

LOCKE'S THEORY OF TOLERATION AND ITS CRITICS

by

PETER BRUNO RAABE

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Department of Philosophy

The University of British Columbia
Vancouver, Canada

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Abstract

It has been argued that Locke's theory of toleration is not only flawed in some respects, but that it lacks relevance for present day North American society since it addresses only the conditions and concerns of Locke's own civil society and historical period. But a detailed analysis of the arguments in the Letter, along with an examination of the criticisms of his letter levelled at him by his contemporary, Jonas Proast, especially on the issue of the use of force to promote belief, shows that Locke's theory of toleration is in fact logically sound and quite rigorous. Furthermore, an examination of some of Locke's other writings reveals that Locke has based his theory of toleration on sound political and epistemological foundations. A scrutiny of later criticisms by Joseph Priestley, Susan Mendus, Jeremy Waldron, and John Rawls shows that they also fail to diminish either the force of Locke's arguments or the relevance of his theory of toleration to present day issues surrounding religious freedom. Although Locke's intolerance of atheists is shown to be

misplaced, it is argued that his approach to universal religious toleration is not at odds with modern approaches from individual rights. It is also argued that he is not mistaken in his assumption that matters of state can, and must, be separated from matters of religion if the peace and security of a state are to be maintained. Locke's theory of toleration is therefore shown to be neither parochial nor historically bound.

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Introduction

It is generally the case that in the more liberal modern day, industrialized nations civil governments allow each citizen the right to hold whatever religious beliefs he or she chooses, and to worship in whatever way he or she thinks is appropriate and consistent with that belief. But this has not always been the case.

At one time, in pre-industrialized Europe, civil authorities took it as their responsibility to choose and promote, by means of force if necessary, the "true faith" and the "one path that leads to salvation." This instituting of a state religion and a uniformity of worship was seen by the civil authorities as a means of promoting a common world view, a unanimity of values and goals among citizens which would allow the peace, stability, and security of society to be maintained. But one problem was that it was impossible for the members of any population to reach a unanimous agreement as to which faith was to be called the true faith that should be promoted as the state religion. This disagreement caused no end of trouble for civil authorities since, regardless of which religion a state chose to

promote, there were inevitably a number of their citizenry who simply refused to accept, or openly rebelled against, that church which the state chose to proclaim as the only true church.

While church leaders and civil authorities continued their efforts to enforce the state-proclaimed "orthodoxy," a grass roots movement was slowly gaining momentum all over 17th century Europe. The common people were beginning to demand toleration for their various religious beliefs from civil authorities and the leaders of state-sanctioned churches. The heterodox were tired of being prevented from holding certain public offices, owning their own businesses, and living lives free from fear of persecution and torture because they refused to accept the state religion as their own. Such a refusal labeled a citizen a heretic and, in many cases, resulted in their being executed by the state.

John Locke was one of the most outstanding unofficial spokesmen for religious toleration during this time of growing discontent. Not only were his writings on the subject of religious toleration widely read in his day, they have set the terms of the debate even for those who have subsequently argued in opposition to his liberal position. Although Locke was commenting on the religious problems of his day, his writings were a major contributing factor to the relative peace and calm that pervaded the Church of England in the eighteenth century. Despite the fact that the beginning of his Letter argues from the position of Christianity, and he uses the Church of England as a case in point, his approach is for the most part philosophical and universal in that he enquires what sort and how much toleration is

required not just of one church or government but of everyone. This universality, together with the power of his arguments, has given his writings relevance not only across the political and religious boundaries of his day but seems to have also extended his arguments across the boundary of time.

Today there is a discontent with the so-called heterodox religions, - the fringe groups, the cults, and the new agers - similar to the one which existed in Locke's day. There seems to be a growing desire in some sectors of society to promote what is believed to be "the correct" Christian beliefs and "the proper modes of worship." There is an ever increasing demand that government not only not tolerate heterodoxy, but that the fundamental principles of particular religious beliefs be enforced through government legislation and applied to secular life. It is once again being argued that state promoted religion will enhance the peace, security, and stability of nations. Clearly this movement toward the religious right, and the call for a reintegration of matters of religion and matters of state, is as great a threat to religious freedom and individual liberty of belief today as the state promoted religions were in Locke's day.

In light of the present assault on religious liberty, the question considered in this thesis is, can the writings of Locke, specifically his Letter Concerning Toleration, offer us any sort of insights or guidance for dealing with these developments in our modern day society?

