

Locke's Neglected Teaching on Morality and the Family

Thomas G. West

Society

ISSN 0147-2011

Volume 50

Number 5

Soc (2013) 50:472-476

DOI 10.1007/s12115-013-9692-7

 Springer

SOCIAL SCIENCE AND MODERN **Society**®

ISSN 0147-2011
\$8.00
\$12.00 CANADA

To Lie or Not to Lie—Where is the Question? Amital Etzioni
Politicized Science Richard E. Redding

Symposium: Modern Virtue and Lockean America

Locke, Darwin, and the American Science of Modern Virtue
PETER AUGUSTINE LAWLER
Lawler, Locke, and the Lord
C. BEN MITCHELL
Lockeans, Progressives, and Liberationists
PETER C. MYERS
John Locke's America
GEORGE THOMAS
Locke, Hegel, and the Economy
WILLIAM ENGLISH
Locke's Neglected Teaching on Morality and the Family
THOMAS G. WEST
Markets, Morals, and Modern Virtue
FREDERICK TURNER
Infantilizing Americans One Mouthful at a Time
ROBERT WEISSBERG
Whither Individualism?
RALPH C. HANCOCK
"Choice"—The Converging Value of Right and Left
DANIEL CALLAHAN
The Confidence Game: Madoff and the 17th Floor Ensemble Lionel S. Lewis
Our Lincoln Barry Schwartz
The Qur'an's Guidance to Readers Steven D. Ealy

REVIEW ESSAY
Jewish Historians and American Capitalism Edward Shapiro

BOOK REVIEWS
Richard M. Waugaman on Shakespeare's Education · Megan Turchi on Becoming Right · Bryan S. Turner on From the Closet to the Altar · James Wright on Dixie Bohemia

Volume 50
Number 5
September/
October
2013



Locke's Neglected Teaching on Morality and the Family

Thomas G. West

Published online: 30 July 2013
© Springer Science+Business Media New York 2013

In “Locke, Darwin, and the Science of Modern Virtue,” Peter Lawler argues that Americans are living in an ever-expanding “Lockean” world of more and more “individual autonomy.” “Lockeanism is on the move,” he writes, “and Progressivism is in retreat.” Unlike Lawler, I see a world in which freedom is more and more contracted. Individual freedom can hardly be said to be “ever-expanding” now that bakers and photographers can be punished for failing to provide services at same-sex weddings, and employers can be fined under the Americans with Disabilities Act for hiring the best qualified applicant for a job.

But what Lawler has in mind is not the individual freedom of the business owner or religious group to hire and fire the people they want. Instead, he is thinking above all of sexual morality—abortion, gay rights, and the rest.

But Lockeanism is not “on the move” in this area either. John Locke’s approach to politics has been repudiated by our leading authorities in all major respects. Lawler does not understand this because he does not understand Locke. Like many conservative intellectuals, Lawler in effect blames Locke for the moral state of America today. I will show that evidence against that claim is overwhelming.

The root of Lawler’s error is his conviction that Locke is essentially, as he says, “all rights and no duties.” This view is shared by those influenced by what I call dogmatic Straussianism. The Lockean principle, Lawler writes, means that “[e]ach of us should be free to define the mystery of our own beings; each of us is perfectly free to say who we are—as individuals or free, unnatural beings.” This “personal autonomy” means, says Lawler, that abortion and same-sex marriage are legitimate Lockean choices.

I can sum up Lawler’s misunderstanding by simply pointing out that Locke’s doctrine of rights is accompanied by, and inseparable from, a doctrine of duties. These duties are found in Locke’s teaching on the *law of nature*. Lawler never mentions this central Lockean concept anywhere in his essay.

Leo Strauss is responsible for what I am calling the “dogmatic Straussian” view of Locke (although Strauss did not invent it). Strauss appears to embrace this position in the first chapter of *What Is Political Philosophy?* and in chapter 5 of *Natural Right and History*. Many readers of Strauss who talk about Locke seem not to have read beyond these admittedly memorable passages. I believe Strauss chose to present a caricatured view of Locke as a fishhook to his readers, to help reel them in to the study of classical political philosophy. In “What Is Political Philosophy?” modernity is presented as one long decline from Machiavelli, supposedly in the grip of “anti-theological ire,” to Heidegger, the supporter of Hitler (pp. 27, 40–55). Strauss seems to have thought—and he was right—that moral revulsion against modernity would attract some of his readers to the ancients.

