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John Locke on Knowledge of the Natural Law

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**JOHN LOCKE ON KNOWLEDGE
OF THE NATURAL LAW**

by

Arthur F. McGovern, S.J.

**A Thesis Submitted to the Faculty of the Graduate School
of Loyola University in Partial Fulfillment of
the Requirements for the Degree of
Master of Arts**

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LIFE

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CHAPTER I

THE PROBLEM

Ten years before John Locke's Essay Concerning Human Understanding received even its first rough form, the author's pen had been at work jotting down a group of essays on natural law. He never bothered to publish the essays, nor did anyone else until almost three full centuries later. In 1954, Wolfgang von Leyden, using the authoritative Lovelace collection of Locke's work, edited these Essays on the Law of Nature.

Just why Locke never published these essays is unknown. Von Leyden offers several plausible reasons.¹ But whatever the reasons, the essays would certainly not have caused the stir that his Essay Concerning Human Understanding did; and they have not been heralded as priceless discoveries even now. Their appearance in Locke's time would have aroused little excitement because few people then doubted the existence or knowability of the natural law. In fact,

¹Von Leyden's book contains, besides the Latin and English texts of the essays on the law of nature, a number of Locke's other writings, unpublished before now, and a lengthy introduction of some ninety pages or so in which von Leyden comments on different points of historical interest and analyzes the arguments presented. Included among these introductory pages are reasons suggested why the essays on natural law remained unpublished. Von Leyden lists five such reasons: (1) the translation of the essays into English would prove too laborious for Locke; (2) many of his ideas were placed in the Essay instead; (3) he lacked conviction about the subject, particularly in light of his later hedonistic morals; (4) his views on authority changed considerably; (5) Locke may have felt that the essays lacked maturity of thought. John Locke, Essays on the Law of Nature, ed. W. von Leyden (Oxford, 1954), p. 14. This book will henceforth be referred to as the Essays.

scholars used natural law as an initial premise in most of their discussions on morality and civil law. The appearance of the essays in our day has aroused little excitement because many 'modern' theories proudly disdain the natural law doctrine, and even the growing number of proponents of natural law can find many another more adequate exposition of their position.

Why bother, then, to expend energy on these essays? The reasons are multiple. For one thing, the very way modern theorists slough off the topic demands that a less careless consideration be given to a doctrine that has had stuff enough to stay standing for twenty centuries or so. Also, these essays fill in a lacuna in Locke's other works. They offer some justification for his frequent references to the natural law as the basis for his political theories, and they help bridge the gap between the dominant empiricism in his epistemological work and the rationalism of his other writings. Finally, the essays lend further evidence of Locke's genius in doing one thing--asking provocative questions.

Locke asked questions which philosophers from his time on have tried to answer. Sometimes his very way of stating problems only created greater difficulties, but his thought never failed to stimulate; so much so that his "philosophy exercises undisputed sway over the ideas of the entire eighteenth century."² He interrupted the flow of philosophy to ask one particularly pertinent question: "Just how much do we really know?" D.J. O'Connor in his commentary on Locke remarks: "By thus raising the nature of knowing as a problem, Locke was introducing a new point of view into European philosophy. And this point

²Isaiah Berlin, The Age of Enlightenment (Boston, 1956), p. 30.

of view, for good or ill, has dominated philosophy since his time."³

"Just how much do we really know?" He had a very practical reason for asking the question. Locke did not sport at dialectics. He put the question and searched for its answer with another problem in mind. Unless he determined how we know and how much we know, Locke could not tackle the difficulties which his contemporaries posed to him about morality and the natural law. In fact, his Essay Concerning Human Understanding might never have taken shape except for Locke's pressing interest in how we come to know the rules of morality that should govern us. Von Leyden gives the following, interesting account of how it was that a discussion on morality and the natural law gave rise to the Essay Concerning Human Understanding.

A group of five or six of Locke's friends were gathered for a discussion at the London home of Anthony Ashley Cooper, sometime in 1671.

Locke informs us that the topic discussed by the group at the outset was "a subject very remote" from the special inquiries into the understanding which arose out of the discussions at a later stage and of which the Essay of 1690 was the final outcome. Tyrell's comment on this point is more explicit. "The discourse," he says, "began about the principles of morality and reveal'd religion." Now that we have come to know more about Locke's literary activities about 1671, Tyrell's hint appears significant. I presume that the discussion among Locke's friends was at first about the law of nature as the basis of morality and its relation to natural and revealed religion. Locke's early thoughts on this topic served as a convenient starting point; and some other member of the group, possibly Lord Ashley himself, may have contributed the short essay, originally among the Shaftesbury Papers, beginning: "The Light of Nature is reason set up in the soul at first by God in man's Creation, second by Christ." But then, as Locke tells us, difficulties arose in the course of the discussion, possibly concerning the question how the natural law comes to be known.

³Daniel J. O'Connor, John Locke (London, 1952) p. 27

The question had played a prominent part in Locke's essays, but we can understand if his solution of it left room for doubts and puzzles. So it was decided to start afresh and to approach the subject matter under discussion on a strictly epistemological basis, i.e. to inquire into the origin and extent of human knowledge. The new course was taken up by Locke himself, and after reading out at the next meeting "some hasty and undigested thoughts" he pursued his inquiries during the summer and autumn of 1671 in two preliminary drafts of the Essay which we know.⁴

This close casual connection between the writing of the Essay Concerning Human Understanding and the problem of natural law has been pointed out for an important reason. For the first part of this thesis will concern itself with whether Locke's views on knowing the natural laws were consistent from these early essays through his later and more famous works. He began his Essay Concerning Human Understanding to clarify points at issue regarding the origin of knowledge, particularly in respect to rules of morality. Did his more fully developed thought in the Essay and in the Two Treatises on Civil Government confirm his initial doctrine or reject it? Are his early essays consistent with his later works or not?

The second major investigation of the thesis will consider whether or not Locke's proof for knowing the natural law can withstand the objections of its critics. Has the argument any validity?

Two problems then, will draw the focus of attention: the consistency of the Essays on the Law of Nature with Locke's later doctrine; and the validity of his argument for knowledge of the law of nature based on sense experience.

Any mention of the word "consistency" in reference to Locke immediately raises problems. "Original", "stimulating", "clear-thinking" and many another

⁴Essays, p. 61.

word of praise has been predicated of Locke, but never "consistent." Critics, students and historians are all quick to expose inconsistencies in Locke's doctrine. W. T. Jones, for example, notes that: "Nothing is easier . . . than to point out inconsistencies in Locke's theory . . . If consistency were the sole element in the philosophical ideal, it would be hard to understand the great influence of Locke's views in so many different fields."⁵ Some, like Bertrand Russell, find little reason to become concerned about this fact,⁶ but none will attempt to defend Locke from all charges on this score. What Sterling Lamprecht remarked concerning Locke's ethical theories would serve as good advice in any treatment of Locke: "It would be a mistake to attempt to fit all he said into one harmonious whole."⁷

Nevertheless, the two most famous "incongruities" in Locke's theory have been greatly exaggerated. The first is the "apparently contradictory claims of rationalism and empiricism"⁸ within his theory of knowing itself, between the second and fourth books of the Essay. Professor Aaron, as we shall see, does

⁵W. T. Jones, A History of Western Philosophy (New York, 1952) p. 752.

⁶In his History of Western Philosophy (New York, 1952), p. 613, Bertrand Russell states: "No one has yet succeeded in inventing a philosophy at once credible and self-consistent. Locke aimed at credibility and achieved it at the expense of consistency. Most of the great philosophies have done the opposite. The most fruitful philosophies have contained glaring inconsistencies, but for that very reason have been partially true. There is no reason to suppose that a self-consistent system contains more truth than one, which like Locke's is obviously more or less wrong."

⁷Sterling Lamprecht, The Moral and Political Philosophy of John Locke (New York, 1918), p. 104.

⁸W. T. Jones, History of Western Philosophy (New York, 1952), p. 752.

much to explain away many of the apparent inconsistencies in this regard. The second "Incongruity," which concerns us more directly, has been rather fully enunciated by W. S. Carpenter in his introduction to an edition of Two Treatises on Civil Government:

It is to the credit of Fitzjames Stephen (in Horae Sabbaticae, II (London, 1892), p. 150) that he should have seen in the political theory of Locke a striking incongruity with his metaphysics. The object of the Essay Concerning Human Understanding is to destroy the doctrine of innate Ideas and to reduce all knowledge to a generalization of experience. The Second Treatise on Civil Government appears to be the very reverse of this. It is founded entirely on the two conceptions of the state of nature and the law of reason, and it is difficult to see how Locke could arrive at either of these conceptions from experience. They are simply figments of the mind and as much creatures of Locke's own fancy as Plato's Republic was.⁹

With the publication of the Essays on the Law of Nature which deal precisely with the derivation of the law of nature from experience, such a gross charge of "Incongruity" against Locke's writings should never appear again. The question "how Locke could arrive at either of these conceptions from experience receives an answer from Locke himself in the essays. Dr. von Leyden considers this reconciliation of Locke's doctrine one of the chief values arising from the publication of these early essays: "It is now possible to recognize that Locke's two main bodies of doctrine, namely his political theory and his theory of knowledge, have a common ground and that this lies in his early doctrine of the natural law."¹⁰

But the fact that Locke wrote something on the empirical basis for knowledge of the law of nature serves only as a beginning of the investigation.

⁹W. S. Carpenter, ed. John Locke, Two Treatises on Civil Government, (London, 1924), Introduction, xiv.

¹⁰W. von Leyden, "John Locke and the Natural Law," Philosophy, XX, (January 1956), 23.

Granted that he indicated an element of empirical data in founding the natural law, many questions remain to be answered. Is the theory of knowledge expounded in the early essays a temporary, trial hypothesis, or is it substantially the same as the theory evolved by Locke in the Essay Concerning Human Understanding? Does Locke have the same concept of natural law in these initial essays as appears in the Essay and in the Treatises? His ethical theory in the early essays is based on the law of nature. Does it remain based on natural law in his later works?

Not every concept or term used in the Essays on the Law of Nature can be scrutinized in the light of later writings, but at least some conclusion can be reached in regards to Locke's basic consistency or inconsistency.

The problem of the validity of Locke's arguments should prove no less engaging. Surprisingly little concern has been shown for the argument worked out by Locke in the essays. The essays, we are told, are important because they "fill in some of the detailed thinking in the concept of a law of nature which the Second Treatise on Civil Government omitted"¹¹ and they show how the problem of morality influenced the inception of Locke's other works. But little or nothing is mentioned regarding the contribution of the argument itself.¹² In

¹¹ John W. Yolton, Review of the Essays: The Philosophical Review, LXVII (July 1955), 489.

¹² The following men who reviewed von Leyden's edition of Locke's Essays on the Law of Nature or who wrote commentaries on the edition had little or nothing to say about the positive contribution of Locke's argument, and none made any attempt to defend it: D. J. Allan, Review of the Essays, Philosophy, XX (April 1956), 182-184; James Collins, "The Year in Philosophy, 1954," Thought, XXX (Spring 1955), 84-86; John W. Lenz, "Locke's Essays on the Law of Nature," Philosophy and Phenomenological Research, XVII (September 1956), 105-113; P. G. Lucas, "Discussion: John Locke," The Philosophical Quarterly, VI (April 1956), 174-176; John W. Yolton, Review of the Essays: The Philosophical Review, LXVII (July 1955), 489-490.

fact, D. J. Allen comments that the publication of the essays has great value despite "the second-rate quality of the essays themselves."¹³

Part of this unconcern for the subject matter of the essays, it is true, stems from a realization that Locke's arguments are far from flawless and that more satisfactory expositions of natural law doctrine can be found. Admittedly, then, to defend Locke's argument as wholly valid would be a rash and unwise move. But granting all this, a word should yet be said in defense of what Locke has written. In the first place, Locke's political theory, based as it is on this law of nature, carries far too much weight historically to be slighted in this way. Our own Declaration of Independence and constitutional form took root in a fundamentally Lockelian concept of natural law. Secondly, too many writers noted thus far have been all too quick to disregard entirely what Locke had to say about the law of nature. For some this disregard stems from an ingrained contempt for the whole theory of natural law. Von Leyden makes such an attitude clear when he comments that: "the rise of modern jurisprudence is characterized by the abandonment of the theory of natural law. Also most modern philosophers, analysts as well as positivists, have come to regard the notion as obsolete."¹⁴ Led by this conviction, von Leyden then proceeds¹⁵ to make short shrift of Locke's argument, burying it finally in the graveyard where he feels all such arguments on natural law belong.

¹³D. J. Allan, Review of the Essays, Philosophy, XX (April 1956), 184.

¹⁴W. von Leyden, "John Locke and the Natural Law," Philosophy, XX (January 1956), 25.

¹⁵In both the article noted above and in the introductory pages of the Essays (pp. 43-60) von Leyden analyzes and criticizes Locke's argument.