The first chapter sets the stage by offering a summary of Locke's

Letter Concerning Toleration, and analyzing how he structures his arguments. This chapter discusses the historical context in which Locke is writing, the Christian argument with which he begins, and then his philosophical reasoning. It points out how, contrary to the arguments made by some critics, Locke's main philosophical arguments each have the force to stand independently as separate defenses for toleration. It also becomes evident that what may seem at first to be an argument for toleration within Protestant England, or perhaps only the wider Christian community, is in fact a call for universal religious toleration.

The second chapter examines the debate between Locke and Proast. Locke wrote a total of four letters on the topic of religious toleration - the original and three responses to Proast. Proast wrote a total of three in response to Locke. Despite the fact that Proast made a fatal mistake in argument in his second letter, Locke took all of Proast's letters seriously and responded with exceptional depth, clarity, and thoroughness. Among Locke's contemporaries Proast offered one of the most serious challenges to Locke's position. In the process of responding to Proast Locke was compelled to elaborate on, and thereby to clarify and strengthen, his original arguments as stated in his first Letter.

Chapter three examines a number of other writings by Locke, and points out the similarities and differences among his writings in order to further clarify the arguments he makes in his Letter Concerning Toleration. This investigation offers an insight into the development of his thinking from his earlier, less tolerant, position

to his later more liberal stance. This chapter also points out that there are common threads of ideas that he held consistently throughout his life which run through most of his writings and led him to express his belief in the equality of "all men" and to call for universal religious toleration.

Chapter four deals with a number of important arguments made against Locke by later writers such as Joseph Priestley of the eighteenth century, and Jeremy Waldron and John Rawls of the twentieth century. While Priestley and Rawls argue that Locke's toleration may be too narrow, given the exemptions to toleration he calls for, Waldron argues, somewhat like Locke's contemporary Jonas Proast had, that the use of force may in fact be useful in promoting belief. But while each of these arguments calls into question some specific point in Locke's Letter, the overall force of his argument for toleration remains undiminished,

This chapter also considers the question that has been asked many times since Locke wrote his Letter Concerning Toleration: does the Letter have any relevance for us today? With right wing religious fundamentalism on the rise in several countries as the end of this century and this millennium approaches, and with radical religious cult groups threatening the peace and security of a number of nations, it may be thought that Locke offers little in the way of a solution to the continuing disagreements and conflicts between religion and the civil state. The strengths and weaknesses of Locke's Letter are examined in light of the needs and concerns of our late twentieth century society.

Chapter 1 - Locke's Letter Concerning Toleration and the Structure of Its Argument

John Locke's Letter Concerning Toleration, was composed immediately after the Revocation of the Edict of Nantes. In 1598 the Edict of Nantes granted Protestants a degree of religious toleration in Catholic France. This meant that the Catholic French government was willing to put up with French Protestants worshipping God in a manner of their choosing rather than having to attend, and profess a belief in the teachings of, the Catholic church. But in 1685 King Louis XVI proudly proclaimed that his goal was 'La France toute Catholique,' and revoked the Edict (Dunn 183). French Huguenots who refused to convert to Catholicism were once again beaten, robbed of their possessions, harassed by government troops, their children were taken from them, their marriages were not recognized, the men were sent to row on galleys or were driven into exile, all in the name of promoting Catholicism as the only true religion to be practiced in the nation (Cranston 82).

In the early 1660's the young Locke had no quarrel with a state demanding religious uniformity from its citizens. In his Two Tracts

on Government (1660, 1662) he supported religious conformity and intolerance because he believed that a religiously homogeneous nation was more apt to be peaceful, stable, and secure than one in which religious diversity and sectarianism were allowed to run rampant. In his Second Tract Locke writes that God has entrusted the ceremonial aspects of worship to the magistrate, and that the magistrate has "the right to govern the church," and to "judge what is orderly and decent," "beautiful and attractive" in ceremonies and rituals (in Wootton 157-8). The magistrate's control over religion is an important part of Christian liberty, says Locke since

it allows the magistrate to consider at the same time both the peace of society and the welfare and dignity of religion, and to provide for them both with a single set of laws (ibid).

