislative is the supreme power in civil government, but its powers are limited and are not absolute and not arbitrary. Therefore, in Locke’s view, there are limits and bounds for the legislation power of every common-wealth, in all forms of government by the trust of the society, and the law of God and nature, as follow:

First, the legislative is not, nor can possibly be absolutely arbitrary over the lives and fortunes of the people: for it being but the joint power of every member of the society given up to that person, or assembly, which is legislator; it can be no more than those persons had in a state of nature before they entered into society, and gave up to the community.¹⁵³

Secondly, the legislative or supreme authority, cannot assume to its self a power to rule by extemporary arbitrary decrees, but is bound to dispense justice, and decide the rights of the subject by promulgated standing laws, and known authorized judges: for the law of nature being unwritten, and so nowhere to be found but in the minds of men, they who through passion or interest shall mis-cite, or misapply it, cannot so easily be convinced of their mistake where there is no established judge.¹⁵⁴

Moreover, they are to governed by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favorite at court, and the country man at plough.¹⁵⁵

¹⁵²Ibid., p.369.

¹⁵³Ibid., p.357.

¹⁵⁴Ibid., p.358.

¹⁵⁵Ibid., p.363.

In addition, absolute arbitrary power, or governing without settled standing laws, can neither of [them] consist with the ends of society and government, which men would not quit the freedom of the state of nature for, and tie themselves up under, were it not to preserve their lives, liberties and fortunes, and by stated rules of right and property to secure their peace and quiet.¹⁵⁶

Thirdly, the supreme power cannot take from any man any part of his property without his own consent: for the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires, that the people should have property, without which they must be supposed to lose that, by entering into society, which was the end for which they entered into it; too gross an absurdity for any man to own. Men therefore in society having property, they have such a right to the goods, which by the law of the community are theirs, that no body hath a right to take their substance or any part of it from them, without their own consent... Hence it is a mistake to think, that the supreme or legislative power of any common-wealth, can do what it will, and dispose of the estates of the subject arbitrarily, or take any part of them at pleasure.¹⁵⁷

Furthermore, they must not raise taxes on the property of the people, without the consent of the people, given by themselves, or their deputies.¹⁵⁸ Of course, it is obvious that governments need be supported by great charge; therefore, it is better “every one who enjoys his share of the protection should pay out of his estate his proportion for the maintenance of it. But still it must be with his own consent, i.e. the consent of the majority, giving it either by themselves, or their representatives chosen by them.”¹⁵⁹ If government takes taxes on the people by his own authority and without the people’s consent thereby he violates the fundamental law of property, and overthrows the end of government.

Fourthly, the legislative cannot transfer the power of making laws to any other hands: for it being but a delegated power from the people, they who have it cannot pass it over to others.

¹⁵⁶Ibid., p.359.

¹⁵⁷Ibid., pp.360-361.

¹⁵⁸Ibid., p.363.

¹⁵⁹Ibid., p.362.

The people alone can appoint the form of the common-wealth, which is by constituting the legislative, and appointing in whose hands that shall be.¹⁶⁰

Since, in Locke's political thought, the legislative is the supreme power in the society, and "because it may be too great a temptation to human frailty, apt to grasp at power, for the same persons, who have the power of making laws, to have also in their hands the power to execute them, whereby they may exempt themselves from obedience to the laws they make, and suit the law, both in its making, and execution, to their own private advantage, and thereby come to have a distinct interest from the rest of the community, contrary to the end of society and government,"¹⁶¹ hence Locke, in order to prevent the misuse of the legislators from their authorities, confines the legislators activity to necessary positions, as he asserts that "because those laws which are constantly to be executed, and whose force is always to continue, may be made in a little time; therefore there is no need, that the legislative should be always in being, not having always business to do."¹⁶²

B) The Executive

Executive power is responsible for performance of the laws which the legislative codifies as laws. As a matter of fact, since "the laws, that are at once, and in a short time made, have a constant and lasting force, and need a perpetual execution, or an attendance thereunto; therefore it is necessary there should be a power always in being, which should see to the execution of the laws that are made, and remain in force."¹⁶³ This is called executive power. It is clear that the legislative and the executive come often to be separated and their jurisdiction is distinct.

After specifying the realm of government, in the second place, Locke discusses the duties of government. In Locke's opinion, the first duty of the government consists in preserving the person's possession of these things belonging to this life. He says, "It is the duty of the civil

¹⁶⁰Ibid.

¹⁶¹Ibid., p.364.

¹⁶²Ibid.

¹⁶³Ibid., pp.364-365.

magistrate, by the impartial execution of equal laws, to secure unto all the people in general and to every one of his subjects in particular the just possession of these things belonging to this life.”¹⁶⁴ Therefore, the next duty of state consists in preventing “to violate the laws of public justice and equity,” finally punishing aggressors. Locke expresses “If anyone presume to violate the laws of public justice and equity, established for the preservation of those things, his presumption is to be checked by the fear of punishment, consisting of the deprivation or diminution of those civil interests, or goods, which otherwise he might and ought to enjoy. But seeing no man does willingly suffer himself to be punished by the deprivation of any part of his goods, and much less of his liberty or life, therefore, is the magistrate armed with the force and strength of all his subjects, in order to the punishment of those that violate any other man’s rights.”¹⁶⁵

Therefore, when all duty of government is nothing except to preserve the possessions of individuals, subsequently according to Locke, the whole authority in the dominion of government is bounded to the civil concerns. He asserts that “the whole jurisdiction of the magistrate reaches only to these civil concerns, and that all civil power, right and dominion, is bounded and confined to the only care of promoting these things.”¹⁶⁶

C) The Federative

Since states are in the state of nature in their relations to each other, Locke puts other power to protect the foreign security of country called the federative. This power “contains the power of war and peace, leagues and alliances, and all the transactions, with all persons and communities without the common-wealth, and may be called federative.”¹⁶⁷ Although these two powers, executive and federative, are actually distinction in themselves, nevertheless we should know that they are always almost united, and “the execution of the municipal laws of the society within its self, upon all that are parts of it; the other the management of the

¹⁶⁴Locke, John, *A letter concerning Toleration*, p.3.

¹⁶⁵Ibid.

¹⁶⁶Ibid.

¹⁶⁷Locke, *Two Treatises of Government*, p.365.

security and interest of the public without, with all those that it may receive benefit or damage from.”¹⁶⁸

The Rights Which Left Ever in Men’s Hands in Civil Society

Although, the people, in order to establish political society, give up some of their rights voluntarily to society and thereby to government, yet they are ever supreme power in community and for preserving their fundamental rights. Locke, however, leaves some powers in their hands. For instance, he says that “the people alone can appoint the form of the common-wealth, which is by constituting the legislative, and appointing in whose hands that shall be... the legislative can have no power to transfer their authority of making laws, and place it in other hands.”¹⁶⁹

Moreover, though the legislative is one supreme power, but its power is a trust to act for certain ends. Therefore when men understand the legislative act against the trust given by them, since the people remain still a supreme power, they can “to remove or alter the legislative,” because of individuals give up for all power with trust “for the attaining an end, being limited by that end, whenever that end is manifestly neglected, or opposed, the trust must necessarily be forfeited, and the power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security.”¹⁷⁰ As a result, for Locke, “the community perpetually retains a supreme power of saving themselves from the attempts and designs of any body, even of their legislators, whenever they shall be so foolish, or so wicked, as to lay and carry on designs against the liberties and properties of the subject: for no man or society of men, having a power to deliver up their preservation, or consequently the means of it, to the absolute will and arbitrary dominion of another; when ever any one shall go about to bring them into such a slavish condition, they will always have a right to preserve, what they have not a power to part with; and to rid themselves of those.”¹⁷¹

¹⁶⁸Ibid.