But we shall see that Dr. von Leyden has put the wrong corpse to rest. The argument that he has so neatly shredded does not exactly match what Locke himself wrote.

If then, as should be admitted, Locke's argument is not wholly defensible, at least his thoughts on the subject deserve a much fairer treatment if only in the interests of historical objectivity. Yet not a single writer consulted¹⁶ makes any protest in favor of Locke and against Von Leyden's criticism. Such a state of affairs demands all the more imperatively that some defense of Locke's argument be made. The part of the thesis which deals with the validity of Locke's argument for knowledge of the natural law will not attempt to substantiate the whole of Locke's argument, but it will endeavor to show that Locke's argument is basically sound and far different from the interpreted argument which von Leyden ascribes to Locke.

But before beginning either the investigation into the consistency or that into the validity of Locke's doctrine, it will be helpful to survey what Locke included in his Essays on the Law of Nature.

¹⁶See footnote 12 on page 7 of this thesis.

CHAPTER II

THE PROPOSITION: THERE EXISTS A LAW OF NATURE WHICH CAN BE KNOWN BY REASON THROUGH SENSE EXPERIENCE

Locke presented his proofs for knowing the natural law in the form of eight essays, which probably served at some time as notes for a series of lectures. Fortunately, W. von Leyden, "the leading authority on Locke's manuscripts,"¹ edited the essays in book form. The book also presents some valuable preliminary discussions to which we will refer at length later in the thesis.

Each of the eight essays answers a particular point on natural law.

1. In the first essay Locke asks, "Is there a law of nature?" He answers affirmatively, showing that design in the world gives proof of God's existence. As governor of the world, God must ordain rules of conduct which govern men. These rules are the law of nature which Locke describes: "Hence, this law of nature can be described as being the decree of the divine will discernible by the light of nature and indicating what is and what is not in conformity with rational nature, and for this very reason commanding or prohibiting."² Locke argues that man's special function is to use his reason, the use of which will lead him to a knowledge of the natural law. The fact of human conscience also

¹James Collins, "The year in Philosophy, 1954," Thought, XXX (Spring 1955), 84.

²Essays, p. 111.

tends evidence to the existence of a natural law. ✓

The central argument in this essay shows that since there is a governance of the whole universe by laws, therefore man is also bound in a way suitable to his nature. Furthermore, human society could never exist without natural law as a basis for constitutions and contracts. Without it, too, there would be no honor in virtue. All men would act for the sake of utility.

2. "Can the law of nature be known by the light of nature?" Locke answers, yes. By light of nature he means an inward process of reasoning starting from sense experience. He rules out knowing the natural law by tradition because traditions differ, because this is not a primary source of knowledge, and because tradition implies trust, not knowledge. He rules out inscription (i.e., innate ideas) also. But reason based on sense experience will discover for us the law of nature. Reason leads us from ideas taken from sense experience to infer the existence of God; and as soon as God is proved, the notion of a universal law of nature binding on all men necessarily emerges.

Locke particularly concerns himself in this essay with establishing the origin of ideas from sensation. "We investigate here the first principles and sources of all kinds of knowledge, the way in which primary notions and the elements of knowledge enter the mind."³ Reason plays an all-important role in leading to a knowledge of the natural law, but it does nothing to establish the elements of knowledge. It can achieve nothing unless something is first given to it by the senses.

³Essays, p. 125.

3. "Is the natural law inscribed?"⁴ No, Locke responds, and he offers a series of reasons why. The doctrine of innate ideas is a mere assertion and has so far never been proved. If there were such a natural imprint of the law of nature in men's hearts, it would be universally known and obeyed. This has not taken place. If the law of nature were innate, primitive people should be the best observers of it, and the foolish and insane should also have a knowledge of it.

4. In the fourth essay Locke places his most important questions and answers. "Can reason attain to the knowledge of natural law through sense experience?" He answers, yes. For the natural law to be known, two conditions must be fulfilled: man must be able to know that there exists a superior will to whom he is rightly subject, and that superior will must have disclosed certain things to be done by us respecting the commands of his will.

Locke then explains how sensation and reason work together to gather this knowledge. Sensation furnishes reason with the ideas of particular objects and reason then combines these ideas or images to form new complex ideas.⁵ Our

⁴Locke appears to be arguing in this essay against a very naive concept of innate ideas in which the ideas are present and known to us at all times clearly. His comments on innate moral propositions indicate that this is so: "Unchangeable as they are and always clear, they are known to us without any study or deliberate consideration." Essays, p. 137. Then he goes on to prove that no such imprint is had. Locke seems to make the same false supposition about the nature of innate ideas in the first book of his Essay Concerning Human Understanding also.

⁵Locke makes no attempt to clarify in this essay what he means exactly by ideas or images. Throughout the essays we will find that his epistemology is rather crude and rudimentary.

senses tell us of bodies and their properties, of motion and of regularity in the universe. Reason inquires into these sense data and infers the existence of God, particularly of God as a lawmaker, a superior will to whom we are subject. From this knowledge of God as a lawmaker reason infers that, since the world manifests purpose, man has a duty to use his equipment, which is reason, to discover his special role in the world. God intends certain activities to be performed by man. From this man perceives his duties to worship God, to preserve himself, to live in society, and so forth.

5. In his fifth essay, Locke denies that the law of nature can be proved from general consent. Whether the consent is positive, arising from a contract, or natural, springing from a certain natural instinct, it will not prove the law of nature. Certain laws derived from positive consent have no meaning in the context of natural law. For example, the positive agreement that safe passage will be given to all envoys has no particular foundation in the natural law. The natural law forbids altogether the injury of any person and suggests no additional reason why this should be more true for an envoy than for anyone else.

A consensus of practice offers even less reason for proving the law of nature. "For if what is rightful and lawful were to be determined by men's way of living, moral rectitude and integrity would be done for."⁶ The Egyptians and Spartans approved of stealing. The Assyrians and Ethiopians practiced customs totally indecent and unchaste. Certain Indian natives justified suicide. A Brazilian tribe acknowledged no God at all.

⁶Essays, p. 165.

On the other hand, even if there were general consent regarding some opinion, this consent would not be sufficient to prove that the opinion fell under the natural law.

6. "Are man bound by the law of nature?" Yes, says Locke. He borrows the jurists' definition of obligation: "It is the bond of law whereby one is bound to render what is due."⁷ Obligation is had whenever a rightful power imposes a command upon us, making his will known to us. The perception of this obligation may arise either from fear of punishment, or better from a "rational apprehension of what is right."⁸ The natural law binds because it contains all the necessary conditions noted above. A rightful power is had by God as the creator of all things, and His will is known to us in the natural law, in the way described in the fourth essay.

7. "Is the binding force of the natural law perpetual and universal?" Yes. After answering a doubt about the existence and binding force of the natural law, Locke proceeds to explain in what sense the law is perpetual, noting the different types of obligatory acts involved. Actually, he gives no proof for the perpetual character of the natural law, but only remarks that it is coeval with the human race. The binding force of the natural law is universal because it is rooted in human nature, which is everywhere the same and will not change.

8. "Is man's own interest the basis of natural law?" Locke denies that it is. He first explains his terms by defining what he means by "basis of the

⁷ Ibid., p. 181.

⁸ Ibid., p. 185.

natural law' and by "each man's Interest."⁹ Then he states the question more precisely: "Hence the point of the question is precisely this: Is it true that what each individual in the circumstances judges to be of advantage to himself and his affairs is in accordance with natural law, and on that account is not only lawful for him but also unavoidable, and that nothing in nature is binding except so far as it carries with it some immediate personal advantages."¹⁰

Locke denies this for three reasons: Private interest cannot be the basis of the law of nature because (1) dutiful actions do not arise out of mere utility, and virtue often consists in doing good to our own loss; (2) if private interest were the basis of the law, it would be impossible to avoid conflict of interests, and (3) all justice, friendship and generosity would be abolished. Hence, Locke concludes, personal advantage is a consequence of obedience to the natural law rather than the basis of it.

Von Leyden, in his introductory notes, synthesizes the thought of these essays and Locke's process of argumentation according to four main aspects:

He passes from the recognition that man is rational to the assumption that man's reason, on the basis of sense experience, leads to the discovery of moral truths, then if properly employed, to the discovery of one and the same set of moral truths, i.e. natural law. From this he passes to the belief that the truths thus discovered are divine commands binding on all men, and hence to the assertion that the validity of such commands can be proved, and even shown to be necessary in the same way as a geometrical demonstration.¹¹

Von Leyden considers Locke's argument to be fallacious, involving un-

⁹ Essays, pp. 205-207.

¹⁰ Ibid., p. 207.

¹¹ Ibid., p. 59.

warranted leaps between different planes of knowledge. In a briefer form, the path he believes Locke to follow is this: man is rational; his reason leads to moral truths; these moral truths are the same for all men and are obliging on all as divine commands; therefore, they are valid and necessary.

This interpretation misses, it seems, the crux of Locke's argument. But an evaluation of his interpretation will be the concern of Chapter IV. What appears to be more important for Locke than the fact of man's rationality is the overall design manifest in the world. This design reveals the governance of a supreme intelligence (God). Man, too must be governed by this God, since God must have had some purpose in creating him. And only when this governance by God is recognized, only then can we say that man's reason, on the basis of sense experience, leads to the discovery of moral truths. Man's reason does not just meander about and happen upon the natural law. It sets out to find something it knows exists.

Locke's basic argument, then, would seem to be rather along these lines:¹² It is quite obvious from the design in the world that some almighty lawgiver and governor (God) exists. It is unreasonable to suspect that man is not included in the overall design. Hence, there must be a law particularly directed to man and his conduct, a law that befits man's nature.

But how can man know God's law or design in his regard? The answer is: by using what is his natural equipment, his reason. If he uses his reason

¹²This disagreement with von Leyden in the interpretation of Locke's argument will be taken up and discussed in detail in Chapter IV of the thesis. The summaries given here are intended merely to point out the central problem and the line of thought in the essays. Fuller documentation will also be given.

properly, he can discover God's law in his regard. But how does one use his reason properly? Locke answers that this is done by a combination of sense experience and reason. First, from the design in the world we infer God's existence. As our creator, He has a rightful power over us. As a wise creator, God has a fixed purpose for us. Hence, He has something in mind for us to do. Once we know that He has some purpose for us, we search for what the "something" may be. The "something" God intends for us to do can be inferred, however, from His ultimate purpose (His Glory) and from our own endowments, particularly from reason. And from this we conclude to our duties to God, self, and others.

Obligation to a law arises when there is a superior will over us which will is somehow disclosed to us.¹³ But the natural law contains these two requisites so that it clearly obliges man. The supreme will over us is God; His will is disclosed to us indirectly as we discover "the something" which he intends for us to do.

This, in short, is what Locke has to say in the early essays about the law of nature. The essays uncover for us Locke's thoughts on the theory of cognition, the notion of God, the concept of natural law, and other subjects which bear upon his later writings. Included too, is a rather emphatic statement and proof of the existence, knowability and binding force of the law of nature.

¹³This particular notion of obligation and many other expressions used by Locke are distinctly voluntaristic.

CHAPTER III

ARE LOCKE'S STATEMENTS ON KNOWLEDGE OF THE NATURAL LAW CONSISTENT WITH HIS LATER WORKS?

To evaluate the consistency of the Essays on the Law of Nature with Locke's later works, two comparisons must be made. One comparison concerns epistemology. It will relate Locke's statements on knowing the natural law in the early essays to his general theory of cognition as found in the Essay Concerning Human Understanding. The second comparison involves the notion of natural law. Locke's concept of the law of nature as presented in the early essays must be examined in relation to the references made to natural law in the Essay Concerning Human Understanding and in the Second Treatise on Civil Government.

The first comparison on epistemology is the more difficult. Critics of Locke have not been slow to point out numerous inconsistencies within Locke's finished Essay of 1690. Yet that Essay has the advantage of nearly thirty years for development and refinement of thought over the Essays on the Law of Nature. A full and carefully delineated theory of knowledge, then, can hardly be expected from the early essays. Hence, the comparison of the ways of knowledge in these two works will necessarily be restricted to main outlines with little attempt at detailed analysis. The comparison should be sufficient, however, to indicate whether the early essays contained the seeds of his later thought or whether they give initial, trial ideas later to be rejected.

The Essay Concerning Human Understanding, besides being Locke's most famous

work, contains practically all of Locke's epistemology. We might begin our comparisons, then, by studying whether Locke's remarks on human understanding in the early essays fit into his later doctrine in this Essay.

In the early essays he informs us that there are only three ways in which we could come to the knowledge of anything: "Whatever we know is either inscribed, from tradition, or drawn from the senses."¹ He rules out inscription (i.e., innate ideas) and tradition, and settles upon knowledge drawn from the senses. This is man's natural way of knowing, or as Locke phrases it, "knowing by the light of nature alone."² 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."³ What are these faculties?⁴ They are simply reasoning and sense experience.