One of Strauss’s intentional distortions is his statement in that same chapter that Locke believed he had found “an immoral or amoral substitute for morality” in “acquisitiveness[,] . . . an utterly selfish passion” (p. 49). If Locke had thought morality really was dispensable, he would not have written, in the *Letter on Toleration*, “No doctrines adverse . . . to the good morals that are necessary to the preservation of civil society are to be tolerated by the government” (p. 73). In *Natural Right and History*, Strauss asserts that according to Locke, “covetousness and concupiscence, far from being essentially evil or foolish, are, if properly channeled, eminently beneficial and reasonable” (p. 247). But in his *Educational*, Locke explicitly contradicts Strauss, writing, “[c]ovetousness . . . being the root of all evil, should be early and carefully weeded out” (§110). The root of all evil! In the

T. G. West (✉)
Hillsdale College - Kendall Hall, 33 East College St, Hillsdale,
MI 49242, USA
e-mail: twest@hillsdale.edu

Second Treatise, Locke denounces the “covetousness of the quarrelsome and contentious” (§34).

Strauss of course did not expect his careful readers to remain satisfied with a simplistic caricature of Locke. He sketches his real view of Locke (although somewhat reticently) in two places that scholars have not taken much notice of. In chapter 2 of *Liberalism* he discusses Locke’s teaching on the necessity of moral and religious foundations of a well-governed society—a topic never touched upon in the better known Strauss passages just mentioned. And in chapter 8 of *What Is Political Philosophy?* Strauss treats Locke with great respect, showing that Locke treated natural law as a problem worthy of serious philosophic reflection.

But enough of Strauss. Locke’s whole teaching is based on a repudiation of “personal autonomy.” Contrary to Lawler, Locke rejects the idea that “each of us is perfectly free to say who we are—as individuals or free, unnatural beings.” For Lawler’s Locke, freedom is a liberty to live as one pleases and not be tied by any laws. But in the *Second Treatise* Locke says the opposite: “Freedom then is not . . . a liberty for every one to do what he lists, to live as he pleases, and not to be tied by any laws.” Locke therefore writes that the “natural liberty of man is . . . to have only the law of nature for his rule” (§22).

Locke’s Morality of Freedom

Locke’s most widely read work, the *Two Treatises of Government*, is best known for its defense of the right to liberty and property, and its corresponding teaching on limited government based on the rule of law and the consent of the governed. But the entire argument of the *Two Treatises* rests on the authority of the law of nature, a moral law prescribing rights as well as duties. The right to life and liberty itself is based on a prior duty to preserve the life and liberty of oneself as well as others. (In the Declaration of Independence, if there is a design to impose “absolute despotism” on the people, “it is their right, *it is their duty*, to throw off such government.”) Locke’s *First Treatise* opens with this invigorating sentence: “Slavery is such a vile and miserable estate of man, and so directly opposite to the generous temper and courage of our nation; that ’tis hardly to be conceived that an Englishman, much less a gentleman, should plead for’t.” James Otis quotes this sentence with relish in his 1764 pamphlet defending the rights of Americans against British encroachments. This prickly Lockean “Don’t tread on me” spirit became a leading ingredient of the morality promoted by the American regime. In *Federalist 57* Madison calls it “the vigilant and manly spirit which actuates the people of America, a spirit which nourishes freedom, and in return is nourished by it.” Locke praises violence against tyranny in the *Second Treatise* (§235). Yet Lawler manages to get

Locke completely wrong on this point when he writes that because of our Lockeanism, the “special forces—such as the Navy SEALs—that manage to defend us are more alien to most of our lives than ever.” On the contrary, Locke writes, in his *Education*, “A gentleman, in any age, ought to be so bred as to be fitted to bear arms and be a soldier” (§15).