¹⁶⁹Ibid., p.362.

¹⁷⁰Ibid., pp.366-367.

As a matter of fact, it seems to me for Locke, men have ever the right to preserve their liberty, life, and estates, in the state of nature they defend personally their rights and in political society they give up this right to government, but whiles this government can not perform its duty well, the people have the right to retake their right of government. that is, the people have the right to dissolve of this government and establish new government. As in Locke's words, "when the government is dissolved, the people are at liberty to provide for themselves, by erecting a new legislative, differing from the other, by the change of persons, or form, or both, as they shall find it most for their safety and good: for the society can never, by the fault of another, lose the native and original right it has to preserve itself, which can only be done by a settled legislative, and a fair and impartial execution of the laws made by it. But the state of mankind is not so miserable that they are not capable of using this remedy, till it be too late to look for any.... and therefore they have not only a right to get out of it, but to prevent it."¹⁷²

According to Locke, "the reason why men enter into society, is the preservation of their property; and the end why they choose and authorize a legislative, is, that there may be laws made, and rules set, as guards and fences to the properties of all the members of the society, to limit the power, and moderate the dominion, of every part and member of the society."¹⁷³ Therefore "whenever the legislators endeavour to take away, and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any farther obedience, and are left to the common refuge, which God hath provided for all men, against force and violence. Whatsoever therefore the legislative shall transgress this fundamental rule of society; and either by ambition, fear, folly or corruption, endeavour to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people; by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty,

¹⁷²Ibid., p.411.

¹⁷³Ibid., p.412.

and, by the establishment of a new legislative, (such as they shall think fit) provide for their own safety and security, which is the end for which they are in society.”¹⁷⁴

Upon this ground, we can conclude that Locke, besides the common rights of individuals i.e. freedom, life and estates, accepts the right of revolution and the right government's dissolution to people when governments misuse the trust of men and to act against men's interests in the civil society. In Locke's eyes, if the legislative or the executive that have got the power in their hands, design, or go about to enslave or destroy the people. "The people have no other remedy in this, as in all other cases where they have no judge on earth, but to appeal to heaven."¹⁷⁵ It means, for Locke, men have the right, by a law antecedent and paramount to all positive laws of men, to preserve "ultimate determination to themselves which belongs to all mankind, where there lies no appeal on earth, viz. to judge, whether they have just cause to make their appeal to heaven."¹⁷⁶ Locke means the religious phrase of appeal to heaven is that everywhere there be not a judge on earth which the people appeal him, that is, men can change government by legal, and they can to dissolve government to appeal to armament.

Separation of the Government's and Church's Jurisdictions

The disunion of the state and religion is in order to solve religious controversies and differences in society, the second disjunction which Locke creates in his political theory. Since Locke believes that religious controversies are derived from the situation that men "have mixed together and confounded two things that are in themselves most different, the Church and the commonwealth"¹⁷⁷ in society. Therefore his prescription is simple and in a word the same extent which it consists in "each of them would contain itself within its own bounds - the one attending to the worldly welfare of the commonwealth, the other to the

¹⁷⁴Ibid.

¹⁷⁵Ibid., p.379.

¹⁷⁶Ibid., p.380.

¹⁷⁷Locke, John, *A letter concerning Toleration*, p.20.

salvation of souls.”¹⁷⁸ In this case, for him, it is impossible that any conflict should ever have happened between them.¹⁷⁹

A) Government

Upon this ground, Locke tries to determine the jurisdiction and duties of government and Church exactly. Of course, in the above I have discussed the duties of government and political power. In short, the duty involves preserving men’s property, that is to say, their lives, liberties and estates, which Locke calls by the general name, property. Besides, Locke describes the things that ruler does not have to interfere in. Thus, Locke excludes these from the governor’s duties.

When all tasks of government are limited the civil concerns the government’s duty is in no way to check the salvation of souls. That is to say, the authority of magistrate “neither can nor ought in any manner to be extended to the salvation of souls.”¹⁸⁰ In other words, according to Locke “the care of souls does not belong to the magistrate.” That is, for him a magisterial care, which consists in prescribing by laws and compelling by punishments, does not fit to help to the salvation of souls. Locke presents the following considerations in order to demonstrate his point of view.

First, the care of souls is neither committed to the civil magistrate nor to other men, because, according to Locke, it does not seem that “God has ever given any such authority to one man over another as to compel anyone to his religion. Nor can any such power be vested in the magistrate by the consent of the people, because no man can so far abandon the care of his own salvation as blindly to leave to the choice of any other, whether prince or subject, to prescribe to him what faith or worship he shall embrace. For no man can, if he would, conform his faith to the dictates of another.”¹⁸¹ Since, in Locke’s opinion, such faith “far from being any furtherance, are indeed great obstacles to our salvation”, for it is a contempt

¹⁷⁸Ibid., p.21

¹⁷⁹Ibid.

¹⁸⁰Locke, John, *A letter concerning Toleration*, p.3.

¹⁸¹Ibid.

to His Divine Majesty and adds to our sins.

Second, for Lock “the care of souls cannot belong to the civil magistrate, because his power consists only in outward force” whiles the nature of the understanding of man is such that it cannot be compelled to believe anything by outward force. Therefore, in Locke’s opinion, confiscation of estate, imprisonment, torments, can not have “any such efficacy as to make men change the inward judgement that they have framed of things.”¹⁸²

However, Locke accepts that the ruler can guide his subjects into the way of truth by using arguments and prepare the way for their salvation. But for Locke, “this is common to him with other men”, he definitely, in teaching, instructing, and redressing the erroneous by reason, can do what any good person to do. In other words, Locke believes that “Every man has commission to admonish, exhort, convince another of error, and, by reasoning, to draw him into truth.” But Locke asserts that “it is one thing to persuade, another to command; one thing to press with arguments, another with penalties.” Upon this ground, Locke argues that “the magistrate’s power extends not to the establishing of any articles of faith, or forms of worship, by the force of his laws. For laws are of no force at all without penalties, and penalties in this case are absolutely impertinent, because they are not proper to convince the mind.”¹⁸³ Therefore, Locke means government does not entitle to establish any subjects of faith, or forms of worship.

Third, according to Locke, “the care of the salvation of men’s souls cannot belong to the magistrate; because, though the rigour of laws and the force of penalties were capable to convince and change men’s minds, yet would not that help at all to the salvation of their souls.”¹⁸⁴ Therefore, Locke concludes that all the power of state concerns only to men’s civil interests and also it is confined to the care of the things of this world, and it does not concern at all the future world or afterlife as well as.¹⁸⁵

¹⁸²Ibid.