Locke explains at length the role of each of these faculties and how the two work together. Sense experience gives us "primary notions and elements of knowledge."⁵ It furnishes reason with "ideas of particular sense objects."⁶

¹ Essays, p. 125.

² Ibid., p. 133.

³ Ibid., p. 123.

⁴ By faculties, Locke simply means different functions or powers of the mind. The word is not intended in the technical, scholastic sense.

⁵ Essays, p. 125.

⁶ Ibid., p. 147.

Its function is to supply reason with material for its work. Sense experience alone will not suffice, "for without reason, though actuated by our senses, we can scarcely rise to the standard of nature found in brute beasts, seeing that the pig and ape, and many other quadrupeds, far surpass man in the sharpness of the senses."⁷ Sense experience and reason must serve each other, "sensation furnishing reason with the ideas of particular sense objects and supplying the subject matter of discourse, reason on the other hand guiding the faculty of sense, and arranging the images of things derived from sense perception, thence forming and composing new ones."⁸

Reason, we find, guides the sense faculty, arranges images and composes from them. But it also "searches and discovers laws,"⁹ and by it "one may find a way from perceptible and obvious things into their hidden nature."¹⁰ In Locke's fullest description of reason it is "the discursive faculty of the mind, which advances from things known to things unknown, and argues from one thing to another in a definite and fixed order of propositions."¹¹

Hence, reason arranges, guides, composes, argues, searches, infers and concludes--a vast number of tasks. Nevertheless, it depends entirely on sense for its material. "Admittedly, reason makes use of these elements of

⁷ ibid.

⁸ ibid.

⁹ ibid., p. 111.

¹⁰ ibid.

¹¹ ibid., p. 149.

knowledge, . . . but it does not in the least establish them."¹² Take away either sense or reason and the other is of no avail. But with the two working together, "there is nothing so obscure, so concealed, so removed from any meaning that the mind, capable of everything, could not apprehend it by reflection and reasoning, if it is supported by these faculties."¹³

Locke then describes the actual process by which the natural law is known. First, sense teaches us the real existence of solid bodies and especially that "this world is constructed with wonderful art and regularity."¹⁴ Then the mind "after more carefully considering in itself the fabric of this world, . . . thence proceeds to an inquiry into the origin, to find what was the cause, and who the maker of such a work."¹⁵ From this inquiry, reason concludes to a wise creator whose will governs us and has power over us.

In demonstrating that this wise creator and superior will (God) has laid down certain things to be done by us, Locke is not so explicit in indicating just what sense and reason each contribute to the argument. Sense plays a smaller part here, perhaps observing man's rational acts as distinguished from acts of lower animals.¹⁶ But reason carries the load by showing that God has a purpose in creating us and that this purpose involves us in using our par-

¹² Ibid., p. 125.

¹³ Ibid., p. 147.

¹⁴ Ibid., p. 151.

¹⁵ Ibid., p. 153.

¹⁶ Locke frequently uses sense in as wide a meaning and scope as this.

ticular endowments for acting rationally, and that by so acting we will be led to the observance of definite moral rules befitting our nature.

The fact of the interrelationship of sense and reason has certainly not been neglected. But Locke offers little detailed explanation about the knowing process, so that great gaps lie open in his theory and many questions remain unanswered.

To fill in all the details, if such a thing were even possible, would involve over-lengthy and unnecessary speculation. One obvious lacuna, however, should at least receive some comment if Locke's theory is to hang together at all. According to Locke, we have the senses at work, then reason takes over. But do the senses present known ideas? Or does reason work with pure sensations? Or is there some other faculty at work converting sensations into known ideas with which reason can work? Even in the crudest descriptions of knowing, we do not think of sense data as full-blown ideas or known truths. And yet Locke tells us quite clearly that "the mind cannot discourse or reason without some truth that is given or perceived."¹⁷

The solution seems to be that Locke has some other power in the back of his mind as being at work here, something quite close to the "perception" which he describes in the Essay Concerning Human Understanding, II, 9. Otherwise, his ideas on cognition would appear incredibly naive. He notes, for instance, that the fact that "this visible world is constructed with wonderful art and regularity . . . we learn from the senses."¹⁸ Yet notions of regularity,

¹⁷Essays, p. 149.

¹⁸Ibid., p. 151.

structure and order could hardly be classified as sensations.

Locke gives some indication at least that he did have a power such as perception in mind. For instance, in his initial discussion of the light of nature, Locke mentions that man is endowed with three powers, 'with understanding, reason and sense perception.'¹⁹

We might safely presume, then, that the idea which reason handles, the "truth that is given and perceived,"²⁰ is a product of the combined efforts of sense and perception.

But even with this addition, Locke has offered only the simplest description of cognition, explained entirely in terms of the senses and of reason, with perception perhaps understood. Little or nothing is said about first principles such as those of causality or finality. Much is taken for granted. But we have seen what constitutes Locke's basic theory of cognition in the Essays on the Law of Nature.

Some eight or ten years passed between the writings of these essays and the historic discussion of 1671 which led to Locke's first "hasty and undigested thoughts" on cognition and finally to the thoroughly worked out Essay Concerning Human Understanding in 1690. The thirty intervening years brought Locke many deeper insights and a critical awareness of the difficulties in explaining the complicated process of human cognition. Yet even thirty years did not suffice. Locke's finished Essay still needed a great deal of refinement and reorgani-

¹⁹ ibid., p. 123.

²⁰ ibid., p. 149. Italics not in the original.

zation.²¹ It does, however, present a fuller and more meaningful account of cognition than the early essays. The following, in capsule form, is what Locke's famous Essay Concerning Human Understanding tells us about human knowledge.

We begin with a passive, blank mind, a tabula rasa. In the initial stage of our knowing the mind is receptive. It takes in primary ideas either from sensation or from reflection.²² The primary ideas from sensation enter as three types: (1) We get ideas about the solidity, the motion or the impenetrability of things. These properties actually belong to the things themselves. (2) We receive ideas about color, heat, taste, and so forth. These do not actually belong to the things we see and taste, but some property of the thing, such as motion, acts upon our minds in such a way that we have a sensation of color or taste and we attribute it to the thing itself. (3) We also receive knowledge about the way in which things act upon us. For example, we know that the sun causes us to be warm and that a wind has the power to blow our

²¹Even such a favorable critic as Richard Aaron had to conclude "that Locke's theory of knowledge is defective in being both incomplete and incoherent." Richard I. Aaron, John Locke, 2nd ed. (Oxford, 1955), p. 247.

²²"Let us then suppose the mind to be, as we say, white paper, void of all characters, without any ideas; how comes it to be furnished? . . . To this I answer, in one word, from experience: in that all our knowledge is founded, and from that ultimately derives itself. Our observation, employed either about external sensible objects, or about the internal operations of our minds, . . . is that which supplies our understanding with all the materials of thinking. These two are the fountains of knowledge, from whence all the ideas we have, or can naturally have do spring." John Locke, An Essay Concerning Human Understanding, ed. Alexander C. Fraser (Oxford, 1904), II, 1, 2. Henceforth this book will be referred to as An Essay. References are given according to book, chapter and paragraph in this book.

hat off.²³

All these are examples of primary Ideas coming from sensation. But we may also pick up Ideas from experiencing the fact of thinking, of desiring, and so forth. These come to us as we reflect on what we are doing. All of these come to the mind in the first stage of receptive knowledge.

"Receptive", however, is not meant to imply total inactivity on the part of the mind. The mind must take notice of the sense data before we can be said to have ideas. This taking notice of sense data Locke calls perception. It would seem definitely to be an intellectual activity since he says that it is "by some called 'thinking' in general,"²⁴ and he regards the idea produced as "present in the understanding."²⁵

So whenever we have simple Ideas, we know that the mind has been active in perception. Sense experience remains, none the less, predominantly passive, "for in bare, naked perception, the mind is for the most part, only passive, and what it perceives it cannot avoid perceiving."²⁶ It is interesting to note, in passing, that it was just such an operation as perception that we found unaccounted for in Locke's early theory in the Essays on the Law of Nature.

So the mind is not inoperative in perception, but it lies almost dormant until the second stage of the process. Then the mind moves into action. We

²³This division of primary Ideas is treated by Locke in An Essay, II, 3, 9-11.

²⁴Ibid., II, 9, 1.

²⁵Ibid., II, 9, 2.

²⁶Ibid., II, 9, 1.

begin actively using our faculties. The mind works with simple, primary ideas that it has received, to form complex ideas.²⁷ It forms them in three ways:

The acts of the mind wherein it exerts its power over its simple ideas are chiefly these three: (1) Combining several simple ideas into compound ones; and thus all complex ideas are made. (2) The second is bringing two ideas, whether simple or complex, together, and setting them by one another so as to take a view of them at once, without uniting them into one; by which it gets all its ideas of relations. (3) The third is separating them from all other ideas that accompany them in their real existence; and this is called "abstraction" and thus all its general ideas are made.²⁸

By compounding, by relating, and by abstracting, then, we obtain all our complex ideas just as all our primary ideas came from sensation and reflection.

These simple and complex ideas described above are the working elements of our knowledge. But when exactly do we have true knowledge? Locke answers this in the fourth book of the Essay. He defines knowledge as the "perception of the connection and agreement, or disagreement and repugnancy, of any of our ideas."²⁹

Agreement or disagreement of ideas rests on a four-fold basis. "To understand a little more distinctly, wherein this agreement or disagreement consists,

²⁷ It should be noted that Locke uses the word "idea" in a rather sweeping, all-embracing fashion. "Idea" is the term which he feels "serves best to stand for whatsoever is the object of the understanding when a man thinks. I have used it to express whatever is meant by phantasm, notion or species, or whatever it is which the mind can be employed about in thinking; and I could not avoid frequently using it." An Essay, I, I, 8.

²⁸ Ibid., II, 12, 1.

²⁹ Ibid., IV, I, 1. This definition commits Locke to a theory of representationalism, a three-layer world of mind, idea and object. "The mind in all its thoughts . . . hath no other immediate object but its own ideas . . . it is only conversant about them." Ibid.

I think we may reduce it all to these four sorts: (1) Identity, or diversity, (2) Relation, (3) Co-existence, or necessary connection, (4) Real existence."³⁰

The categories which most concern this thesis are relation and real existence. For relations underlie morality as well as mathematics, which Locke most frequently uses for examples. In the Essays on the Law of Nature, although he makes no direct reference to the concept of relation, Locke parallels the derivation of a truth from moral laws to the derivation of a mathematical truth. "In fact it seems to me to follow just as necessarily from the nature of man that, if he is a man, he is bound to love and worship God, . . . as it follows from the nature of a triangle that, if it is a triangle, its three angles are equal to two right angles."³¹

In respect to the agreement of ideas based on real existence, Locke commits himself strongly. "As to the fourth sort of our knowledge, viz., of the real actual existence of things, we have an intuitive knowledge of our own existence; a demonstrative knowledge of the existence of 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."³²

Our knowledge of self is simply a direct perception of our own action, in this case without the intervention of any idea.³³ Locke's argument for the

³⁰ Ibid., IV, 1, 3.

³¹ Essays, p. 199.

³² An Essay, IV, 3, 21.

³³ According to Locke's own criterion, knowledge of self would not be true knowledge, because if there is no idea of self there can be no perception of agreement.

existence of God varies from his approach to that subject in the Essays on the Law of Nature. In these early essays the proof was, for the most part, a demonstration from design in the world. Here Locke is arguing from the contingency of his own existence to the necessary existence of God.³⁴ Our knowledge of self and God, resting as it does on intuition and demonstration, is certain. When he comes to knowledge of other real beings, Locke is not quite so sure: "There is, indeed, 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 foregoing degrees of certainty, passes under the name knowledge."³⁵

We find now that those ideas whose agreement or disagreement we sought to perceive contain in them a note of existence. Rather than prove this, Locke simply presents a pragmatic norm for distinguishing between ideas of existing things and ideas of imaginary beings. The norm is our consciousness of the difference between the two; the difference we perceive between seeing the sun during the day and thinking of it in the night, and also the differences in the consequences, the difference between dreaming of a fire and actually being burned by it.

This covers, for the most part, the question of what we know, the objective part of our definition of knowledge concerning the agreement or disagreement between our ideas. Our knowledge is based on identity, relation, co-existence and real existence, with the last mentioned including knowledge of self, God,

³⁴ An Essay, IV, 10, 1-6.

³⁵ Ibid., IV, 2, 14.

and other things.

But the complete definition included how we know; the perception of this agreement or disagreement of ideas. Locke handles the problem of how we attain to certain knowledge in a section on the degrees of knowledge, Book IV, Chapter 2. Not every instance where the mind is employed in perceiving identity, relations, co-existence or real existence, is a case of perfect knowledge. Whether knowledge is true or not depends on how the perception is made, or what kind of perception is had. If, for instance, a relation is only presumed and judged to be there, only probability results. But if the perception is an unmistakable insight, then true knowledge is had and such a perception is called an "intuition." Locke describes this intuition rather fully in Book IV, 2, 1 of the Essay.