Lawler thinks that as a result of the “progress of Lockeanism in our country . . . patriotism erodes.” He calls the “Lockean citizen” a self-contradictory “oxymoron.” Lawler seems to be unaware that patriotism is a positive Lockean duty. In the *Education*, Locke writes, “I think it every man’s indispensable duty to do all the service he can to his country; and I see not what difference he puts between himself and his cattle, who lives without that thought” (p. 7). Locke is saying that a man who fails to serve his country is no better than a cow because he is not using his reason, which is the law of nature (*Second Treatise*, §6). That law requires him to preserve himself and others as much as possible, and the most effective means to that preservation is a well-governed political community (§123).

In his *Education*, Locke names the virtues that young people (including young women) should be taught. They include moderation in their desires (§130), justice (§110), courage (§115), wisdom “in the popular acceptance” (i.e., prudence, §140), honesty and liberality (§110), humanity and civility (§117), and “good breeding” (§141). Like Plato in the *Republic* (429c–430b), Locke defines courage as “the quiet possession of a man’s self, and an undisturbed doing his duty, whatever evil besets, or danger lies in his way.” But Lawler insists that Locke is “all rights and no duties.”

The Law of Nature and its Ground

In the *Two Treatises*, Locke speaks frequently of the law of nature, that is, a law discovered by reason that all human beings are obliged to obey. In the *Second Treatise*, Locke explains, briefly but tellingly, *why* the law of nature is binding. “Law, in its true notion,” he writes, “is not so much the limitation as the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law. Could they be happier without it, the law, as an useless thing would of it self vanish” (§57). Law directs us to our “true and proper interest,” that is, to what makes us “happier.” The law of nature, then, is a rule, or set of rules “for the general good of those under that law.” The well-being of all, their “true and proper interest,” what makes them “happier,” is Locke’s ultimate standard for the law of nature.

Let no one object that Locke believes people can define happiness any way they please. Locke devotes a long chapter in his *Essay on Human Understanding* to a refutation of that point, arguing that “the highest perfection of intellectual

nature lies in a careful and constant pursuit of true and solid happiness, so the care of ourselves, that we mistake not imaginary for real happiness, is the necessary foundation of our liberty” (bk. 2, chap. 21, §51). (My full account of Locke on happiness and the law of nature is in my article “The Ground of Locke’s Law of Nature.”)

Can one’s own interest, one’s proper concern for “true and solid happiness,” really be a basis of service to others? Yes, because Lockean self-interest, which is surprisingly austere, proves to be inseparable from that service. Locke speaks of our “true and proper interest” because most of us follow an untrue and improper conception of our interest that blocks our long-term good. All of us by nature desire happiness, but the passions, if unguided by reason or morality, lead us astray. In his *Essay*, Locke writes, “Principles of actions indeed there are lodged in men’s appetites; but . . . if they were left to their full swing they would carry men to the overturning of all morality. Moral laws are set as a curb and restraint to these exorbitant desires” (bk. 1, chap. 3, §3). (Compare Hamilton in *Federalist* 15: “Why has government been instituted at all? Because the passions of men will not conform to the dictates of reason and justice without constraint.”) If our “exorbitant desires” were indulged, they would lead not to our “true and proper interest” but to death and misery. For example, genuine self-interest is generally served when people seek the preservation of the lives and property of others as well as themselves, as the law of nature commands.

When Locke says in the *Second Treatise* that the law of nature teaches that everyone ought “to preserve the rest of mankind,” as long as “his own preservation comes not in competition” (§6), he means it. This mandate to preserve everyone is sometimes taken to be not quite serious, because of the qualifying proviso. If one’s own preservation always comes first, will there ever be an occasion to preserve others? Locke’s answer is yes. To take one example, “’twould always be a sin in any man of estate, to let his brother perish for want of affording him relief out of his plenty” (*First Treatise*, §42).

In civil society, your moral responsibility to others increases. When you compact with others to join an existing political society or start a new one, you agree to obey the laws that preserve that society. One such law might require you to risk your life in battle. Government cannot always protect every individual because the condition of security for most is the existence of the body politic. In the *Second Treatise*, government exists for “the preservation of the society, and (as far as will consist with the public good) of every person in it” (§134). I italicize the exception.