¹⁸³Ibid.

¹⁸⁴Ibid., p.4.

¹⁸⁵Ibid.

In Locke's point of view, the indifferent things are under power of the law and are subjected to the legislative power. But, for him, "it does not therefore follow that the magistrate may ordain whatsoever he pleases concerning anything that is indifferent. The public good is the rule and measure of all law-making. If a thing be not useful to the commonwealth, though it be never so indifferent, it may not presently be established by law."¹⁸⁶ Therefore, the public good is the criterion of the legislative.

B) Church

Examining government, Locke examines Church system. In Hobbes' opinion, religious beliefs and interests are fancy and imagination. In addition, he believed that religion is dangerous prejudice and fanaticism which must be under the care of governor. But Locke refutes this view completely and clearly. According to him, Church is a voluntary society of men that are joined together for public worshipping of God in such manner as they judge satisfactory to Him, and effective to the salvation of their souls.¹⁸⁷ Because, nobody is born a member of any church, that is, anybody is not congenitally related to any church and it is a free and voluntary society. As a matter of fact, Locke means the religion of men and religious beliefs generally are not heritage which children receive by inheritance the exact as temporal estates that they inherit their parents. In Locke's opinion, "everyone would hold his faith by the same tenure he does his lands, than which nothing can be imagined more absurd."¹⁸⁸

Then, for him, people willingly connect to a churchly society in order to worship in a manner that is truly acceptable to God. In fact, as the hope of salvation is the only reason, why everyone joins a Church, a man is right if when he finds either erroneous in the doctrine or incongruous in the worship of that society, he will be free to go out as it was to enter. Hence, in Locke's point of view, a church is a voluntary society which its goal is to gain eternal life.

¹⁸⁶Ibid., p.11.

¹⁸⁷Ibid., p.4.

¹⁸⁸Ibid.

In Locke's point of view, the power of church is a religious authority so the power "ought to be confined within the bounds of the Church", it can not be extended to civil affairs at all, "because the Church itself is a thing absolutely separate and distinct from the commonwealth. The boundaries on both sides are fixed and immovable."¹⁸⁹ State and Church are in their original, end, business, and in everything completely distinct and infinitely different from each other.

In addition, Locke believes that there are two things particularly in every Church; "the outward form and rites of worship, and the doctrines and articles of things". In order to be understood the more obviously the whole matter of toleration, must be consider each distinctly.¹⁹⁰ For Locke, the magistrate has not the right to impose outward form of worship in any Church, by law, "the use of any rites or ceremonies whatsoever in the worship of God."¹⁹¹ Although, Locke willingly accepts that indifferent things are subjected to the legislative power but it means that Locke agrees that the ruler can "ordain whatsoever he pleases concerning anything that is indifferent." In Locke's opinion, "the public good is the rule and measure of all law-making."

On the other hand, according to Locke, the things are indifferent in their own nature when are use in the Church to worship of God. They are then taken away from the magistrate's dominion, because indifferent things have changed the religious things and do not have any connection at all with civil affairs. Also, indifferent things can not be made any part of the worship of God, because they are indifferent and are not able "to propitiate the Deity" by any virtue of their own. Consequently, anyone in power or authority can not award on them so much self-esteem as to be able them to do it. For this reason indifferent things, in matters of religion, are not legal in the worship of God than as they are instituted by God Himself. Otherwise it may be built superstitious inventions and ceremonies, by the magistrate's power, to be imposed upon the worshippers of God. In order to clarify this subject, Locke believes in religious worship, "we must distinguish between what is part of the worship itself and what is

¹⁸⁹Ibid., p.7.

¹⁹⁰Ibid., p.11.

¹⁹¹Ibid.

but a circumstance.”¹⁹² That is to say, we have to differentiate between roots and branches of religion, the roots of religion are parts of the worship which are believed “to be appointed by God and to be well-pleasing to Him, and therefore that are necessary.” Again, circumstances or branches of religion are such things which, although in general they cannot be separated from worship, nevertheless “the particular instances or modifications of them are not determined, and therefore they are indifferent.” In Locke’s views, the time and place of worship, manner of worship, that is, habit and posture of him that worships are of this sort. “These are circumstances, and perfectly indifferent, where God has not given any express command about them.”¹⁹³

Examining outward worship, Locke considers “articles of faith”. For him, “the articles of religion are some of them practical and some speculative.” Although both of them include knowledge of truth, but the speculative principles of faith are related to the understanding and practical articles influence the will and manners of men. Therefore, according to Locke, speculative opinions and articles of faith, “which are required only to be believed, cannot be imposed on any Church by the law of the land, for it is absurd that things should be enjoined by laws which are not in men’s power to perform.”¹⁹⁴

Therefore, according to Locke, religious authority whether it is administered by a single person or many, is everywhere the same. The Church does not have any authority in civil concerns and can not impose any power or force on anyone, also can not do anything at all with money and riches.

The End of Church

According to Locke, the target and goal of a religious society is the public worship of God through which one achieves eternal life, that is, the salvation of souls. For Locke, the goal of the true church ought to be making “the conditions of her communion consist in such things, and such things only, as the Holy Spirit has in the Holy Scriptures declared, in express

¹⁹²Ibid., p.12.

¹⁹³Ibid.

¹⁹⁴Ibid., p.15.

words, to be necessary to salvation.”¹⁹⁵ Instead, some men impose their own inventions and interpretations upon others as if they were of Divine authority, and to establish by ecclesiastical laws, as absolutely necessary to the profession of Christianity.¹⁹⁶

Therefore all ecclesiastical regulations and laws ought to be inclined to that goal and to be thereunto restricted.¹⁹⁷ Then as a result, “nothing ought nor can be transacted in this society relating to the possession of civil and worldly goods. No force is here to be made use of upon any occasion whatsoever. For force belongs wholly to the civil magistrate, and the possession of all outward goods is subject to his jurisdiction.”¹⁹⁸ In Locke’s opinion, “the only business of the Church is the salvation of souls” that it does not concern the government or any member of it at all, that this or the other ceremony be there made use of.” In addition, for him, “neither the use nor the omission of any ceremonies in those religious assemblies does either advantage or prejudice the life, liberty, or estate of any man.”¹⁹⁹

Finally, according to Locke, worshiping God with freedom after its own manner is only the end of the Church. In Locke’s eyes, “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 yet find in any of the books of the New Testament.”²⁰⁰

The rights and duties of the Church

According to Locke, the survival, continuous, and fluency of every society and institution such as the Church depends on some laws and the consent and the obligation of all members to observe some order. In addition “Place and time of meeting must be agreed on; rules for admitting and excluding members must be established; distinction of officers, and putting

¹⁹⁵Ibid., p.5.

¹⁹⁶Ibid.

¹⁹⁷Ibid., p.5.

¹⁹⁸Ibid.

¹⁹⁹Ibid., p.11.