Intuition is the basis of all true knowledge. Only knowledge of existence in sensation escapes intuition, and even this is a kind of intuition on a sense level. All other knowledge can be traced ultimately to one or more intuitions.

There is another way, however, of achieving knowledge. It involves intuition but it also goes beyond it. This Locke calls demonstration. Where the memory does not fail, certainty can be had through demonstration. Certain mathematical propositions and propositions concerning morality, for instance, are known to be true; yet their truth is not immediately perceived just from an analysis of the statement. Take for example the theorem that an exterior angle of a triangle equals the sum of the two remote interior angles. This statement is certain but is not intuited. It is derived ultimately, however, from some intuited facts.

Intuition, demonstration and sensation constitute an answer to how the

"perception of the agreement or disagreement between our ideas" is had.

By now, Locke has covered rather well the matter suggested in his introduction: "to inquire into the origin, certainty, and extent of human knowledge."³⁶ The origin he has stated quite clearly: "all knowledge is based on what is received either by reflection or through the senses.

The certainty of our knowledge he has delineated but has been very restrictive in doing so. By identity we gain certain trifling truths. By relation we have somewhat more instructive knowledge, particularly in mathematics and in morality. By co-existence we attain very little certitude. Concerning real existence we have certain knowledge only of ourself and God, and knowledge not quite so certain of other things which are present to the senses.

The extent of our knowledge Locke has not quite been able to determine. Certainly it extends no further than our ideas, and is in fact narrower than the scope of them. We cannot know any material thing completely, so that we have no knowledge of the real essences of things.³⁷ On the other hand, our knowledge does extend at least to knowledge of ourselves, God, mathematical

³⁶ An Essay, I, I, 2.

³⁷ Locke's doctrine that we have no knowledge of the real essences of things, which is dealt with particularly in Book III of the Essay "On Words", raises an important problem in respect to this thesis. For man's essence or nature must be known in order to know the law of nature. But in his Essays on the Law of Nature Locke nowhere discusses whether we know the real essence of man, so that this problem belongs rather to the discussion on the validity of his proofs, and need not concern us at present.

truths and rules of morality.³⁸

But one final problem is bothering Locke. Is all this knowledge real? If it does not tell us about the world we live in, of what use is it to know our ideas? Locke realizes that his definition of knowledge as the perception of agreement between ideas has cut him off from the world. And even his remarks concerning the knowledge of the real existence of things pertains only to existence and not to a knowledge of what they are.

Locke began by insisting strongly that all knowledge must derive ultimately from the senses. His empiricism was the ruling note. Then he suddenly found himself in Book IV living in the realm of ideas, a rationalist building ideas upon ideas. Now he realizes that he must reassert empiricism again and connect ideas to reality. His very procedure underlies much of the confusion that has gathered about the "critical problem." He placed himself in an impossible position, and the Humes, Berkeleys and Kants to follow made certain that the dilemma was not overlooked. It is to Locke's credit, however, that he recognized the difficulty and tried to eradicate it. Aaron argues, too, that Locke was not quite so inconsistent as he is claimed to be by those who see a complete

³⁸ Actually, Locke nowhere really proves that morality is capable of demonstration. All that he says is that the idea of ourselves as subject to God would "if duly considered and pursued, afford such foundations of our duty and rules of action as might place morality among the sciences capable of demonstration." An Essay, IV, 3, 18. He gives one example on property to illustrate how such a science might unfold. But nothing more is given.

reversal of field from the second to the fourth book of the Essay.³⁹

Our knowledge is not just bare vision. It can be and is real where ideas agree with things. Locke is still trapped in representationalism: "It is evident the mind knows not things immediately but only by the intervention of the ideas it has of them."⁴⁰ But knowledge can be real when "there is a conformity between our ideas and the reality of things."⁴¹

Locke attempts to explain by examples how such a conformity between ideas and reality can be had. Simple ideas agree with things because the mind cannot make them of itself; so the things must be producing these perceptions in us. With complex ideas, except of substance, there is no problem, because they are of the mind's own making and not intended to be referred to the existence of

³⁹ In his commentary on Locke, Richard Aaron has defended Locke from rash charges of inconsistency. In Book II, where many have interpreted Locke's empiricism as almost pure sensationalism, Aaron argues that "from the context it is quite clear that he has something like the intuition of Book IV in mind." Richard I. Aaron, John Locke, 2nd ed. (Oxford, 1955), p. 34. Again when he treats of intuition in Book IV and the apparent abandonment of empiricism, Aaron defends him:

Is Locke inconsistent? Has he thrown his empiricism overboard and become a Cartesian rationalist? I do not think so. For while Locke's teaching is identical with Descartes' as to the subjective side of the experience, it is not so with regard to the objective . . . For Descartes the object of intuition is a pure non-sensuous object; for Locke is a relation between certain givens of sensation or reflection, or between complex ideas derived from this given. Aaron, p. 222. (Italics in the original).

Admitting that Locke handled poorly the section which attempts to show the reality of knowledge, Aaron concludes that Locke's final answer is found in IV, 9, 3-4 with the real knowledge of self, God, and other things at least by sensation.

⁴⁰ An Essay, IV, 4, 3.

⁴¹ Ibid.

anything. Substances, Locke admits, fail to be exactly conformed to the reality outside us.

The difficulties with these arguments are too numerous to mention. At least we can say that Locke saw the problem; and with an interpretation such as that made by Professor Aaron, much of Locke's doctrine can be salvaged and made to appear less openly inconsistent.

We have, then, at least a fairly clear and comprehensive view of Locke's general theory of human cognition. His knowledge originates with sense experience, with the mind building from primary ideas or notions by compounding and comparing, to complex ideas, then ordering these by reason and demonstration to further heights of knowledge. And this, in essence, is the same description, more fully developed, that he gave in the Essays on the Law of Nature. Just how much the theories of cognition presented in these two works resemble each other we can now investigate. But two rather important problems must be answered before a legitimate conclusion can be reached.

First, in looking back over the two works that we have been comparing, a fairly obvious difficulty appears regarding the use of the term "reason." In the early essays reason performs nearly every function of the mind; in the later Essay reason is rarely mentioned. But, as we shall see, the difficulty resolves itself into a difference of terminology rather than of doctrine. Locke uses reason in a far more generic way in the essays on natural law than he does in the Essay Concerning Human Understanding.

In the early essays, cognition was explained in terms of just two faculties, sense and reason, although perception may have been understood. Sense provided the material for reasoning; reason carried on from there. In the later Essay,

sense wins the same emphasis and is explained in a similar fashion, but the rest of cognition is handled with barely a reference to "reason", which does not make its appearance until nearly the end of the fourth book. In fact, so much of cognition has been explained without reason in the Essay that Locke even questions "what room then is there for the exercise of any other faculty but outward sense and inward perception? What need is there of reason?"⁴²

As Locke answers this question and explains the important role of reason, describing what sort of faculty it is, we seem to recognize a familiar friend. Reason directs the process of arranging ideas and it perceives the connections between these ideas just as reason did in the early essays. It discovers proofs; it puts them in order to make their connections clear; it perceives their connection; and it makes right conclusions.⁴³ Distinguishing reason from faith, Locke explains the use of reason in the following way: "Reason . . . I take to be the discovery of the certainty or probability of such propositions or truths which the mind arrives at by deductions, made from such ideas which it has got by the use of its natural faculties, viz., by sensation or reflection."⁴⁴ Reason is a discovery, arrived at by deduction, made from ideas got from sensation. So the general tone and description seems to be the same in the early essays and in the Essay Concerning Human Understanding. The difficulty lies in reconciling the use of the word "reason". In the early essays reason managed practically all the intellectual duties of the mind. It compounded, inferred,

⁴² An Essay, IV, 17, 2.

⁴³ Ibid., IV, 17, 3.

⁴⁴ Ibid., IV, 18, 2.

concluded and so forth. In the Essay reason appear to be relegated to a minor role. Has his theory of cognition changed?

The evidence is hardly weighty enough to demand such a conclusion. Locke uses perception and reason in the sense of powers of the soul rather than as distinct faculties. Also, just as perception must have been taken for granted in the Essays on the Law of Nature, so reason seems to have been taken for granted throughout the Essay. Two noteworthy authors support this view.

Sterling Lamprecht says: "Locke supposed that the importance of reason was so universally accepted that he need not dwell on it in his Essay."⁴⁵ And Bertrand Russell adds: "What Locke means by 'reason' is to be gathered from his whole book. There is, it is true, a chapter called 'Of Reason,' but this is mainly concerned to prove that reason does not consist of syllogistic reasoning."⁴⁶

In other words, as so often happens with Locke, his meaning is clear enough; he has only failed by not carefully delimiting his words. In both accounts, in the early essays and in the Essay, sense and reason play the major roles, with perception of different types (sense perception, intuition, etc.) as an "in-between" faculty. The theories of knowledge in the two works seem then to parallel one another closely. The following outline of parallel texts lends further evidence to a conclusion of consistency.

⁴⁵ Sterling Lamprecht, The Moral and Political Philosophy of John Locke (New York, 1918), p. 60.

⁴⁶ Bertrand Russell, A History of Western Philosophy (New York, 1945), p. 607.

ESSAY CONCERNING HUMAN UNDERSTANDING

ESSAYS ON THE LAW OF NATURE

A. The General Process:

All ideas originate from sensation or reflection.

The origin of knowledge (at least for the law of nature) is from sense experience.

PRIMARY IDEAS (original of knowledge)

PRIMARY NOTIONS (elements for knowledge)

from sensation or reflection

from sense experience

- (1) Primary qualities (solidity)
- (2) Secondary " (color, taste)
- (3) Tertiary " (power to heat)

examples: matter, motion, visible structure of the world.

Idea--whatever the mind thinks on; phantasm, species.

.....
.....

Perception - taking notice of ideas or having ideas.

--but known facts are given to reason, some truth that is given and perceived.

COMPLEX IDEAS

(COMPLEX IDEAS)

formed by the mind through:

reason works by: "forming and composing new ones" (i.e. images): "arranging images.

- (1) Compounding
- (2) Relating
- (3) Abstracting

KNOWLEDGE

(KNOWLEDGE)

"perception of the connection and agreement between ideas."

.....
.....

- a. By intuition.
- b. By demonstration (reason). finds proofs; orders; then; perceives agreement etc.

- a.
- b. By reason: from sense experience, argues from one thing to another.

B. What reason is:

"a faculty of man"

"the faculty of arguing"

"a discovery of the certainty or probability of such propositions which the mind arrived at by deduction, from such Ideas which it has got . . . by sensation or reflection." (IV, 18, 2)

"the discursive faculty which advances from things unknown to things known, and argues from one thing to another in a definite order of propositions." (p. 149)

C. On innate ideas:

Book 1, Chapter 2 of the Essay is devoted to proofs showing that we have no innate principles or ideas.

"It has been only an empty assertion, that the souls of men when they are born are something more than empty tablets capable of receiving all sorts of imprints but having none stamped on them by nature." (p. 137)

D. On the knowledge of God:

We have certain knowledge by the argument of our own contingent existence.

We have certain knowledge by the argument from design.

E. On the basis of morality:

"The idea of a Supreme Being . . . whose workmanship we are . . . ; and the idea of ourselves, as understanding, rational beings, . . . would . . . afford such foundations of our duty and rules of action . . ." (IV, 3, 18)

The burden of the whole series of essays is to prove that because God exists and we are subject to Him, we therefore are bound by the natural law placed over us.

F. On the demonstrability of morality:

"I doubt not, but from self-evident principles, by necessary consequences, as incontestable as those in mathematics, the measure of right and wrong might be made out." (IV, 3, 18).

"In fact it seems to me to follow just as necessarily from the nature of man that, if he is man, he is bound . . . to observe the law of nature, as it follows from the nature of a triangle that, if it is a triangle, its three angles are equal to two right angles." (p. 199)

Earlier it was noted that two important problems must be dealt with regarding the consistency of the epistemology contained in the Essays on the Law of Nature and the Essay Concerning Human Understanding. The first problem concerned the use of the term "reason"; the second problem before us now involves a comparison of texts which is not at all favorable to a verdict of consistency in favor of Locke. The comparison looks to Locke's views on the extent of human knowledge.