Of course Locke was not so naive as to think that people would perform their moral duties merely from perceiving their “true and proper interest.” Most people are not very capable of using their reason, to say nothing of other sources

of bias in their thoughts and actions (discussed at length in the penultimate chapter of the *Essay*). The rational foundation of morality must be supplemented by non-rational motives. Morality must be understood and felt as *law*, as binding commandments enforced by rewards and punishments. In *Reasonableness of Christianity*, Locke writes that the “greatest part of mankind want leisure or capacity for demonstration; nor can they carry a train of proofs. . . . Hearing plain commands, is the sure and only course to bring them to obedience and practice. The greatest part cannot know, and therefore they must believe” (chap. 14). In the *Essay*, Locke therefore speaks of three sources of moral law (beyond the rational source I already mentioned): the commandments of God through revelation, of civil law, and of the “law of fashion” (bk. 2, chap. 28, §13). All three come with punishments: divine punishment, criminal justice, and disapproval of or exclusion from one’s familiars (family, friends, or respectable society). Three things, then, make the moral precepts discovered by reason effective in daily life: first, religious teachings that support the laws of nature (“thou shalt not steal,” etc.); second, a political order that enforces the law of nature (punishing acts of violence and deterring foreign aggression by strong arms); and third, public sentiment that supports the law of nature (the moral consensus that existed in pre-1960s America, except for the Southern view of slavery).

Locke does not leave it at that. Although a well-raised gentleman can become habituated to virtue by means of parental praise and blame (the “law of opinion” applied within the family), eventually, if all goes well, he will no longer think of doing the right thing because of its consequences, but rather for its own sake. In Locke’s *Education*, the young gentleman will be taught to “be *in love with* all the ways of virtue” (§58, my emphasis). He will have acquired “a true relish of it and placed his strength, his glory, and his pleasure in it” (§70).

Locke’s Teaching on the Family

There is one unambiguous command of the law of nature that tends to be ignored by Lawler and by other readers of Locke who are determined to turn him into a theorist of narrow self-interest or of self-creating individualism. Parents are, “by the law of nature, under an obligation to preserve, nourish, and educate” their offspring. Locke repeats and develops this mandate at length in the rest of chapter 6 of the *Second Treatise* (§56–74) and in chapter 9 of the *First* (§88–100). Lawler seems to be at least vaguely aware of these passages. But he dismisses their importance by arguing that “Lockean principle” conflicts with “what Locke himself actually says about the family.” But it is Lawler, not Locke, who is confused about “Lockean principle.” In fact, Locke’s understanding of

parental and marital obligations is fully consistent with the rest of his teaching on the law of nature.

In the *Second Treatise*, the “fundamental law of nature being the preservation of mankind,” that law consists of two basic commands. First, preserve oneself; second, preserve others: “Everyone as he is bound to preserve himself . . . ; so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind” (§135, §6). The natural-law obligations of parents to children are rooted in these two commands.

In the *First Treatise*, Locke’s analysis begins with the psychological fact that parents typically have a desire of “continuing themselves in their posterity” (§88). They are “taught by natural love and tenderness to provide for them as a part of themselves” (§97). Parental love of children is based on self-love; parents love their children as extensions of themselves.

Aristotle anticipates Locke when he writes in the *Politics* that male and female come together “from a natural striving to leave behind another that is like oneself” (bk. 1, chap. 2), and in the *Ethics* that “parents are affectionate to their offspring as being something of themselves” (bk. 8, chap. 12; trans. modified by TGW). Love of children insensibly transforms human self-love into a whole-hearted devotion to the good of another. In the *Essay*, Locke points to the pleasure parents take in seeing their children and friends thrive when he writes, “Thus the being and welfare of a man’s children or friends, producing constant delight in him, he is said constantly to love them” (bk. 2, chap. 20, §5).

That is one ground of the family in Locke. The second ground arises after the establishment of the social compact, which is meant to provide enforcement of the law of nature (“preserve mankind”). Without children, mankind must die.