²⁰⁰Ibid., p.5.

things into a regular course.”²⁰¹ Upon this ground, since the joining together of several members into the Church society is absolutely free and spontaneous, Locke concludes necessarily that in such a society “the right of making its laws can belong to none but the society itself; or, at least (which is the same thing), to those whom the society by common consent has authorized thereunto.”²⁰²

Some people probably object that such a society can not be a true church because a true Church has a bishop or presbyter, “with ruling authority derived from the very apostles, and continued down to the present times by an uninterrupted succession.”²⁰³ But Locke rejects this argument and asks them to show Jesus Christ’s order for such a rule. Since in Locke’s opinion “for the promise He has made us, that “wheresoever two or three are gathered together” in His name He will be in the midst of them, seems to imply the contrary.”²⁰⁴ For Locke, such Church has anything necessary to a true church, as he writes “Certain I am that nothing can be there wanting unto the salvation of souls, which is sufficient to our purpose.”²⁰⁵

In addition, Locke points to the differences among the authorities of Church, and believes “their very dissension unavoidably puts us upon a necessity of deliberating and, consequently, allows a liberty of choosing that which upon consideration we prefer.”²⁰⁶ Therefore, for him, the right of legislation, in churchly society, belongs to the members of such society and priest, clergyman or bishop has no position.

Moreover, Locke believes that church does not has right to enter in transactions of worldly goods, he says that “Nothing ought nor can be transacted in this society relating to the possession of civil and worldly goods.”²⁰⁷ For the possession of all outward goods is subject of civil government’s jurisdiction.

²⁰¹Ibid., p.4.

²⁰²Ibid.

²⁰³Ibid.

²⁰⁴Ibid.

²⁰⁵Ibid.

²⁰⁶Ibid., p.5.

²⁰⁷Ibid., p.5.

Locke puts the duty of toleration in four levels; the relation of government with individuals in civil society, relationship Church with individuals, interrelations between Churches, and relation between individuals. At the first step I discuss the duty of government toleration to individuals. In the second step, I continue to study the duty of toleration in realm relationship Church with individuals.

In Locke's opinion, in religious dominion is no place for force: it is not proper to use force in religious concernments because the right to use force only belongs to the civil magistrate. In Locke's view religious rules must be destitute of all compulsive power, that is to say, the ecclesiastical laws "must be established by means suitable to the nature of such things."²⁰⁸ For Locke, if the external profession and observation were not by means of conviction and approbation of the mind it would be ineffective and unprofitable. Locke declares "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 yet find in any of the books of the New Testament."²⁰⁹

The members of this society only have the right to use means like advices and recommendations and suggestions. In Locke's words, by "The arms by which the members of this society are to be kept within their duty are exhortations, admonitions, and advices."²¹⁰

The church has the right to expel the obstinate and pigheaded persons when there is no ground for reforming them by their church. It is the last and greatest force of ecclesiastical authority. Any other penalty neither ought nor can be inflicted on them more than that, exception being breaking off relation between the church and the member who is cut off. Therefore, the person condemned only ceases to be a part of that church.

In Locke's viewpoints, by the duty of toleration, the church is not obliged to keep a renegade person in her bosom, if after admonition, continues obstinately to offend against the laws of the society. For, they are the condition of communion and the bond of the society. Yet, it

²⁰⁸Ibid.

²⁰⁹Ibid.

²¹⁰Ibid.

must be clear that the judgment of excommunication and its execution carry with it no rough usage of word or action whereby does not injure into the body or the estate of rejected person.²¹¹

In addition, in Locke's opinion, no man, with every ecclesiastical office who has, "can deprive another man that is not of his church and faith either of liberty or of any part of his worldly goods upon the account of that difference between them in religion. For whatsoever is not lawful to the whole Church cannot by any ecclesiastical right become lawful to any of its members."²¹²

Locke does not neglect the role of religious leaders in realizing toleration in society, thus he believes that "It is not enough that ecclesiastical men abstain from violence and rapine and all manner of persecution."²¹³ But they ought to "admonish his hearers of the duties of peace and goodwill towards all men, as well towards the erroneous as the orthodox; towards those that differ from them in faith and worship as well as towards those that agree with them therein."²¹⁴ Furthermore, the ecclesiastical men ought actively to exhort all men; whether private persons or magistrates, to charity, meekness, and toleration. Also, for Locke, they must "diligently endeavour to ally and temper all that heat and unreasonable averseness of mind which either any man's fiery zeal for his own sect or the craft of others has kindled against dissenters."²¹⁵ In Locke's opinion, if every where the pulpits sounded with this doctrine of peace and toleration, positive effects will be have happy and great for both in Church and State.

In Locke's point of view, if priests act and teach against what mentioned above, they will response to Christ. Locke asserts that "if anyone that professes himself to be a minister of the Word of God, a preacher of the gospel of peace, teach otherwise, he either understands not or

²¹¹Ibid.

²¹²Ibid., p.7.

²¹³Ibid.

²¹⁴Ibid.

²¹⁵Ibid.

neglects the business of his calling and shall one day give account thereof unto the Prince of Peace.”²¹⁶

In addition, it seems Locke does not presume that all men are bound to follow from the Church in the affairs of religion. In other words, in Locke’s opinion, people, in the religious concernments, neither compel to follow in the civil magistrate nor in the Church. Even civil government can not order to be observed, what the Church has determined or provide “by his authority that nobody shall either act or believe in the business of religion otherwise than the Church teaches.” Moreover, Locke does not accept this pretext that the affairs of religion are in the Church and “the magistrate himself yields obedience thereunto and requires the like obedience from others.” Because for Locke, it is not true that the only narrow way that leads to heaven is better known to the magistrate than to private persons, so he asserts that “I cannot safely take him for my guide, who may probably be as ignorant of the way as myself, and who certainly is less concerned for my salvation than I myself am.”²¹⁷

Moreover, Locke believes even that government does not command in religion but by the authority and counsel of the doctors of that Church, it will be never a jot safer for me to join either unto the one or the other of those Churches. Because history gives evidence of operation of the Church that it “is for the most part more apt to be influenced by the Court than the Court by the Church.” It is very well known that how much the Church was under the vicissitude of orthodox emperors, Kings, and Queens.

On the other hand, Locke distinguishes between the external and internal forms of the Church, that is, he believes that there are two things in every Church and that they must be considered separately; “the outward form and rites worship, and the doctrines and articles of things must be handled each distinctly.”²¹⁸

²¹⁶Ibid., pp.7-8.

²¹⁷Ibid., p.9.

²¹⁸Ibid., p.11.

In Locke's opinion, concerning the outward form of worship, government has no right to compel by law any Church, "the use of any rites or ceremonies whatsoever in the worship of God."²¹⁹

In addition, Locke has the idea things which in their own nature are indifferent, are not lawful in the worship of God than as they are instituted by God, so things that are indifferent, can not be made any part of the worship of God by any human authority; civil government or Church. Locke argues "since indifferent things are not capable, by any virtue of their own, to propitiate the Deity, no human power or authority can confer on them so much dignity and excellency as to enable them to do it."²²⁰ In other words, for Locke, the Church or magistrate does not have the right to use indifferent things to the religious affairs while the most part of the religious ceremonies and superstitions are indifferent things.