G. On the extent of human knowledge:

"Reason, though it penetrates into the depths of the sea and earth, elevates our thoughts as high as the stars; . . . yet it comes far short of the real extent of even corporeal being; and there are many instances where it fails us." (IV, 17, 9)

"Our ignorance is great, . . . launch not out into that abyss of darkness . . . out of a presumption that nothing is beyond our comprehension." (IV, 13, 22)

"For all this sort of learning, whatever its extent (and it certainly has made great progress), traverses the whole world, and is not confined within any limits." (p. 125)

"As long as these two faculties serve one another, . . . there is nothing so obscure . . . that the mind, capable of everything, could not apprehend it by reflection and reason, if supported by these two faculties." (p. 147)

At least one commentator on the Essays on the Law of Nature considers Locke's statements on the extent of knowledge as totally inconsistent with Locke's mature thought expressed in the Essay Concerning Human Understanding. For P. G. Lucas had this to say in an article for the Philosophical Quarterly:

"But one of the features of the essays that strikes me (though not Dr. von Leyden) most strongly, is the complete absence of any suggestion of a limitation on the combined powers of reason and the senses. The mind that has to be presupposed throughout the essays, for the argument to make sense at all, is

the omnium capax animus."⁴⁷ Implied in this objection is that without a mind unlimited in its range, man could never know the natural law; and hence since Locke considers the mind to be quite limited according to the standards of the Essay, man can never know the natural law. Locke's own criterion, according to Lucas, rules out the possibility of knowing the law of nature.

The first thing to be noted in this objection is Mr. Lucas' apparent misunderstanding of the phrase omnium capax animus. To say that the soul is capable of all things is not the same as to say that man therefore does comprehend all things or even can exhaust the knowledge of all things. The soul itself is capable of unlimited knowledge, but it is immersed in matter. Its dependence on matter limits its range of knowledge. Furthermore, Locke's most explicit criterion in the later Essay justifies the conviction that the law of nature can be known. Natural law can be known because it conforms to the criterion of being "according to reason,"⁴⁸ since the ideas underlying it can be traced to sense experience. But Locke's whole effort in the early essays was precisely to show that knowledge of the natural law could be had since the ideas were traceable to sense experience, and that the deduction was natural and true. Moreover, as the previous comparison of texts made clear, Locke believed the deduction of moral rules to be as certain as those from mathematics. He

⁴⁷ P. G. Lucas, "Discussion: John Locke," The Philosophical Quarterly, VI (April, 1956), 176.

⁴⁸ In IV, 17, 23, Locke distinguishes between things that are according to reason, above reason, and contrary to reason. " 'According to reason' are such propositions whose truth we can discover by examining and tracing those ideas we have from sensation . . . and by rational deduction find to be true or profitable."

believed this to be true in the Essays on the Law of Nature and in the Essay Concerning Human Understanding. If Locke is less confident of human knowledge in the later Essay, it is not in respect to the law of nature, which he left still very much within the limits of human knowledge.

It would seem, then, that a conclusion of at least basic consistency between the two descriptions of human cognition is warranted. In both, innate ideas are ruled out; empiricism, particularly knowledge from sense experience is stressed; the mind works at compounding and comparing in the same way in both works; and the mind's power of reasoning with certainty is noted and described in much the same manner in both. Only the differences in the use of the word "reason" and the limitation of the mind's power, called to our attention by Lucas, indicate any notable deviations. And both of these, we believe, can be explained in a way that leaves intact the consistency of Locke's thought.

It still may be objected that the description of cognition given in the Essays on the Law of Nature is too incomplete to allow for any definite proof of consistency. This we will admit. About all that is here intended is to note that at least no major inconsistency is apparent and that the two descriptions closely parallel each other.

When this cognition is placed in the context of knowing the natural law, and when the statements on natural law in the early essays are compared to remarks made in the Essay and in the Second Treatise on Civil Government, the conclusion of consistency is even more justified. It has been the source of speculation that Locke did not feel that he could reasonably justify a system of morals based on the law of nature, or that the leanness of his treatment of natural law in the Essay indicates a lack of confidence in the concept or even

a rejection of it. Such speculation may be profitable. What is far more valuable, however, is to consider what Locke actually did say. His remarks on the law of nature in the Essay, it is true, are very meager--meager enough to suggest a lack of conviction in the law. But his statements, if carefully considered, reveal just as strong a conviction as the Essays on the Law of Nature displayed, plus a remarkable consistency with those early essays.

Locke's Second Treatise on Civil Government, in which the law of nature is made the basis of his political theory, manifests the same consistency. Only one real problem presents itself in this section, the opinion that Locke leaned more towards a hedonistic doctrine than to a morality rooted in the law of nature.

The suspicion may arise that only those passages which support a foregone conclusion of consistency have been chosen from the Essay. To avoid this, every passage⁴⁹ referring to the natural law in the Essay has been included in the comparison given below, plus several other important statements referring to morality. Unfortunately, Locke makes no attempt to prove a natural law or how it is known in his few statements on the law of nature and morality. But his statements do indicate, in places, the nature and basis of such a proof.

ESSAY CONCERNING HUMAN UNDERSTANDING

ESSAYS ON THE LAW OF NATURE

A. On knowledge of the law of nature:

"There is a great deal of difference between an innate law and a law of nature; between something imprinted on our minds in this very original,

"The purpose of the second essay is to prove just this: that the law of nature can be known by the light of nature. 'Light of nature' is used in

⁴⁹Every passage except one which is somewhat irrelevant. It occurs in I, 3, 6, where Locke grants "that a great part of mankind give testimony to the law of nature." but he argues that this does not prove that the law of nature is innate.

and something that we, being ignorant of, may attain to the knowledge of by the use and due application of our natural faculties. And I think, they equally forsake the truth who . . . either affirm an innate law, or deny that there is a law knowable by the light of nature." (I, 3, 13)

'Morality Capable of Demonstration--
The Idea of a Supreme Being . . . on whom we depend; and the idea of ourselves, as understanding, rational beings . . . would . . . afford such a foundation of our duty and rules of action, as might place morality amongst the sciences capable of demonstration." (IV, 3, 18)

B. That there is a law of nature:

"That God has given a rule whereby man should govern himself, no one is so brutish as to deny." Because He has the right to subject us as creatures, the wisdom to direct us, and the power to enforce law. (II, 28, 8)

C. Certainty of the moral law:

"Moral principles require reasoning and discourse, and some exercise of the mind in order to discover the certainty of their truth. . . . It is our own fault if we come not to a certain knowledge of them." (I, 3, 1)

D. Law of Nature not easily known:

" . . . the ignorance wherein many men are of them (i.e. moral rules.)" (I, 3, 1) "Hence naturally flows the great variety of opinions concerning the moral rules." (I, 3, 6)

the same context also: "by saying something can be known by the light of nature we mean . . . men can attain it . . . if he makes proper use of his faculties." (p. 123)

The two premises, a Supreme Being over us, and ourselves as rational, are precisely the foundations used in Locke's argument for proving the law of nature: "Reason can lead us to the knowledge of a lawmaker or some superior power to which we are naturally subject." . . . "Partly we can infer a definite rule of our duty from man's . . . faculties." (p. 155)

Confer the basic argument of the fourth essay: "there must be a powerful and wise creator . . ." And if this is so, it follows that "He has not created the world for nothing and without purpose." From this and from a realization of our own faculties "we can infer a definite rule of our duty." (p. 157)

After distinguishing the law of nature and positive divine law, Locke says: "The former we know with certainty by the light of nature and from rational principles." (p. 189)

"If in ordinary life men seldom delve into their purpose in life, . . . it is not to be wondered at that of nature men's opinions are so different." (p. 135)

E. Actual practice follows the law of fashion:

" . . . the greatest part of men he shall find to govern themselves chiefly, if not solely by the law of fashion; and, so they do that which keeps them in reputation with their company, little regard the laws of God, or magistrate." (II, 28, 12)

"For most people are little concerned about their duty; they are guided not so much by reason as either by the example of others or by traditional customs and the fashion of the country." (p. 135)

There remains, however, one crucial problem and apparent conflict in Locke's theory which is left untouched by the parallel texts. Is the natural law the only, or even the primary, basis of morality for Locke? That it is would seem almost incontestable after Locke remarks that "this (natural law) is the only true touchstone of moral rectitude."⁵⁰ And yet we read in Thilly's commentary on Locke's ethics an almost diametrically opposite conclusion: "Locke offers an empirical theory of ethics, which ends in egoistic hedonism."⁵¹ The fact that Locke has frequently mentioned the law of nature and God's will in respect to morality, only modifies the conclusion mildly: "This (Locke's theory) is the old Greek Hedonistic interpretation of morality, supplemented by a narrow conception of Christian theology."⁵²

Nor is Thilly alone in his interpretation. Others, though not stating it quite so strongly, conclude that Locke counters natural law with hedonism in his ethics.⁵³ If their conclusions are correct, then we certainly have an almost

⁵⁰ An Essay, II, 28, 8.

⁵¹ Frank Thilly, A History of Philosophy (New York, 1914), p. 322.

⁵² ibid.

⁵³ This interpretation of hedonism in much of Locke's ethics is given by C. R. Morris in Locke, Berkeley, Hume (Oxford, 1930); by W. T. Jones in A History of Western Philosophy (New York, 1952); and in a modified way by Sterling Lamprecht in The Moral and Political Philosophy of John Locke (New York, 1914)

incredible "incongruity" in the doctrine of a man who argued vigorously in his early essays that man's self-interest is not the basis of natural law.⁵⁴

The hedonistic interpretation of Locke is drawn principally from an unusual description Locke gave to "good" and "evil". In Book II, chapter 20 of the Essay he states quite frankly: 'Things then are good or evil only in reference to pleasure or pain. That we call 'good' which is apt to cause or increase pleasure, or diminish pain in us; . . . and on the contrary, we name that 'evil' which is apt to produce or increase any pain, or diminish any pleasure in us.'⁵⁵ When we read that things are good or evil in reference to pleasure or pain, it is not surprising to find interpreted conclusions such as this: 'The question arises, how did such moral laws ever come to be established, how has the knowledge of right and wrong been acquired? Pleasure and pain are the great teachers of morality according to our empiricist.'⁵⁶ Pleasure and pain, then, mark off what is good or evil, and the law of nature really has very little practical bearing.

Is this the theory Locke intends? First, it could be argued that no one who has so consistently stressed one idea, such as the natural law as the true norm of morality, will suddenly reverse his field so inexplicably. But there also seems to be sufficient evidence in his own words to warrant a more consistent statement of his doctrine. The difficulty appears to lie less with Locke's thought than in his broad and rather ambiguous use of terms. The

⁵⁴ Essays, pp. 205-215.

⁵⁵ An Essay, II, 20, 2.

⁵⁶ Thilly, p. 323.

"pleasure" and "pain", for instance, signify 'whatsoever delight or uneasiness is felt by us.'⁵⁷ Furthermore, one or other of them "join themselves to almost all our Ideas both of sensation and reflection."⁵⁸ But it is God who has effected this fixing of pleasure and pain onto ideas in order to motivate us.⁵⁹

Nowhere, however, does Locke state or even suggest that we should judge the goodness or evil of acts by the pleasure or pain they bring, which is what Thilly and others imply. Nowhere does Locke say that it is pleasure and pain which cause or determine a thing to be called good or bad. In fact, if we read Locke carefully, we find that he states the exact opposite. "Pleasure and pain, and that which causes them, good and evil, are the hinges on which our passions turn."⁶⁰

In other words, an act, an object, or an idea is objectively good or evil. And depending on which it is, it will result in pleasure or pain. But with this alignment, a norm is still needed to determine what is objectively good or bad. That norm Locke has already noted--natural law. Reason would still retain its function of discovering the principles to be used in moral judgments. All that has been added is the fact that pleasure and pain weigh heavily in the motivation of acts. Had Locke only introduced or made more explicit one idea in his natural law theory, this apparent conflict would not have arisen or at least would not have loomed so large. The idea which he left unclarified is

⁵⁷ An Essay, II, 20, 15.

⁵⁸ ibid., II, 7, 2.

⁵⁹ ibid., II, 7, 3.

⁶⁰ ibid., II, 20, 3.

that of man's ultimate end, happiness. This omission, we shall see later, is the major weakness in Locke's argument for the validity of the law of nature.

If Locke's natural law doctrine demands that man act out of the sheer, unselfish motive of serving God's glory, while his treatment of good and evil shows man egotistically motivated by pleasure and pain alone, we do indeed sense an inconsistency in his thinking. But the two explanations can be synthesized and probably were joined in Locke's mind, though he failed to express it clearly. Man's happiness or pleasure and God's glory are not opposed to each other. In serving God's glory, we achieve happiness. By following God's will as expressed in the natural law, we glorify Him and bring happiness to ourselves. J. W. Gough concurs that this is Locke's true mind. "But the way to get happiness, (according to Locke) was to obey the will of God."⁶¹

Locke himself makes this clear when he returns to the subject of morality in Book II, 28, 5. "Moral good and evil, then, is only the conformity or disagreement of our voluntary actions to some law, whereby good and evil is drawn on us from the will and power of the lawmaker, which good and evil, pleasure or pain, attending our observance or breach of the law, by the decree of the lawmaker, is that which we call 'reward' and 'punishment'."⁶²

It seems then that we can conclude that Locke's general ethical theory is consistent. This does not mean that it is "one, harmonious whole," which, with

⁶¹ J. W. Gough, John Locke's Political Philosophy, (Oxford, 1950), p. 8

⁶² An Essay, II, 28, 5.