In the 1680's the question of whether Charles II's brother James, a Roman Catholic, should be allowed to accede to the English throne was driving predominantly Protestant England to the brink of civil war. When James became King in 1685, Locke's opposition led to accusations of sedition against him. He fled for his life to Holland where he joined the flood of French Protestant refugees fleeing from the cruelties of Louis XVI. It was in Holland that Locke came to witness first hand the unrest, pain, and abject misery suffered by expatriate citizens of countries who had adopted a policy of religious conformity or intolerance to religious diversity. Locke met destitute, and so-called "non-orthodox," Protestant Arminians, Lutherans, and Socinians who had been persecuted not only in their Catholic

homelands, but in Protestant England for dissenting from the Protestant state religion: the Church of England. He also met homeless Catholics whose fellow believers were being hunted and oppressed in virtually every Protestant state, and Jews who were persecuted almost everywhere. In fact it seemed that every nation in the civilized world was persecuting some portion of its people for their "non-orthodox" religious beliefs in the name of civil peace and security. But rather than the hoped-for peace and security, the consequences Locke saw resulting from religious intolerance was civil unrest, political instability, poverty, suffering, and death. What he witnessed led Locke to write in his Letter,

for religion, subjects are frequently ill treated, and live miserably... [Such] oppression raises ferments, and makes men struggle to cast off an uneasy and tyrannical yoke (67).

While Locke's views on the powers of the magistrate over religious matters had already gradually changed, and shifted toward greater religious toleration than currently existed in his day, (as we shall see in Chapter 3), his experiences in Holland no doubt confirmed his views and influenced him to write what he did in his famous Letter Concerning Toleration.

The Structure of Locke's Letter

Locke was a very methodical writer and his Letter Concerning Toleration is a classic example of structure and clarity in philosophical argument. His letter may be divided into six clearly defined parts. First, Locke responds directly to the enquiry that has been

put to him by his Dutch Friend Philip van Limbroch concerning "the mutual toleration of Christians in their different professions of religion" (Letter 13). He offers an argument for toleration based on true Christianity, i.e., why toleration makes sense in light of the teachings of the Christian Gospels (Locke Letter 12-18). This section is directed against Christian religious leaders who defend religious intolerance from the Scriptures.

But Locke then goes on to transcend this religious argument. He offers a series of three philosophical arguments to show why it is rational for both the state and the church to be tolerant of individual citizens in matters of their preferences in religious beliefs and their modes of worship (ibid 18-22).

First, the civil magistrate, according to Locke, has no business concerning himself, as magistrate, with religious matters since neither God nor the magistrate's subjects have given him the authority to do so. Locke argues secondly that because of the nature of the human understanding it cannot be compelled to believe anything by means of force, and, thirdly, that even if force were useful in compelling belief, the magistrate can never be certain that the belief he is enforcing is in fact the true one. These three arguments are each of them so strong that even if one of them seems to be undermined - as for example when Proast argues that the nature of belief is such that it can be compelled by means of force - the others remain unaffected and can still be successfully used to defend toleration.

Third, he delineates the scope of the duty of toleration for the church, private citizens, religious leaders, and the magistrate or

civic leader (ibid 22-61). In this section he offers arguments establishing the legitimate sphere of influence of each party. He also limits the magistrate's power to "indifferent things" and allows him no jurisdiction over religious ceremonies or "outward worship."

Fourth, he argues why some things need not be tolerated by the magistrate in his effort to maintain civil peace and security (ibid 61-64). Fifth, he defends the right to freedom of religious assembly to counter claims that "non-orthodox" religious meetings are prone to be hotbeds of sedition (ibid 64-69). And finally, he concludes with a simple statement of the general intent of his letter (ibid 69-73).

A Summary and Analysis of Locke's Letter

1. The Argument for Toleration from True Christianity

Locke begins his Letter Concerning Toleration with a criticism of the state's promotion of one particular Christian church with the use of force. He uses the example of the Church of England as a case in point. At the time of his writing the Letter, this national church was claiming to be the only true Christian church. Locke saw the corruption, the quest for power, and the emphasis on correct ceremony within the church as the sources of wide spread dissension, and the cause of the persecution of those who refused to be part of it. The first thing Locke argues is that "the chief characteristical mark of the true Church" is its toleration for other Christians (Letter 13). This immediately calls into question the status of the intolerant Church of England. It is not the pomp and ceremony, nor

the claim to orthodoxy, says Locke, but rather charity, meekness, and good will to others, including non-Christians, that mark the true Christian (ibid). There is no striving for power, and no use of force to rule over others in the true church, but rather the "regulating of men's lives according to the rules of virtue and piety" (ibid). In the true church war is fought against one's own lusts and vices, and Christianity is embraced fully before any attempt is made to convert others.