On the other hand, in Locke's view, the mutual toleration is the duty of different Churches to each other, any Churches do not have the right to interfere in other churches' concernments and to destroy them "for churches have neither any jurisdiction in worldly matters, nor are fire and sword any proper instruments wherewith to convince men's minds of error, and inform them of the truth."²²¹ In addition, on the duty of toleration nor has any one of them any manner of jurisdiction over any other; no, not even when the civil magistrate (as it sometimes happens) comes to be of this or the other communion.

For the civil government can give no new right to the church, nor the church to the civil government. So that, whether the magistrate join himself to any church, or separate from it, the church remains always as it was before - a free and voluntary society. It neither requires the power of the sword by the magistrate's coming to it, nor does it lose the right of instruction and excommunication by his going from it. This is the fundamental and immutable right of a spontaneous society - that it has power to remove any of its members who transgresses the rules of its institution; but it cannot, by the accession of any new members, acquire any right of jurisdiction over those that are not joined with it. And

²¹⁹Ibid.

²²⁰Ibid.

²²¹Ibid., p.6.

therefore “peace, equity, and friendship are always mutually to be observed by particular churches.”²²²

The Individual Position on Toleration

Locke, on toleration, discusses three factors; government, church, and individual. It seems to me Locke opens a room for propounding human rights, by clarifying jurisdiction of government and the Church, determining the duties and the rights of them with respect to toleration.

First, Locke preserves the civil rights of human beings from attacking government and Church under the pretext of religious affaires. He asserts that “nobody, neither single persons nor churches, nay, nor even commonwealths, have any just title to invade the civil rights and worldly goods of each other upon pretence of religion.”²²³ In Locke’s opinion, “in private domestic affairs, in the management of estates, in the conservation of bodily health, every man may consider what suits his own convenience and follow what course he likes best.”²²⁴ That is, for Locke, as people usually do not complain of the ill- management of their neighbor’s affairs for example when were committed an error in sowing their land or in marrying their daughter, as well as they not ought to intervene and push in their religious affairs, the affairs such as not to go to the Church or not to behavior exactly to the religious accustomed ceremonies, or not bring up their children on the sacred principles of this or the other congregation and church.

Therefore, Locke argues that the care of souls does not belong to the magistrate. That is, the government does not have any duty, by prescribing of laws and compelling of punishment, regarding the salvation of souls. In addition, the Church does not have such duty too, but the duty is only to very man. Thus, Locke emphasizes that “the care of every man's soul belongs unto himself and is to be left unto himself.” So that if someone neglects the care of his soul, the government does not have the right or responsibility to maintain their souls the same as it

²²²Ibid.

²²³Ibid., p.7.

²²⁴Ibid., p.8.

does not have any responsibility to take care of his health or of his estate. Locke believes that “No man can be forced to be rich or healthful whether he will or no. Nay, God Himself will not save men against their wills.”²²⁵

According to Locke, there are several ways to heaven no one only way, however there is only one of these which is the true way to eternal happiness: but in this great variety of ways that men follow, there is always doubt as to which way is right. In Locke’s opinion, the right way can not be discovered and presented by “neither the care of the commonwealth, nor the right enacting of laws”, for him “the magistrate is not certainly more successful than “every private man’s search and study discovers it unto himself.”

Upon this ground, Locke asserts that “Those things that every man ought sincerely to inquire into himself, and by meditation, study, search, and his own endeavours, attain the knowledge of, can not be looked upon as the peculiar possession of any sort of men.”²²⁶ But it is the duty of every one. Magistrates are in nature equal with other men and the right and art of governing do not give them necessarily “the certain knowledge of other things, and least of all of true religion” and the right way to heaven and eternal happiness.

Although, for Locke, man can act and follow the ruler’s dictates in the material affairs, because, in case, if he does not get success the ruler can help him and set up him again. But in religious cases, Locke does not risk, he declares that “But this is not the case in the things that regard the life to come; if there I take a wrong course, if in that respect I am once undone, it is not in the magistrate’s power to repair my loss, to ease my suffering, nor to restore me in any measure, much less entirely, to a good estate. What security can be given for the Kingdom of Heaven?”²²⁷ For this reason “I cannot safely take him for my guide, who may probably be as ignorant of the way as myself, and who certainly is less concerned for my salvation than I myself am.”²²⁸

²²⁵Ibid.

²²⁶Ibid., p.9.

²²⁷Ibid.

²²⁸Ibid.

Moreover, it seems to me that in Locke's point of view, a man can not follow clergymen and the canons made by them, for they easily and smoothly "changed their decrees, their articles of faith, their form of worship, everything according to the inclination of those kings and queens." Therefore the decisions of the churchmen, whose differences and disputes are sufficiently known, cannot be any sounder or safer than the ruler's opinion.

Finally, according to Locke, although it may be true the Church and the magistrate's opinion in religion and the way that to lead to salvation of souls but "if I be not thoroughly persuaded thereof in my own mind, there will be no safety for me in following it. No way whatsoever that I shall walk in against the dictates of my conscience will ever bring me to the mansions of the blessed."²²⁹ In other words, for Locke a man cannot be saved by a religion that he disbelieves and by a worship that he hates. It is in vain for an unbeliever to take up the outward show of another man's profession. Only pure faith and inner honesty are the things that acquire acceptance with God.

Consequently, according to Locke, it is certain "that no religion which I believe not to be true can be either true or profitable unto me." Therefore it is ineffective that the government or the Church oblige their subjects to come into their Church communion, under pretence of saving their souls. Because "If they believe, they will come of their own accord, if they believe not, their coming will nothing avail them." That is to say, for Locke, "men cannot be forced to be saved whether they will or no." Therefore, in fact, Locke believes that men "must be left to their own consciences." That is, freed men, from all dominion over one another in matters of religion, can constitute some religious society to meet together for mutual edification and God worship. As well as, they "by the purity of doctrine, holiness of life, and decent form of worship, they may draw others unto the love of the true religion, and perform such other things in religion as cannot be done by each private man apart."²³⁰

Thus, Locke come to one of the basic rights of human being that is the right of selection of religion and care of the salvation of his soul. In case, Locke asserts that the dealing of

²²⁹Ibid., p.10.

²³⁰Ibid., p.11.

religious assemblies of “the people is nothing but what is lawful for every man in particular to take care of – I mean the salvation of their souls; nor in this case is there any difference between the National Church and other separated congregations.”²³¹ In addition, the use or the omission of any ceremonies in those religious assemblies does not have any benefit or prejudice the life, liberty, or estate of any man.