Lamprecht, we admit is not the case.⁶³ Locke's words are too ambiguous, his synthesis too incomplete, to conclude to perfect unity. But, as has been mentioned before, it is his basic thought that concerns us, and as Gough wisely notes, "as generally with Locke, we shall miss the point if we insist too much on verbal minutiae."⁶⁴

Not only do statements on the law of nature in the Essay show a remarkable consistency with the fuller enunciations of the law in the early essays, but this consistency remains, moreover, when we pass over to Locke's Second Treatise on Civil Government. In this famous treatise Locke made the natural law and a state of nature the foundations of his political theory. Because of the weak attempt in the Essay to show how the law of nature is known, and since no effort is made in that regard in the treatise itself, the law of nature was adjudged to be a figment of Locke's imagination totally inconsistent with his epistemology.

In the light of the essays recently published, such a claim can hardly be defended. In the essays, knowledge of the law of nature is clearly formulated. That the law of nature discussed in the essays does not differ from that presented in the Treatise should be evident in the comparison which follows. The passages in which the law of nature is mentioned in the Treatise are too numerous to list them all, but the essential ones will be noted.

Locke's First Treatise on Civil Government offered a refutation of Sir Robert Filmer's divine right principles. The Second Treatise, with which we

⁶³ Sterling Lamprecht, The Moral and Political Philosophy of John Locke (New York, 1918), p. 103.

⁶⁴ Gough, p. 23.

are dealing--the law of nature. The following outline indicates the consistency of the texts from the Treatise as compared with the texts from the early essays.

SECOND TREATISE ON GOVERNMENT⁶⁵

A. The natural law: its force, its basis, its precepts:

"The state of nature has a law of nature to govern it, which obliges everyoneⁱ, and reasonⁱⁱ which is that law, teaches all men who will but consult it, that being all equal and independent, no one ought to harm anotherⁱⁱⁱ in his life, health, liberty or possessions." (II, 2, 6)

N.B. "Reason," in this context obviously refers not to the faculty but to principles to be consulted. This usage is noted in the early essays on page III, though it is less frequently used.

B. Certainty concerning the law:

Locke tells us that it is beyond his purpose to study particulars of the law of nature but that: "It is certain^{iv} there is such a law, and that too, as intelligible and plain^v to a rational creature and a studier of that law as the positive laws of commonwealth, nay possibly plainer." (II, 2, 12)

ESSAYS ON THE LAW OF NATURE

i) "Hence no one can doubt that this law is binding on all human beings." (p. 211)

ii) After referring to right reason, Locke says: "By reason, I do not think is meant here that faculty of understanding . . . but certain definite principles of action." (p. III)

iii) "The law of nature altogether forbids us to offend or injure any private person without cause." (p. 163)

iv) The law of nature "we know with certainty by the light of nature and from rational principles." (p. 189)

v) "Though, no doubt, it is not made known in the same way as positive laws, it is sufficiently known to man," (p. 113) and at times "so manifest and certain that nothing can be plainer." (p. 201)

⁶⁵Quotations from John Locke, Two Treatises on Civil Government, ed. W. S. Carpenter (London, 1924).

C. Necessary that it be promulgated:

"For nobody can be under a law that is not promulgated to him; and this law being promulgated or made known by reason only . . ."

(II, 5, 57)

"He must know beforehand that there is a lawmaker" and that "there is some will on the part of that superior power with respect to things to be done by us." (p. 151)

D. God is its promulgator and author:

The rules, i.e., of men's actions, must "be conformable to the law of nature, i.e. to the will of God, of which that is a declaration."

(II, 11, 135)

"For God, the author of this law, has willed it to be the rule of our moral life, and He has made it sufficiently known." (p. 187)

E. The law is eternal and universal:

"Thus the law of nature stands as an eternal rule to all men." (II, 11, 135)

The seventh essay is entitled and treats of: "Is the Binding Force of the Law of Nature Perpetual and Universal?" Locke answers, "Yes." (p. 191)

F. Civil laws based on it:

"The municipal laws of countries, which are only so far right as they are founded on the law of nature, by which they are to be regulated and interpreted." (II, 2, 12)

"Laws of civil magistrates derive their whole force from the containing power of natural law." (p. 189)

G. Two fundamental precepts:

"Everyone as he is bound to preserve himself, and not to quit his station wilfully, . . . so by the like reason . . . ought he as much as he can to preserve the rest of mankind." (II, 2, 6)

Man feels himself impelled: "to be prepared for the maintenance of society . . . In fact as much as he is obliged to preserve himself." (p. 157)

In the course of both the essays and the Second Treatise, several other precepts of the law of nature are mentioned. They vary somewhat. In the Essays on the Law of Nature, for instance, precepts regarding the worship of God, self-preservation, modesty, friendship, justice and others are called to

attention. In the Second Treatise precepts on self-preservation, and particularly precepts on justice are injected. In some cases the precepts overlap. But nowhere do they openly conflict with each other, so that we can pass over them without too much concern.

Fragmentary as all these ideas may be, they mesh well with what Locke has told us previously about the law of nature. Throughout the three works investigated, Locke's conception of the law of nature and how it is known remains consistent.

Conclusion. According to many commentators, inconsistency is Locke's trademark. They say that between the doctrine of the first three books of his Essay and the fourth book lies a gaping inconsistency. His empirical epistemology and his rationalist political theory are so divergent, we are told, that they might well be cited as opposed doctrines. But a closer analysis of Locke's thought, an analysis that looks less to trapping him on a strict comparison of words, and more to perceiving the general trains of his thought, will reveal a somewhat smoother theory of cognition and morality. Richard Aaron, without wrenching or distorting Locke's thought, has shown how such a sympathetic analysis can be made of his epistemology.

Locke's treatment of the law of nature is less difficult to reconcile. The same leading thoughts and convictions carry through each of the three works studied in this thesis. It may be argued, and justly, that Locke's treatment is very inadequate and that a fuller analysis on his part might have involved him in innumerable difficulties. This is quite true. All we have is a thread of his thought. But it is equally evident that this thread runs through his entire theory, a consistent thought and conviction. It seems at

times more a belief than a reasoned doctrine, but at least it is a belief unshaken by his method of critical analysis which devastated many another stronghold.

There is a law of nature and reason, limited though it may be, can know it when it works from sense experience.

CHAPTER IV

ARE LOCKE'S ARGUMENTS FOR KNOWLEDGE OF THE NATURAL LAW VALID?

This thesis contains a dual problem: consistency and validity. Locke, of course, had only the latter one in mind. He determined to prove that there is a law of nature binding on all men which can be naturally known. His argument, unfortunately, rambles over many pages, treating first one aspect and then another. Worse yet, his words and development of proof woefully lack precision and conciseness. These facts leave the door wide open for interpretations of his thought which can very much affect the validity of his proofs. Here precisely lies the difficulty in evaluating Locke's argument. If the apparently "accepted" interpretation of Locke's argument by Dr. von Leyden is admitted, then the criticisms made would seem to be true and Locke's proof is simply invalid. But is von Leyden's interpretation correct? And if not, can an analysis of Locke's arguments be made which will demonstrate the validity of his arguments?

Locke's arguments, fortunately, can be arranged for either interpretation, von Leyden's or one more favorable to Locke, into a four-fold division which matches the four-fold criticism made by von Leyden. The procedure then, after an initial, overall discussion of the two interpretations of Locke, will be to consider each stage of the two interpretations and to evaluate Locke's proofs in the light of both.

First, then, von Leyden's overall summary of Locke's reasoning should be noted:

The line of my enquiry will follow what I take to be the logical steps of his argument. They are briefly these: Locke passes from the factual statement that man possesses reason to the conclusion that reason is his essential characteristic, and hence to the assumption that reason leads to the discovery of moral truths, and if properly employed, to the discovery of one and the same set of moral truths, i.e. natural law. From this he is led to infer ethical assertions to the effect that the moral standards discovered by reason are themselves rational and that they are commands binding on all men, and hence to the assertion that the validity of such commands can be proved, and even shown to be necessary in the same way as a geometrical demonstration.¹

Von Leyden then criticizes Locke in this argument for making unwarranted leaps between different planes of knowledge. Locke, he says, failed to distinguish between four different types of propositions: (1) factual statements; (2) statements concerning the operation of reason; (3) ethical assertions; (4) logical truths. If Locke and other exponents of the natural law "had sorted out the various statements implicit in their doctrine and had noted that it is not always possible to pass from one statement to another, their arguments might well have lost the conviction which they have carried throughout the ages."² Von Leyden is particularly concerned with the attempt to pass from matters of fact, or non-ethical statements, to ethical conclusions.

Von Leyden's position, then, is this: Locke argues that man is rational; using reason leads to moral truths; these truths are themselves rational; they are binding; they are universally true. The emphasis lies on the fact that man is rational. Man is rational; therefore, man ought to act rationally. There

¹W. von Leyden, "John Locke and the Natural Law," Philosophy, (January, 1956), 28.

²Ibid., 44.

are moral truths; therefore, they ought to be followed. It is this sort of transition from "is" to "ought" that von Leyden sees as particularly invalid.

But such an interpretation as this misses the point of the argument, and does not account for the true origin of obligation. Von Leyden has man perceiving that he is rational, looking for rules by which to guide himself, finding the natural law, seeing that it befits him, and concluding that it must oblige him.

Locke, however, seems rather to focus on God's existence as a lawgiver. The law and its existence arise primarily from the fact that God, the creator, exists and governs all things with a purpose. In fact, once we have arrived at the conclusion that there is a God who is the author of all things, "the notion of a universal law of nature binding on all men necessarily emerges."³ Von Leyden stresses man's rationality; Locke seems rather to center on God's existence as a lawgiver and all-wise Creator. Von Leyden has Locke arguing from man's rationality through his discovery of moral truths and on to their binding force and validity. A more exact interpretation, as the examination of the texts which follows should bear out, would have Locke going from God's overall governance of the world, to man's participation in this order by means of the law of nature. The law, in turn, obliges men because they recognize it as authored by God.

Hence, if we follow the central line of Locke's thought, not worrying too much about his vagueness or ineptness at clear expression, we will find a sub-

³Essays, p. 133.

stantially valid argument. If the text of Locke's essays is carefully studied, a thread of argument far more consistent than von Leyden has indicated reveals itself.

In proving that the law of nature can be known as man's rule and guide, and the basis of all law and morality, Locke feels that it is necessary to demonstrate four things: the existence of the law of nature; its knowability, showing that it has been promulgated; its binding force, and its perpetuity and universality. As a result, his arguments fall into four divisions, although Locke did not distinguish them as such:

- I) A proof that there is a law of nature (Essays I & II).
- II) A proof that this law can be known by us (Essay IV).
- III) A proof that the law is binding on all men (Essay VI).
- IV) A proof that it is perpetual and universal (Essay VII).

This four-fold division corresponds to von Leyden's division of Locke's argument into the four types of propositions used.

I) In the opening Essay, Locke offers his proofs for the existence of a law of nature. Actually his arguments on this one point are repeated in various places. What we believe is Locke's central argument reappears in several places in the initial essays: in the introductory paragraph of the first essay, in the first and third arguments in that essay, and again in the last section of the second essay.

Von Leyden in his first criticism, after discussing Locke's ambiguous use of the word "reason", and after dealing with the formal proofs presented by Locke, concludes by noting: "Thus far, then, Locke's starting point is simple:

It consists in the factual statement that man can reason."⁴

Here the contention begins. Is this Locke's starting point? Von Leyden evidently came to this conclusion after analyzing Locke's first proof in Essay I. In that proof, Locke draws from Aristotle an argument that "the special function of man is to exercise his mind's faculties in accordance with rational principles."⁵ Aristotle, Locke notes, has shown by various examples that there is a special sort of work each thing is designed to perform, and "in the end he rightly concludes that the proper function of man is acting in conformity with reason, so much so that man must of necessity perform what reason prescribes."⁶

From this initial argument von Leyden evidently arrived at his conclusion that Locke's starting point is "man can reason" and that "moreover, it is from a merely factual statement concerning man's essential nature that the moral proposition is inferred that he has a duty to live in conformity with this nature."⁷ Unfortunately, this initial argument of Locke's, which is far from being his best, seems to be the foundation for von Leyden's whole interpretation of Locke in these essays. So much so, that von Leyden will later interpret Locke as saying: "God's purpose in creating man was that he should live according to reason."⁸ Of course, Locke must share the blame because he leaves the concept

⁴ Essays, p. 46. Von Leyden's introduction ends on page 95. References to pages under 100 should be attributed to von Leyden; over page 100 should be attributed to Locke.

⁵ Ibid., p. 113.

⁶ Ibid.

⁷ Ibid., p. 46.

⁸ Ibid., p. 30.

of the final end or goal of man insufficiently explained. This, as will be seen, is one of the fundamental weaknesses in Locke's argument. But it still does not justify von Leyden's wrong interpretation.