Locke goes on to point out that in order to be a true Christian one's faith must work by love, not by force. To point out the hypocrisy within the Church of England, Locke asks those who "persecute, torment, destroy, and kill" others in the name of religion and claim to be doing it out of friendship and kindness, why they don't extend their fire and sword to friends and family in like manner (14)? Furthermore, he points out that while, on the one hand, some men are punished with imprisonment and have their property, and often their lives, taken from them because they refuse to worship in a particular church (in this case the Church of England), on the other hand "whoredom, fraud, malice, and suchlike enormities" are committed by members of that same church without anyone being punished for them (ibid). The latter, says Locke, is certainly more contrary to the glory of God, the purity of the church, and the salvation of souls than conscientious dissension (15). In Locke's opinion the heretic is not the one who sincerely follows Christ without attending the state church. The true heretic is the one who piously debates the intricacies of church dogma and ceremonies while practicing un-Christian

moral vices and wickedness.

Locke was born to Puritan parents and he was deeply influenced by his Puritan background (Horton John Locke 1). It must be remembered that in the 16th and 17 centuries the Puritans were calling for the simplification of ceremonies and creeds within the Church of England, strict religious discipline, moral rigor, and the shunning of social pleasures and indulgences. So Locke seems to be reflecting his own religious background when he asks why there is so much time and effort being put into the "introduction of ceremonies." But he goes beyond Puritan beliefs with the argument that it is illogical for a church to spend its time and effort forcing citizens to follow certain ceremonies in light of the fact that such force only leads to dissension and schism, and in light of the fact that there are more pressing matters to attend to, such as the "moral vices and wickednesses" perpetrated by its members (15).

Locke finds it strange that it is considered acceptable to torture a man to death to save his soul, even before he has been converted, and to do so in the name of charity, love, and good will. It also seems incredible to Locke that anyone who lives an immoral life and who desires to use force to compel others to join him in his church could believe that he is forming a truly Christian church (16). If one truly wants to save souls, says Locke, one should follow the example of the "Prince of Peace" who gathered people into his church not with swords and physical force but with the Gospel and with persuasion. In fact, Locke argues, if physical force were acceptable in converting non-Christians or infidels, then Christ could easily

have done so by using his "armies of heavenly legions" (17). By this Locke implies that because Christ has not used physical force, the use of physical force is not an acceptable means of conversion.

With this entire first passage Locke criticizes Christian churches for their intolerance, their disregard for the wrong doings of their own members, and their use of persecution against those who refuse to be either this or that denomination. His criticism suggests that, because of their un-Christian behaviour and their un-Christian policies against dissenters, many churches are proving themselves not to be the truly Christian churches they claim to be. He finds it perfectly clear and obvious that religious toleration, which many churches are not practicing, is both in line with the Gospel of Jesus Christ and agreeable to human reason. His conclusion is that only those churches which have religious toleration among their practices and beliefs may be considered truly Christian. In this way he shows that there is no basis within Christianity itself for the intolerance shown by Christians for each other.

In what follows in his Letter Locke makes it clear that the question he has been set, and has answered with his Christian arguments, is in fact too narrow.

Leaving behind the Christian argument, Locke broadens the scope of his inquiry into toleration by offering a philosophical analysis that has universal application, and may be applied to the Christian as well as the non-Christians state. He addresses the civil magistrate and considers the question of how toleration may further the cause of peace and security within any commonwealth. Peace and security will come about, he says, when religious persecution, which is supposedly

carried out in the name of civil law and order, for the common good, is ended, and when individuals are stopped from being allowed to act immorally in public in the name of religion. But in order to justify an end to religious persecution and immoral so-called religious behaviour Locke says it is necessary first to "distinguish exactly the business of civil government from that of religion" and to settle the boundaries that lie between them (18).

2. Non-religious arguments for toleration

The State

While the church is responsible for the salvation of souls, Locke sees a commonwealth or civil state as organized to procure, preserve and, advance the civil interests or rights of its citizens. These civil interests or rights he says are life, liberty, health, and "indolency of body" or the pursuit of happiness, and the possession of material property (18). While some critics have argued that this seems to be simply an "essentialist definition" of "society" by Locke, lacking any sort of supporting argument (see Waldron 100), it must be remembered that Locke discusses and argues the nature and function of the state in his First and Second Treatise of Government. In chapter eight of his Second Treaties entitled, "Of the Beginning of Political Societies," Locke writes

Men being, as has been said, by nature all free, equal and independent, no man can be put out of this estate and subjected to the political power of another without his own consent. The only way whereby anyone divests himself

of his natural liberty and puts on the bonds of civil society is by agreeing with other men to join and unite into a community for their comfortable, safe, and peaceable living one amongst another in a secure enjoyment of their properties, and a greater security against any that are not of it... When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic... (in Wootton 309-10).