Also, since indifferent things are not lawful in the worship of God than as they are instituted by God Him, so they, in no way, can be made any part of the worship of God by any human authority. Because these things can not essentially attract the attention of God, so for Locke, no human power or authority can grant on them so much dignity as to enable them to do it. Therefore, according to Locke “In the common affairs of life that use of indifferent things which God has not forbidden is free and lawful, and therefore in those things human authority has place.”²³²

In Locke’s opinion, everybody has an immortal soul that has competent of eternal happiness or misery; “whose happiness depending upon his believing and doing those things in this life which are necessary to the obtaining of God’s favour, and are prescribed by God to that end.”²³³ Hence he argues that “therefore, the care of each man’s salvation belongs only to himself.” Locke accepts to exhort and to argue for promotion of another man’s salvation but he believes that “all force and compulsion are to be forborne” and anything is not to be done imperiously. In religious matters, anybody is not obliged to yield obedience unto the admonitions or injunctions of another, further than he himself is persuaded. Finally he infers every man in those matters “has the supreme and absolute authority of judging for himself. And the reason is because nobody else is concerned in it, nor can receive any prejudice from his conduct therein.”²³⁴

For Locke, As men’s souls are immortal, men have also their temporal lives here upon earth that this part of man life, draws on another care and essentially gives another service.

²³¹Ibid.

²³²Ibid.

²³³Ibid., p.15.

²³⁴Ibid., p.16.

Therefore, in order to preserve the possession of what honest industry have already acquired and their liberty and strength, whereby they may obtain what they farther want, men are obliged to enter into society with one another that by means of common support to secure to each other their properties in the things that are concerned to the comfort and happiness of this life. In other words, according to Locke men need each other for preserving their possession and estates, but the care of their own eternal happiness is concerned just themselves and is left to every one. The attainment to eternal happiness “can neither be facilitated by another man’s industry, nor can the loss of it turn to another man's prejudice, nor the hope of it be forced from him by any external violence.”²³⁵ That is to say, the security of the temporal good and outward prosperity of the society is “the sole reason of men's entering into society, and the only thing they seek and aim at in it.”²³⁶

In addition, it is obvious for Locke that the liberty of human beings remains concerning to their eternal salvation, for this reason every one should do what he in his conscience is persuaded to be acceptable for God. Locke believes that in the first place, the duty of men is obedience to God and afterwards to the laws.²³⁷

Finally, individuals must consider the duty of toleration on relationship between themselves together, as government and Church do not have any right to interfere in man’s religious concerns or to destroy man’s civil interests to religious excuses. Also for 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 the rights and franchises that belong to him as a man, or as a denizen, are inviolably to be preserved to him. These are not the business of religion. No violence nor injury is to be offered him, whether he be Christian or Pagan. Nay, we must not content ourselves with the narrow measures of bare justice; charity, bounty, and liberality must be added to it... If any man err from the right way, it is his own misfortune, no injury to thee; nor therefore art thou to punish him in the things of this life because thou supposest he will be miserable in that which is to come.”²³⁸

²³⁵Ibid.

²³⁶Ibid.

²³⁷Ibid.

²³⁸Ibid., p.6.

It seems to me, finally, that Locke leads us to the conclusion that the freedom of opinion and the freedom of religion are some of the basic human rights that emerge from Locke's discussions on the matters related to the salvation of human souls.

Locke's view about relationship between government and religion or state and Church is very important historically, because he set forth a solution for the most essential problem of his times which is still to be solved in democratic countries as well as in others. His effort to separate government power from Church power clarifies his point of view on the nature of government. Therefore, we can find that the arbitrariness as also the limits of government, in his political philosophy. Although he was a man of enlightenment, who lived before the eighteenth century, yet Locke's opinion on this matter may be, to examined and employed in the present world too to enrich analytical reasoning and to prevent religious fissures.

Chapter 5

Conclusion

Locke's doctrine of toleration connects his epistemology to his political thought. Belief is not something that can be commanded or submitted to the authority of the government, whose duty is the preservation of men's property and not the saving and salvation of men's souls. Concerning life important matters, that is, moral and religious concerns and principles, individuals must be given an opportunity to spend time, to ponder and to judge personally in these matters. Because the truth do not need to help, having its own efficacy. Toleration is "the chief characteristic mark of the true Church" and foundation of freedom which "all Churches were obliged to lay down toleration as the foundation of their own liberty" because of without considering toleration law there is no peace and no security in society until men can enjoy their freedom, rights and other properties.

In sixteenth and seventeenth centuries, European countries, such as England, France, were involved in violent religious differences. "A group of people, dedicated to a certain vision of their God, killed thousands of innocent people as part of a war against a culture they thought was undermining their way of life."¹ This was the result of a deep hatred, a desperate fear, and a profound intolerance. In the last half of the twentieth century, there were conflicts in Beirut, Belfast, and Bosnia, and nowadays, in the beginning of the twenty first century, we see that there are still conflicts in the world for example in Iraq, Afghanistan, and Pakistan.

The theory of toleration could dissolve the problem between Catholics and Protestants, they have not fought for hundred of years. The world's present problems have an analogy in the problem of Europeans in the centuries, this analogy makes us hope as toleration emerged out of the former, and as such it will emerge out of the later. The issue needs to study whether toleration really is required in the profound conflicts, or whether there are any rational strong proofs for toleration that should be accepted by all the participations in the conflict. My

¹Dees, Richard H., *Trust and Toleration*, Routledge, 2004, p.2.

dissertation is a basic research in the foundations of toleration principle for one of the most important founders and advocates of this thought, that is, John Locke.

Greeks were conservative concerning religious ceremonies and institutions because polytheistic religions are by nature more tolerant. They accepted much variety of religious beliefs. Although, Socrates and Pythagoreans were persecuted, it was not for religious matters but because of they were threatening the morality and political security of society.² Before Locke, confidence in the utility and justice of suppressing unorthodox opinions was shaken by such writers as Pierre Bayle.

Concerning religious conflicts existing in the society, Hobbes believes that uniformity of religion is the key to a well-functioning civil society, it is important that governor controls exactly on beliefs and views in society. For him, the sovereign has the right to judge what doctrines and beliefs are fit to teach. In Hobbes opinion, governor has the right to “be judged or constitute all judges of opinions and doctrines, as a thing necessary to peace; thereby to prevent discord and civil war.”³ Locke, contrary to what Thomas Hobbes expressed in *Leviathan*, believes in that the solution of religious differences is “the mutual toleration of Christians in their different professions of religion.”

Locke criticizes Descartes’ view of innate ideas and by rejecting his theory; Locke questions the sovereignty and power of Church and government on the people’s beliefs and opinions. For him, toleration is “the chief characteristic mark of the true Church.” Locke discusses toleration under title “the law of toleration” and “doctrine of toleration.”

In order to remove problematic issues of the study and achievement to aims of research, I used historical, critical, and analytic methods. By historical method, I studied the intellectual, political and social circumstances of England in the seventeenth century and on this ground it is appeared the reason of Locke’s fear and worry from taking over Catholicism in England.

²Cranston, Maurice, “Toleration,” *The Encyclopedia of Philosophy*, Edited by Paul Edwards, Vol. 8, 1967, p. 144.

³Hobbes, Thomas, *Leviathan*, ed. Richard Tuck, Cambridge University Press, 1996, p. 222.

King James II, the King of England was a catholic while most of Britishers were Protestants, which obviously made him have an intoleration policy towards Protestants. In addition, it was known that Locke, politically, believes in and argues that atheists and Roman Catholic Church should not be tolerated.