To return, however, to the starting point of Locke's argument. Von Leyden says it is simply "man can reason." He overlooks, however, a very important, long introductory paragraph of the first essay. The paragraph treats God's existence and His governing power as manifest in the world. Von Leyden may have considered this merely a prelude to Locke's thought, but in fact, it contains the heart of his proof. The whole discussion on reason presupposes this intelligently regulated world spoken of in Locke's very first words:

Since God shows Himself to us as present everywhere . . . , I assume there will be no one to deny the existence of God. . . . This then being taken for granted, and it would be wrong to doubt it, namely, that some divine being presides over the world--for it is by His order that the heavens revolve in unbroken rotation . . . and there is nothing so unstable, so uncertain, in this whole constitution of things as not to have a rule appropriate to its nature--it seems just therefore to inquire whether man alone has come into the world altogether exempt from any law applicable to himself.⁹

Nearly all the major steps in his argument, later to be amplified, are contained here in germ. God exists; He presides over the world; all physical nature has its laws; man, it would seem, also has his law.¹⁰ Locke will argue

⁹ Ibid., p. 109.

¹⁰ Once Locke concludes to the existence of a wise Creator, he should make the transition, as he does in the fourth essay, that a wise Creator cannot act without purpose. This implies that God intends both an ultimate end for all things, and the means or laws by which these things may reach their end. Man is included. God had a specific purpose in creating him, and hence laws to guide him to that end.

But Locke is not always so explicit, as is the case here, where he seems to be arguing that, only because all other things act according to definite laws, man should also.

that since God does nothing without a purpose, man must also be included in God's design and laws.

Locke, then, would seem to be arguing "by descent" from God's governance to man's discovery of how he is governed. Von Leyden has Locke arguing "by ascent" from man's discovery and the use of his reason to finding himself under laws. Only with this introductory paragraph as a premise do we have the proper context and meaning of Locke's arguments, particularly for this first disputed proof. The conclusion noted by von Leyden that "the moral proposition is inferred that he has a duty to live in conformity with this nature"¹¹ is indeed made by Locke. But the inference is not from 'man is rational,' to 'man must act rationally,' but rather from 'man is designed to act according to his nature for a necessary purpose,' to 'man must act rationally.' At this precise point the transition from "is" to "ought" is legitimate, where the absolute moral necessity of the end is conditioned by the moral acts leading to the end. In support of the position that this latter inference is the one Locke really had in mind, the following facts can be noted:

1) The third argument in this first essay develops from God's overall design in the world to man's participation in this design or law. Thus in at least one other proof the order follows that of the latter position mentioned above. In this third argument, Locke argues from the constitution of the world 'wherein all things observe a fixed law of their operations and a manner of existence appropriate to their nature.'¹² All things created, Locke tells us,

¹¹ Essays, p. 46.

¹² ibid., p. 117.

are subject to God's law, so that it would not seem that man alone is independent while all else is bound. For it does not befit a wise Creator that he should form an animal endowed "above all others with mind, intellect, reason, and all the requisites for working,"¹³ and then have no purpose in mind for him, nothing for him to achieve.

2) In the disputed argument derived from Aristotle, the fact that "the special function of man is the active exercise of the mind's faculties"¹⁴ follows "the preceding passages (in which) he had shown by various examples that there is a special sort of work each thing is designed to perform."¹⁵ In the light of Locke's opening paragraph, this "designed to perform" certainly refers to the notion that God has created all things for a necessary purpose or goal, which necessity gives rise to the ethical obligation.

3) But a stronger and almost irrefutable proof that the inference Locke intends is from God's law to man's participation through his use of reason, is found in a particularly significant remark found in the second essay. After restating his argument, this time in terms of how the natural law is known, Locke says:

I declared that the foundation of all knowledge of it (i.e., the law of nature) is derived from those things which we perceive through our senses. From these things, then, reason and the power of arguing, which are both distinctive marks of man, advance to the notion of the maker of these things . . . and at last they conclude and establish for themselves as certain that some Deity is the author of all these things.

¹³ ibid.

¹⁴ ibid., p. 113.

¹⁵ ibid.

But then Locke continues:

As soon as this is laid down, the notion of a universal law of nature binding on all men necessarily emerges, and this will become clear later on.¹⁶

What does the this refer to in the phrase "as soon as this is laid down"?

It can only refer to the fact that "God is the author of all things." How this inference is made, Locke tells us, "will become clear later on," referring to the argument of the fourth essay. To that argument we can turn our attention now.

II) The argument of the fourth essay falls into von Leyden's second category of criticism, concerning statements about the operation of reason. Most of von Leyden's discussion covers points referring to Locke's arguments against the origin of the knowledge of moral rules from innate ideas, tradition, or from the consensus of mankind. But towards the conclusion of this section von Leyden takes up the fourth essay, indicating rather accurately this time the course of Locke's proof. Von Leyden withholds his criticism for the most part until the next section.

In Essay IV, Locke first discusses why reason and sense experience must work together to discover the natural law. Then in order to know how sense experience and reason can lead us to the knowledge of the natural law "certain facts must first be set forth, because they are necessarily presupposed in the knowledge of any and every law."¹⁷

¹⁶ ibid., p. 133.

¹⁷ ibid., p. 151.

First, in order that anyone may understand that he is bound by a law, he must know beforehand that there is a law-maker, i.e., some superior power to which he is rightly subject. Secondly, it is also necessary to know that there is some will on the part of that superior power with respect to the things to be done by us, that is to say, that the law-maker, whoever he may prove to be, wishes that we do this but leave off that, and demands of us that the conduct of our life should be in accordance with his will. In what follows it will become clear what sense experience contributes and what reason does, in order that these two presuppositions, which are required for knowledge of the law of nature, may be known to us. 18

Locke takes for granted the "major" premise of his syllogism, that these two conditions are the necessary notes for a law. But he works at length to prove that these conditions are fulfilled in respect to the natural law. After showing how we discover the regularity and art of the world, and especially the peculiar endowments of man, we arrive at a conclusion that "there must be some superior power to which we are rightly subject."¹⁹ And this was the first thing needed for the knowledge of any law.

Locke's argument continues as he moves on to the second condition, and shows that this superior power (God) has some will as to what He wants us to do. The argument moves from cause to effect: We have shown, Locke says, that there exists a powerful creator who is also wise. Hence, he says, "It follows from this that He has not created this world for nothing and without purpose."²⁰ He would not create without purpose because to work without a fixed aim is contrary to such wisdom; also it can hardly be believed that God would endow man with such great faculties and then have nothing in mind for him to do. "Hence,"

¹⁸ ibid.

¹⁹ ibid., p. 153.

²⁰ ibid., p. 157.

Locke concludes, "it was the second of the two things required for the knowledge of any and every law."²¹

Now the problem is: what is that "something" which God intends for us to do? Here Locke becomes rather weak and vague. So far his argument is valid, though far from complete in filling in details. Regularity and design are observed in the world; but these indicate a wise and purposeful creator governing the world; the wisdom and purpose must extend to all things; therefore man is included under this governance in a way appropriate to his nature.

Of course today such a proof would have to be highly refined and tightly ordered, since as it stands, Locke would be challenged on almost every statement. Is there regularity? Cannot the world be its own cause and purpose? Are the principles presumed in the argument valid? etc. But at least Locke's reasoning up to this point is adequate, up to the point where he inquires what it is that God intends man to do. Here again a teleological explanation is called for, but Locke mixes the beginnings of such an explanation with some inductive observations.

Locke notes the ultimate end of all things, which is God's glory.²² Partly from this and partly from man's faculties, which must be given for some purpose and therefore can and must be used, we infer man's rule and law. The implication here is that man must share in contributing to God's glory, and

²¹ ibid.

²² "But what it is that is to be done by us can be partly gathered from the end in view for all things; . . . they appear to be intended by Him for no other end than His own glory, and to this all things must be related." Essays, p. 157.

Locke does not clarify this any farther.

that this will be done in a way peculiar to man, suggested by his own endowments. Locke indicates no definite final end for man, but only indicates that in some way he is to use his faculties towards God's glory. And so Locke concludes rather weakly that thus man "feels himself disposed and ready to contemplate God's works . . . and thereupon to render praise. . . . Further, he feels himself not only to be impelled by life's experience and pressing needs to procure and preserve a life in society with other men, but also to be urged to enter into society by a certain propensity of nature."²³

But what if man does not feel himself so disposed? What is he does not feel impelled to enter into the society of men? Locke, of course, may and probably does mean something more rational than sheer feeling which impells us towards the observance of the law. But his weakness of expression is indicative of the obscurity in his argument. Because Locke has failed to make clear the final end of man, and failed to establish it as a necessary end, his argument here falls short of demonstration. Had Locke shown man's final end to be assimilation to God, which thereby fulfills God's external glory, and had he established the absolute moral necessity of such an end, his argument would rest on surer footing. Then the "things to be done" indicated by Locke would be seen as necessary means for reaching his final end, known by reason and not by mere feelings.

Within such a framework, the obligation to obey the natural law would already be implied. But obligation, to Locke's way of thinking, is now fully established, since the fulfillment of the two conditions discussed above was

²³Essays, p. 157. Italics not in the original.

sufficient for man to understand that he is bound by the law of nature. Locke continues on, nevertheless, to make more explicit the obligation attached to the law of nature. He handles this problem in the sixth essay.

III) It is here on the problem of obligation that von Leyden raises his most serious objection. Locke, he informs us, at this point makes an illicit transition from factual statements to ethical assertions.

In the last section it was pointed out that Locke failed to make clear the necessary goal of man from which obligation arises. But a more serious inaccuracy of definition involves him in even greater trouble. Von Leyden will argue that Locke flounders between two explanations for the source of obligation, a voluntarist theory, and an intellectualist theory, neither of which is capable of assuring binding force. Locke implicates himself in this difficulty by his definition or description of natural law early in the first essay: "Hence, this law of nature can be described as being the decree of the divine will discernible by the light of nature and indicating what is and what is not in conformity with rational nature, and for this very reason commanding or prohibiting."²⁴

A "decree of God's will . . . indicating what is in conformity with rational nature" is the definition he offers. By this definition Locke sets up in the disjunction fastened on by von Leyden. And Locke does little to reconcile

²⁴ In this particular instance the Latin text will profit us, especially since von Leyden translates the Latin word ordinatio as "decree", slanting the translation thereby to an even stronger connotation of something arbitrarily willed.

"Haec igitur lex naturae ita describi potest quod sit ordinatio voluntatis divinae lumine naturae cognoscibilis, quid cum natura rationali conveniens vel disconveniens sit indicans eoque ipso jubens aut prohibens." Essays, p. 110.
III.

or clarify the "two" positions. His definition leaves much to be desired. Where is the natural law found? How and by what is it constituted? And exactly in what sense is the law "natural"? Von Leyden summarizes what he believes would be Locke's answer to the last question:

It is for the following reasons, it seems, that a law thus known is called by Locke a natural law: (a) the knowledge of it is acquired by man's faculties, i.e. sensation and reason, the joint exercise of which constitutes what Locke calls the light of nature; in other words, it is a law promulgated by God in a natural way, i.e. it is other than a positive law which is known by revelation; (b) it is a law in conformity with the natural constitution of the universe and, particularly, with the nature of man; (c) the precepts of this law are the same for all men and, like the laws attaching to natural phenomena but unlike those of different states, they do not vary from place to place and from one time to another.²⁵

The most fundamental and important sense in which the law of nature is "natural" is omitted by von Leyden because Locke failed to explain it. The law is natural because it is founded in and constituted by human nature itself. The decree or ordination of God directing man to his final end took place in the very act of creation. God legislated for man by creating him, willing that he should live according to his nature. For example, man is a created being and as such has a relation to God, his Creator. The relation is one of dependency in respect to life and the fulfillment of man's destiny. Hence man is obligated to recognize his dependency in adoration.

Human nature, with all its implied relationships to God, to self and to others, constitutes the foundation and norm of natural law. But Locke did not make this clear in the early essays.

The question arises, could Locke have made clear or consistently held that

²⁵ Essays, p. 49-50.

natural law is founded in human nature?²⁶ Maurice Cranston, Locke's most recent biographer, charges that Locke did not publish his Essays on the Law of Nature because his interest in empiricism was better served in the later Essay and because "he had adumbrated in that Essay (notably in his section on Words) a critical technique which, once applied to the Law of Nature, would assuredly have shown his case to be untenable."²⁷

What Cranston evidently refers to is that Locke argues in Book III of the Essay that we cannot know the real essence or nature of a thing; hence, we cannot know man. But what Locke clearly criticizes in Book III is the position that we can know the total essence of a thing or the exact characteristics which distinguish it from all other things. But this in no way rules out knowing enough about man to be able to found morality upon his nature. In fact in Book III Locke very explicitly states that morality is capable of demonstration because we have an unchangeable idea of man as a corporeal, rational creature.