Lawler asserts that “Lockean principle” leads to same-sex marriage and no-fault divorce. Locke says the opposite. First, he explains more forcefully than almost any other philosopher, ancient or modern, why “[a]dultery, incest, and sodomy” are viewed as “sins”: “I suppose,” he writes, that they “have their principal aggravation from this, that they cross the main intention of nature, which willeth the increase of mankind, and the continuation of the species in the highest perfection.” To that end, there is a need for “the distinction of families, with the security of the marriage bed” (*First Treatise*, §59). In other words, these things are “sins” not principally because Scripture forbids them, but, Locke implies, Scripture forbids them because the intact family (married mother and father raising their offspring) is the best institution for producing, nourishing, and educating children. Nothing then is more contrary to Locke’s teaching on the law of nature than same-sex marriage, a “marriage” that by definition cannot produce children who will be raised by a partnership of their two biological parents who will be inclined by nature to love them as “a part of themselves.”

For the same reason, Locke rejects “easy . . . [dis]solutions” of marriage in the *Second Treatise*. Parents should not divorce as long as the children are unable to “shift and provide for themselves” (§81, 79). Locke observes that the American Indians’ practice of no-fault divorce means that women alone raise the children: “when the husband and wife part, which happens frequently, the children are all left to the mother” (§65). When he discusses the advantages of lasting marriage, Locke implies that fathers are a useful complement to mothers: “their [the spouses’] industry might be encouraged, and their interest better united, to make provision, and lay up goods for their common issue, which uncertain mixture [i.e., adultery], or easy and frequent [dis]solutions of conjugal society, would mightily disturb” (§80).

The Role of Government

So far I have been talking about Locke’s teaching on the moral obligations of individuals. I turn now to the role of government in encouraging or enforcing those obligations.

I explain the connection between natural rights and government promotion of morality in my chapters on the family, welfare, and immigration in *Vindicating the Founders*. What I did not say there, however, is that the Founders’ understanding of these things had already been anticipated by Locke.

In the *Second Treatise*, “the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it.” He adds this clarification: “The obligations of the law of nature cease not in society, but . . . have, by human laws, known penalties annexed to them to enforce their obedience” (§134–135). Obviously Locke is talking punishments for murder, rape, assault, theft, and the like. But most scholars neglect the implications of Locke’s argument for the family.

The purpose of government is “the preservation of the society.” This purpose necessarily includes the promotion of the family. Without the generation, care, and education of the next generation of children, society will perish. Government therefore has a strong interest in encouraging childbirth within marriage, and in making sure parents fulfill their natural law “obligation to preserve, nourish, and educate” their children. Locke implies that government should encourage marriage, and discourage or forbid no-fault divorce and non-spousal sex. (I mentioned earlier Locke’s criticism of incest, adultery, and homosexuality.)

Someone will object that for Locke, morality is not the purpose of government. That is incorrect. The law of nature is a moral law, and government’s main task is to enforce that law. That is how “the preservation of the society” is achieved. In the *Letter on Toleration*, Locke writes,

“Rectitude of morals . . . concerns civil life, and in it is involved the safety . . . of the commonwealth; moral actions belong, therefore, to . . . the government” (p. 66). Government’s task is fundamentally moral, because “the wickedness of human beings is such that most prefer to enjoy the fruits of other men’s labor rather than work to provide for themselves” (p. 68, my emphasis). Locke goes further. Government must concern itself not only with immoral (“wicked”) actions but also immoral teachings: “No doctrines adverse and contrary to human society, or to the good morals that are necessary to the preservation of civil society, are to be tolerated by the government” (p. 73). Such “doctrines” would include today’s incessant celebration of sex outside of marriage, whether homosexual or heterosexual. Locke’s view was the view that prevailed in American law until around 1965, as one can see by comparing movies, television, and publications before and after that date.

The consensus of the founding on marriage was close to the view that I have just sketched in Locke. It persisted long afterwards, as one can see in this 1847 statement of the Pennsylvania Supreme Court:

The great end of matrimony is not the comfort and convenience of the immediate parties, though these are necessarily embarked in it, but the procreation of a progeny having a legal title to maintenance by the father. . . . [T]he reciprocal taking for better, for worse, . . . to love and cherish till death, are important, but . . . no more than ancillary to the principal purpose of marriage, [which is] the procreation and protection of legitimate children, the institution of families, and the creation of natural relations among mankind; from which proceed all the civilization, virtue, and happiness to be found in the world.