By critical method, I examined Locke's doctrine of toleration as one of main components of political theory in the light of freedom and human rights and it was resulted that for Locke, without law of toleration men can not enjoy entirely their natural freedom and natural rights. And the part of these natural freedom and natural rights, according to Lock, is still continuing in political and civil society. In fact, in Locke's point of view, without toleration there would not be any religious freedom, and in other cases men's enjoyment will lessen. In other words, in Locke's eyes, toleration law has a main role in establishment and realizing individual's freedom and rights in civil society. Furthermore, for him, the extent of toleration law is limited, religious sects and political groups which threaten moral, political, and social security of civil society can not be tolerated. Such sects that are dependent to foreign countries, for Locke, threaten political security of community like Roman Catholic Church and atheists that threaten moral and social security of society.

Moreover, by analytic method, I made an effort to elucidate the basic concepts related to toleration. Thus, I, on the one hand, explained the relationship of toleration with religion, faith, religious beliefs and articles, ceremonies and rites, and on the other hand, with organizations of government and Church whereby I clarified the epistemological and ontological foundation of toleration law in Locke's philosophy and the position of toleration law in political theory.

Locke does not undertake perfectly to result his study of human understanding and knowledge because he believes in Catholics and atheists can not be tolerated by governor. It means that there are other factors which interfere and affect on Locke's use of doctrine of toleration like political matters in rejecting Catholics and his religious and moral views in rejection of atheists. In addition it implies that for Locke, political matters, especially subjects which deal with country security can not be tolerated by the government.

On the other hand, Locke excludes Jews from the duty of toleration and he accepts if religious laws, in a society, are the same civil laws and they are counted as the part of political laws of government and God himself is legislator, then necessarily religious law must be the part of civil laws and can and ought to, the subjects of that government, be unified and conformed with that Church by the civil power. It means that Locke admits a limited toleration and his toleration doctrine only includes religious matters.

It seems, there is a huge disagreement between Locke's epistemology and political theory, in other words, between *An Essay Concerning Human Understanding* and *Two Treatises of Government*. Locke, in *the Essay*, applies an empirical method that its goal is to destroy innate ideas theory and to establish whole our knowledge on experience. While his method in *Two Treatises* is a rational method, the foundation of this book depends on two ideas 'the state of nature' and reason or natural law which is difficult to understand how Locke achieves these ideas through experience. As a matter of fact, it seems for Locke, politics like ethics is a priori science and not a posterior one.

In Locke's freedom theory, toleration law has a high position. Epistemologically the freedom of man depends on his thought power that is one can directly achieve an essential analysis of the idea of freedom through one's own experience: sensation and reflection. In his political theory, that is to say, to establish civil society, civil government, and forming civil contract and to consent to the majority votes and governments' organizations, freedom is a chief base and role and without which, his high mansion of government will collapse.

The foundation of religious freedom has been placed in toleration law. Locke, by presentating definition of true religion and distinguishing the duties and realms of government and Church, creates a room for man's religious freedom. God has not committed to care of men's souls to the civil magistrates, and the magistrate's power i.e. forces, violence, and persecution are not proper instruments to convince the mind for accepting religious beliefs. As well, if there is only one truth and one way to heaven and it is only the religion of the court, there is little hope to reach to a true religion. It means that the achievement to religious truth is difficult because what is understood from Gospel gives us

merely an idea of truth no own truth and no knowledge of truth and it implies that compulsion of Christian beliefs and rites by government because of obtaining them from Gospel is illegal. Therefore, government faces variety and different religious opinions ought to tolerate them. Here, Locke does not defend all kinds of religious beliefs, but he defends individual's right to judge religious matters for himself.

Of course, man's political freedoms, even religious freedom, are limited and can not be considered as absolute freedom. Freedom has to be in harmony with public good and the laws of the state. On the other hand, in Locke's political theory, the foundation of political freedom and human rights have been put in human nature and the state of nature and ruling law on it, that is natural law. For Locke, man's rights in the state of nature are continuing in civil society. He, for the purpose of prevention from centralization of absolute power in civil government in one's hands, in the first place distinguishes among three different powers of government; the legislative, the executive and federative faculty.

In the second place, in order to prevent of interference government and church in men's religious freedom and rights, Locke separates Government and Church Jurisdictions and specifies their duties and rights in religious matters and civil matters. The government Jurisdiction only is limited to civil matters and its duty is merely to preservation individuals' property in the sense of Locke's view. Church realm is concerned to religious matters, it is a place for the public worship of God and whereby the achievement of eternal life as well. The duty of Church consists in making the conditions for men's unity and empathy by religious freedoms and "as the Holy Spirit has in the Holy Scriptures declared, in express words, to be necessary to salvation."⁴ The proper instrument of Church is benevolence, kindness, advice, help and guidance, no force, and no violence. Thus opened a room for man's voluntary activity in religious matters; beliefs, ceremonies, and rites, so that "the care of every man's soul belongs unto himself and is to be left unto himself." Hence, Locke seeks the origin of toleration in rational human beings' rights and admits it.

⁴Locke, John, *A Letter Concerning Toleration*, Great Books of the Western Worlds, Editor In Chief: Robert Maynard Hutchins, Publisher: William Benton, 1952, orig. 1689, p.5.

Thus, this seems to me, Locke's toleration doctrine is logical result of his views about society and state. He, as a realist and empiricist, has learned empirically that must avoid some combinations of Church power and government. Moreover, Locke's toleration is modest in its realm and careful in its application. However, its main argument is to limit government interference in the lives of its subjects, yet it includes the seeds of a more expansive and positive conception of toleration. The Enlightenment and US constitution have been influenced by Locke's doctrine of toleration.

Later, toleration law has been expanded and supported by some thinkers such as Voltaire, J.S. Mill, and John Rawls. Voltaire's expressions, as an influential publicist, in the defense of toleration are famous as he remarks "I disapprove of what you say, but I will defend to the death your right to say it."⁵ For him, toleration is natural result of our humanity, since we are weak beings and remiss and fallible then let us forgive each other stupidities. The outstanding advocate of more toleration in the nineteenth century was John Stuart Mill. He argued in several ways about toleration, similar to that of Locke, but Mill placed fewer limitations on toleration than Locke. The liberal theorists, after Locke, tried to extend toleration's boundaries from religious toleration. Mill wanted to see toleration expanded to politics, morals, and manner realms. John Rawls, as one of the advocates of toleration in the present time, believes that people are able to undertake themselves to the law of toleration for the purpose of living with others.

Nowadays toleration is counted as a main and basic component of democratic governments. Modern world definitely needs to toleration more pass, but there is not any public and unanimity of views of the form and content of toleration among modern cultures. Different cultures differ in the meanings, foundations, and limits of toleration in respect of their ideology. If toleration of differences is to be an answer to deep conflicts of the world, and in order to having proper political decisions at first, we must response to some important questions that are raised.

⁵Horton, John, "Toleration," *Routledge Encyclopedia of Philosophy*, Vol. 9, Routledge, London, 1998, P.430.