When we say that "man is subject to law," we mean nothing by "man" but a corporeal, rational creature; what the real essence or other qualities of that creature are in this case, is no way considered. And therefore, whether a child or a changeling be a man in a physical sense, may amongst the naturalists be disputable as it will, it concerns not at all "the moral man," as I call him, which is this immovable, unchangeable idea, a corporeal, rational being.²⁸

It is also evident, as instanced by the example, that Locke looks upon human nature, even in the Essay, as the foundation for natural law and morality.

²⁶ Cf. the discussion of this on page 30 of this thesis.

²⁷ Maurice Cranston, John Locke: A Biography (New York, 1957), p. 66.

²⁸ An Essay, III, 9, 16.

This passage also lends further weight to the consistency of Locke's thinking. Human nature, then, would certainly seem to be for Locke, the foundation and norm of natural law.

But, unfortunately, in the early essays Locke did not make this point clear, and von Leyden seizes upon the mistake. Locke's argument for the obligation arising from the law of nature will suffer because of this, too. His argument on obligation appears in the sixth essay. It simply develops further his proof given in the fourth essay.

The natural law is binding on all men primarily and of itself "because this law contains all that is necessary to make a law binding:"²⁹ (a) For obligation a superior will to whom we are rightly subject is needed. But God is the superior will; and we are subject to Him out of justice, since we owe all we are to Him, and out of necessity, since our very continuance in existence depends on Him;³⁰ (b) For obligation, the superior's will must be made known to us. But God's will is made known to us through natural law. The proper use of our faculties will disclose this to us. This was shown to be true in the fourth essay.

"The result is that, since nothing else is required to impose an obligation but the authority and rightful power of the one who commands and the disclosure of his will, no one can doubt that the law of nature is binding on all men."³¹

Von Leyden challenges this conclusion. And in doing so, he introduces a

²⁹ Essays, p. 187.

³⁰ ibid.

distinction which prejudices Locke's whole account of the matter. We say 'prejudices' because, although Locke's inaccuracy of expression might justify catching him with his own words, his intention, as the complete context will show, is certainly not to use two separate sources of obligation. The distinction which von Leyden insists on, divides obligations into what he calls moral obligations and natural obligations: 'Thus, on the one hand, there are moral obligations which are binding because they arise from the commands of a superior will, which as Locke puts it, is the formal cause of all obligation. On the other hand, there are natural obligations which are binding because they arise from man's nature, which as we might say, is the material cause of obligation.'³²

On the basis of these two types of obligation, von Leyden finds Locke torn between two incompatible theories regarding obligation. The two theories are: (1) the voluntarist theory in which a thing is right because God commands it; and (2) the intellectualist theory, where law has its foundation in the nature of things "and is thus independent of will."³³ Von Leyden's treatment of this indicates that these two positions are the horns of an insoluble dilemma. Locke, according to von Leyden, began by holding the voluntarist theory where the obligations would be moral obligations, and then shifted to the intellectualist theory where obligations are natural obligations. Von Leyden admits, at least, that Locke attempts "to reach a position midway between these two theories."³⁴

³² Ibid., p. 50. This is from von Leyden's introduction.

³³ Ibid., p. 51. Italics not in the original.

³⁴ Ibid.

Von Leyden first examines moral obligations, showing how "the obligation here is ultimately founded in God, in the natural right which the Creator has over His creation."³⁵ In short, God's will does the obliging. But von Leyden believes that by the seventh essay Locke has definitely shifted to the intellectualist theory. "What he (Locke) is attempting now is to give an alternative explanation and to arrive at a purely rational foundation of ethics. He considers moral rules to be valid independently of any command or external cause."³⁶

Certainly Locke wishes to emphasize in the seventh essay the discovery of obligation and the precepts of natural law as rooted in human nature. But is this a "purely rational foundation"? When Locke states that "this law does not depend on an unstable and changeable will, but on the eternal order of things,"³⁷ we have no right to conclude, as von Leyden does, that he is making law independent of God's will, or "independent of any command or external cause." God's will is not unstable and changeable. He is the one who brought into being "the eternal order of things." Locke himself certainly has no intention of excluding God when referring to the eternal order of things. For after noting that man's nature is such that certain duties cannot be other than they are, Locke states: "And this is not because nature or God (as I should say) could not have created man differently. Rather the cause is that, since man has been made such as he is, . . . there necessarily result from his inborn constitution

³⁵ ibid., p. 50.

³⁶ ibid., p. 52.

³⁷ ibid., p. 199.

some definite duties for him."³⁸

God could have created something in place of man's nature. But once God has willed His creation, it stands unchangeable. For He is eternal, unchanging Truth. Locke has taken an alternative approach, it is true, but not to arrive at a purely rational foundation of ethics in the sense in which von Leyden uses these words, as independent of God's will and found by a consideration of human nature alone.

Von Leyden's final query, then, places an illegitimate question when he asks: "How, then, does Locke answer the question: What precisely is there in human nature that by itself can give natural law its binding force?"³⁹ If "in human nature" and "by itself" means disconnected from God's will and purpose, the answer is nothing. But Locke is not trying to found obligation on something divorced from God's will. What he indicates rather is that God's will manifests itself in the law arising out of the very nature of man as known by reason. God's will is not something superimposed arbitrarily on man. It is rather, as Locke has told us all along, ordered in a way "suitable to man's nature," so that it is right to say simultaneously that natural law is binding because God wills it and because it is grounded in human nature. God willed the law by creating man with a reason capable of knowing what is demanded or excluded by human nature.

Locke, unfortunately, has not made such a connection between his different

³⁸ ibid.

³⁹ ibid., p. 54.

explanations quite so explicit. But that he is laboring to explain the natural law in this way has even been admitted by von Leyden.⁴⁰

IV) The fourth stage of Locke's proof considers the universality and perpetuity of the law of nature. We need only to consider it in reference to von Leyden's objections and to maintain his division. When von Leyden turns to this section of his analysis, the matter contained in the seventh essay, he presupposes the dual explanation proposed above, and he assures us that Locke's final choice rests with the Intellectualist theory. The conclusions reached by Locke in this section are categorized by von Leyden as a fourth type of proposition, logical truths.

This final clinging to the rational horn of the dilemma secures for Locke, according to von Leyden, his conviction that moral conclusions are derived from premises with just as much certainty as mathematical truths. "In fact, it seems to me to follow just as necessarily from the nature of man that, if he is man, he is bound to love and worship God, . . . as it follows from the nature of a triangle that, if it is a triangle, its three angles are equal to two right angles."⁴¹ With mathematics the reasoning starts from the nature and property of figures and numbers; in the case of morality, it starts from the idea of man as a rational creature.

Von Leyden's criticism of this indicates again his whole line of thought. Even if moral propositions could be used in deduction, he tells us, "moral obligations could still be regarded as a kind of necessity differing from

⁴⁰ Von Leyden comments that Locke "attempts to reach a position midway between these two theories." Essays, p. 51.

⁴¹ Essays, p. 199. These are Locke's words.

logical necessity as it does from causal necessity."⁴² The reason, we are told, why Locke tried to show the possibility of deductive inference was "as though he feared that unless ethics could be shown to be grounded in God's will or to admit of mathematical demonstration, natural law might appear as a mere lex indicativa, i.e. indicating but not binding men to, moral rules."⁴³ (Note again von Leyden's forced disjunction between God's will and natural demonstration.) The reason, according to von Leyden, why Locke did not rest obligation on God's will was that "for some reason Locke considered the voluntarist theory as not altogether satisfactory; perhaps he felt that it was too one-sided a doctrine and that along with the concept of will it introduced an element of arbitrariness into morality."⁴⁴ Hence, Locke introduced the idea of a body of rules in conformity⁴⁵ with rational nature to stand side by side with the idea of natural law as the will of God. Moreover, says von Leyden, these two accounts "must have seemed to Locke to be compatible."⁴⁶

Von Leyden, however, sees only conflict in the two theories. He goes on to instance several expressions of Locke which apparently manifest this conflict. For example, from Locke's phrase which refers the ground of obedience

⁴² Ibid., p. 55.

⁴³ Ibid., p. 56. The word "or" not italicized in the original.

⁴⁴ Ibid.

⁴⁵ Conformity with rational nature seems to mean for von Leyden merely something that "goes well with" human nature. Conformity, however, is intended in a stronger sense of "belonging to the very nature of a thing to act in such a way."

⁴⁶ Essays, p. 56.

to the law of nature as a "rational apprehension of what is right,"⁴⁷ von Leyden infers that: "It would follow from this that right and wrong are independent of the will of God and that it is not tautologous to say of an action commanded by God that it is right or good."⁴⁸

The root of von Leyden's difficulty has been discussed earlier.⁴⁹ The difficulty lies with a confused notion about the way in which God decreed the natural law. Perhaps, too, a mistaken idea of God's will underlies the difficulty. God's will is not arbitrary but is guided by His Intellect. It is in the very nature of a will so to act. If this were not so, God's will would be an irrational thing. The natures of all existing things are reflections of His essence which might or might not have been brought into existence; but they are not independent entities. Consequently, man's nature, since it is simply a participation in God's essence, is not a separate norm distinct from the decrees of God. It is precisely human nature, with its special ordination to God, and its special way of reaching God, that God willed into existence. In willing that nature, God had to will whatever belonged necessarily to that nature, including the necessary relations and obligations arising from such a nature. His decree was for man to exist and to live according to his nature; consequently, to observe the law arising from that nature, which is the natural law.

If we view Locke's argument now as a whole, it is apparent that it is far from satisfactory. But neither is it the weak thing that von Leyden depicted

⁴⁷ Ibid., p. 185.

⁴⁸ Ibid., p. 57.

⁴⁹ Cf. page 65 of the thesis.

it to be. Von Leyden first singled out Locke's observation that man can reason as his starting point. This missed Locke's own initial stress on God's existence and governance of the world, with the result that it put Locke's argument in the wrong light from the beginning. By doing this von Leyden also weakens Locke's teleological explanation of man and lays him open to the charge of making transitions from factual statements to ethical conclusions without justification. The truth is that man is obliged by the rules he discerns in his nature because he perceives their necessary connection with an end which is of absolute moral necessity. Then, besides missing the obligation implicit in Locke's teleological development, when he treats formally of obligation, von Leyden forces a false dilemma upon Locke which renders his argument actually inconsistent. Then finally, by choosing the intellectualist theory for Locke, he criticizes him for moving again from a logical necessity, a factual "is", to a moral necessity, an ethical "ought".

If the text of Locke's essays is carefully studied, a thread of argument far more consistent than von Leyden would allow reveals itself. For, despite the criticism of these essays as "second-rate quality"⁵⁰ and as "confused and muddled"⁵¹, Locke has offered a fairly accurate and valid argument for the existence, knowability, and binding force of the natural law. Admittedly his presentation leads easily to misinterpretation; the conflict between his voluntaristic and intellectualistic approaches are reconciled more by the accidental

⁵⁰D. J. Allan, "Review of Essays," Philosophy, XX (April, 1956), p. 184.

⁵¹P. G. Lucas, "Discussion: John Locke," The Philosophical Quarterly, VI (April, 1956), p. 174.

direction towards which his prudence led than by his actual expression of a clarification. He used only a handful of words, sense, reason, obligation, etc., to explain his position. This, of course, is irritating and inexcusable to a modern age accustomed to careful distinctions and word analysis. Locke's expression is weak. His insight into truth, however, is not. Overlooking many details, we can conclude that substantially the argument and doctrine of the Essays on the Law of Nature show a basic consistency with Locke's later and more mature thought, and at least a reasonable validity in themselves.

This inquiry was not undertaken to unveil the discovery of a new and profounder exposition of natural law doctrine. But the investigation does cast new light on the mental journeys of a great philosopher, a philosopher whose doctrine of the natural law has had profound historical significance, particularly in this country. The investigation reveals a far deeper consistency between Locke the empiricist and Locke the rationalist than has been historically granted; and it makes clear Locke's concern for moral problems. The essays are more than an "added" work of Locke's. The doctrine of natural law is more than just a corner of Locke's thought. It stands in the center of his whole philosophy. In his search for a practical political theory, in his search for a demonstrable ethics, in his investigation of the theory of knowing, his concern for man's conduct and morality is uppermost. And despite his apparent leaning to hedonism, and his fuller writing on the law of fashion, from the early essays to his last works his conviction is unshaken that the law of nature "is the only true touchstone of moral rectitude."⁵²

⁵²An Essay, II, 28, 8.

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APPROVAL SHEET

The thesis submitted by **Arthur F. McGovern, S.J.**,
has been read and approved by three members of the Department of
Philosophy.

The final copies have been examined by the director of the
thesis and the signature which appears below verifies the fact
that any necessary changes have been incorporated, and that the
thesis is now given final approval with reference to content,
form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of
the requirements for the degree of Master of Arts.

Oct 26, 1957
Date

Muril R. Vogel, Jr.
Signature of Adviser