If the Pennsylvania court is right, and if the founding is based on Lockean principles, then today’s abandonment of Locke means that we are in danger of losing what remains of “civilization, virtue, and happiness.” This is why my disagreement with Lawler on Locke is not merely a pedantic dispute between scholars. When influential writers like Lawler teach us that America’s original principles are defective insofar as they are based on Locke’s political philosophy, we are put in a position where we can neither understand what went right in the founding nor what went wrong later on. We blind ourselves to principles that might prove to be useful today. Instead of blaming natural rights, as Lawler and so many conservatives do, we should be asking instead what led American intellectuals to turn away from what James Madison called the “rational liberty” of the founding (*Federalist* 53). What led our intellectuals, on the right no less

than the left, to embrace today’s administrative state—what Nietzsche called “the coldest of all cold monsters”? (*Zarathustra*, pt. 1, “The New Idol”).

Further Reading

- Aristotle. 2012. *Nicomachean Ethics*. Trans. Robert C. Bartlett and Susan D. Collins. Chicago: University of Chicago Press.
- Aristotle. 1984. *Politics*. Trans. Carnes Lord. Chicago: University of Chicago Press.
- Locke, John. 1689. *Epistola de Tolerantia* (“Letter on Toleration”). Gouda, Netherlands: Justum ab Hoeve. (Quotations in the text are my translation.)
- Locke, John. 1970. *Two Treatises of Government*. 2d ed.. Ed. Peter Laslett. Cambridge: Cambridge University Press. (I have modernized Locke’s capitalization, punctuation, spelling, and italics.)
- Locke, John. 1979. *An Essay Concerning Human Understanding*. Ed. Peter H. Niddich. New York: Oxford University Press.
- Locke, John. 1999. *The Reasonableness of Christianity as Delivered in the Scriptures*. Ed. John C. Higgins-Biddle. Oxford: Clarendon Press.
- Nietzsche, Friedrich. 1954. *Thus Spoke Zarathustra*. In W. Kaufmann (Ed.), *The Portable Nietzsche* (pp. 103–439). New York: Viking.
- Otis, James. 1965. *The Rights of the British Colonies*. Orig. pub. 1764. In *Pamphlets of the American Revolution, 1750–1776*, ed. Bernard Bailyn, 1:408–482. Cambridge: Harvard University Press.
- Pennsylvania Supreme Court. 1890. *Matchin v. Matchin*, 6 Pa. St. 332 (1847). Opinion of the Court by Justice John Gibson. Quoted in *The American and English Encyclopedia of Law*, ed. John Houston Merrill, 11:142. Northport, N.Y.: Edward Thompson Co.
- Plato. 1968. *The Republic of Plato*. Trans. Allan Bloom. New York: Free Press.
- Strauss, Leo. 1953. *Natural Right and History*. Chicago: University of Chicago Press.
- Strauss, Leo. 1968. *Liberalism: Ancient and Modern*. New York: Free Press.
- Strauss, Leo. 1988. *What Is Political Philosophy? And Other Studies*. Orig. pub. 1959; Chicago: University of Chicago Press.
- West, Thomas G. 1997. *Vindicating the Founders: Race, Sex, Class, and Justice in the Origins of America*. Lanham, Md.: Rowman & Littlefield.
- West, Thomas G. 2012. The Ground of Locke’s Law of Nature. *Social Philosophy and Policy*, 29(2), 1–50.

Thomas G. West is the Paul and Dawn Potter Professor of Politics at Hillsdale College. He is the author of *Plato’s Apology of Socrates* and *Vindicating the Founders*. He and his wife Grace translated *Four Texts on Socrates*, of which there are close to 200,000 copies in print. His recent publications include among others, “Freedom of Speech in the Founding and in Modern Liberalism,” “Progressivism and the Transformation of American Government,” “What’s Wrong with Tocqueville?” and “The Ground of Locke’s Law of Nature.” Thanks to Kevin Slack, John Grant, Tiffany Miller, and Mickey Craig for helpful suggestions.