Bibliography

Primary Sources:

- Locke, John, *A Letter Concerning Toleration*, Edited by Robert Maynard Hutchins, Published by William Benton, Great Books of the Western Worlds, 1952.
- Locke, John, *Two Treatises of Government*, Edited by Petter Laslett, Cambridge University Press, Cambridge, 2004.
- Locke, John, *An Essay Concerning Human Understanding*, Epistle to the Reader, John W. Yolton, Dent, London; Dutton, New York, 1976.
- Locke, John, *An Essay Concerning Human Understanding*, Edited by Robert Maynard Hutchins, Great Books of the Western Philosophy, The University of Chicago Press, Chicago, 1952.
- Locke, John, *Essays on the Law of Nature*, Edited by W. von Leyden, Oxford At the Clarendon Press, London, 1988.

Secondary Sources:

Books:

- Ashcraft, Richard, ed., *John Locke Critical Assessment*, Vol. 2, Routledge, London, 1991.
- Ashcraft, Richard, ed., *John Locke Critical Assessment*, Vol. 3, Routledge, London, 1991.
- Copleston, S.J., Frederick, *A History of Philosophy*, Vol. 5, Hobbes to Hume, Burns and Oates Ltd., London, 1964.
- Cranston, Maurice William, *John Locke: A Biography*, Longmans, London, 1957.
- Cranston, Maurice, *Freedom; A New Analysis*, Longman, Green and CO, London, 1953.
- Creppell, Ingrid, *Toleration and Identity; Foundations in Early Modern Thought*, Routledge, London, 2003.
- Dees, Richard H., *Trust and Toleration*, Routledge, London, 2004.

- Dunn, John, *The Political Thought of John Locke*, Cambridge at The University Press, 1969.
- Hobbes, Thomas, *Leviathan*, Edited by Richard Tuck, Cambridge University Press, Cambridge, 1996.
- Plato, *Republic*, Edited and Translated by I. A. Richards, Cambridge University Press, Cambridge, 1966.
- Strauss, Leo, *Natural Rights and History*, The University of Chicago Press, Chicago, 1965.
- Yolton, John W. ed, *John Locke: Problems and Perspectives*, Cambridge University Press, Cambridge, 1969.

Articles:

- Arnsleff, Hans, "The State of Nature and The Nature of MSN in Locke," *John Locke: Problems and Perspectives (A Collection of New Essays)*, Edited by John W. Yolton, Cambridge University Press, Cambridge, 1969, pp.99-136.
- Ashcraft, Richard, "Faith and Knowledge in Locke's Philosophy", *John Locke: Problems and Perspectives (A Collection of New Essay)*, Edited by John W. Yolton, Cambridge University Press, Cambridge, 1969, pp.194-223.
- Biddle, John C., "Locke's Criticism of Innate Principles and Toland's Deism," *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 2, Routledge, London, 1991.
- Keeley, Michael, "Organizational Analogy: A Comparison of Organismic and Social Contract Models," *Administrative Science Quarterly*, Vol. 25, No. 2 (Jun., 1980), pp.337-362.
- Keeley, Michael, "Continuing the Social Contract Tradition," *Business Ethics Quarterly*, Vol. 5, No. 2, Social Contracts and Business Ethics, (Apr., 1995), pp.241-255.
- Kassler, Sanford, "John Locke's Legacy of Religious Freedom", *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 3, Routledge, London, 1991, pp. 191-209.
- Moor, J.T., "Locke on Assent and Toleration", *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 2, Routledge, London, 1991, pp. 183- 190.

- Polin, Raymond, "John Locke's Conception of Freedom," *John Locke: Problems and Perspectives, A Collection of New Essays*, Edited by John W. Yolton, Cambridge University Press, Cambridge, 1969.
- Rilely, Patrick, "Locke on Voluntary Agreement and Political Power," *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 3, Routledge, London, 1991, pp. 584-597.
- Snyder, David C., "Locke on Natural Law and Property Rights," *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 3, Routledge, London, 1991, pp.362-384.
- Snyder, David C., "Faith and Reason in Locke's Essay," *Journal of the History of Ideas*, University of Pennsylvania Press, Vol. 47, No. 2, (Apr. - Jun., 1986), pp.197-213.
- Tipton, Ian, "Locke: Knowledge and its limits," *British Philosophy and Age of Enlightenment*, Edited by Stuart Brown, Routledge, London, 1996.
- Wall, Grenville, "Locke's Attack on Innate Knowledge," *Philosophy*, Vol. 49, No. 190, Cambridge University Press on behalf of Royal Institute of Philosophy, Oct., 1974.

Encyclopedias and Dictionaries:

- Ayers, Michael, *John Locke*, Routledge Encyclopedia of Philosophy, V. 5, London: Routledge, 1998.
- Cranston, Maurice, "Toleration," *The Encyclopedia of Philosophy*, Edited by Paul Edwards, Macmillan Company & The Free Press, Vol. 8, 1967.
- Horton, John, "Toleration," *Routledge Encyclopedia of Philosophy*, Vol. 9, Routledge, London, 1998.
- Simpson, D.P., *Cassell's Latin Dictionary*, Macmillan Publishing Company, New York, 1977.

Internet Sources:

- Locke, John, John Locke," <http://plato.stanford.edu/entries/locke/>, retrieved on 23.09.2008.

Consulted References:

- Arblaster, Anthony, *The Rise and Decline of Western Liberalism*, Black Well Publisher, 1984.
- Ashcraft, Richard, "Faith and Knowledge in Locke's Philosophy," *John Locke: Problems and Perspectives, A Collection of New Essays*, Edited by John W. Yolton, Cambridge University Press, Cambridge, 1969.
- Ayers, Michael, *Locke: Epistemology and Ontology*, 2 volumes, Routledge, London, 1991.
- Dunne, Tim, ed. And Others, *Human Rights in Global Politics*, Cambridge University Press, Cambridge, 1999.
- Ishay, Micheline R., ed, *The Human Rights Reader*, Routledge, London, 1997.
- Jones, William Thomas, *Masters of Political Thought*, Vol.2: Machiavelli to Bantham, Houghton Mifflin, London, 1966.
- Kessler, Sanford, "John Locke's Legacy of Religious Freedom," *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 2, Routledge, London, 1991.
- Laursen, John Christian, *Religious Toleration: The Variety of Rites from Cyrus to Defoe*, Macmillan Press LTD, 1999.
- Magee, Bryan, *The Great Philosophers: An Introduction to Western Philosophy*, Oxford, 1989.
- Mendus, Susan, *The Politics of Toleration in Modern Life*, Duke University Press, Durham, 2000.
- Moore, J. T., "Locke on Assent and toleration," *John Locke Critical Assessments*, Edited by Richard Ashcraft, Vol. 2, Routledge, London, 1991.
- Russell, Bertrand, *A History of Western of Philosophy*, Routledge, London, 2004.
- Walzer, Michael, *On Toleration*, Yale University Press, New Haven & London, 1997.
- Yolton, John w. *The Locke Reader*, Cambridge University Press, Cambridge, 1977.