Locke goes on at length in this chapter and elsewhere in the Treatise to discuss how this consensual or contractual arrangement functions.

In a society based on the contractual agreement of its members then, the civil magistrate governs by the consent of his subjects and is given the duty to protect their peace and security, their interests and rights through an impartial execution of equal laws. The magistrate has the "force and strength" of all his subjects behind him and he is given the power by them to punish anyone who would interfere with the interests or rights of another by taking away or limiting his civil rights (ibid).

It is in part by means of this delimitation of the power of the state to civil matters only that Locke is able to clarify his reasons for toleration - the other part being the nature of human understanding. He begins by saying it is clear that the civil magistrate's jurisdiction, power, right and dominion involves only civil matters and not "the salvation of souls" (19). Locke actually gives

three reasons for this, but the two distinguishing features of the first one are often overlooked. First he says God has not given one man the authority to compel another into any one religion for the good of his soul. This refers back to his previous arguments for toleration based on Christian scriptures. Here Locke is arguing that even if his political theory is false and political authority is derived from God, there is no basis for supposing that theory gives the magistrate a wider jurisdiction.

In the second arm to this first argument, and consistent with his own political theory, Locke says the citizens of the state have not consented to give their magistrate the authority to choose their religion for them, and they do not consent to the abandoning of the caring for their own souls to the civil authorities. Citizens have not given this authority to the magistrate because a person cannot simply "conform his faith to the dictates of another." True religion consists of an "inward and full persuasion of the mind," a deeply held belief that the believer is satisfied in his own mind is the true one, and which goes beyond the outward acts of ritual and ceremony (ibid). Any outward practice without this inward belief is nothing more than hypocrisy, says Locke, and, in the Christian definition of true belief, is sinful because offensive to God. This first argument then is a political argument focusing on the scope of authority that God and the citizens of a commonwealth have allowed the civil magistrate.

Second, Locke says, the magistrate can't be concerned with the salvation of the soul since his power consists only of physical force.

The problem is that since the religious perspective has it that only a belief based on inward persuasion is acceptable to God, and since such belief can't be compelled with physical force, the magistrate's power can't create the correct kind of belief that religions say is acceptable to God. There is nothing stopping the magistrate from using persuasion, just like anyone else might, to change someone's mind. But "it is one thing to persuade, another to command; one thing to press with arguments, another with penalties," says Locke (20). Penalties don't convince the mind, says Locke, and all religions hold that without the sincere conviction of beliefs salvation is not possible. This might be called Locke's epistemological argument. But here the question arises, can't sincere conviction be created through the employment of indoctrination and/or propaganda? Even if the answer is "yes," as is argued by both Proast and Waldron in later chapters, Locke's argument for toleration still holds because of the first argument above, and the third argument below.

Locke addresses the question of the use of force in his third point when he says, even if physical force and penalties were in fact able to improve or change men's beliefs in the right way, there is still no guarantee of salvation. If magistrates everywhere have the right to use force to compel citizens to the religion they believe to be true, but which they cannot know for certain is true, it would mean that the salvation of citizens would depend on luck, that is, it would depend on their being born in that particular state in which the magistrate happens to have decided on the true religion. Inversely, many citizens would lose their soul due to their magistrate having

forced them to follow a false religion he only believed to be the true. Locke expands on this point in his Essay Concerning Human Understanding where he says there can't be a more dangerous thing to rely on, nor anything more likely to mislead one than the opinions of others in matters of religion. The opinions of others would give men reason to be "Heathens in Japan, Mahumetans in Turkey, Papists in Spain, Protestants in England, and Lutherans in Sweden" (657). Locke suggests that it is a risky bet indeed to pin one's "everlasting happiness or misery" on the fallible opinions of others since probability has it that they might be wrong (708).

The structure of Locke's argument then is as follows:

- 1 a. God has not given anyone the authority to compel others into any one religion for the good of their souls.
- 1 b. Citizens have not given the magistrate the power to pick their religion for them. These two points argue that the magistrate has not been given the political authority to compel his citizens to follow a particular set of beliefs.
2. The nature of the correct kind of belief - that which will lead to salvation - is such that a person can't be made to change what they believe to be true by means of someone else using force on them. This is his epistemological argument.
3. Even if outward force could produce the kind of belief that leads to salvation, the magistrate may be forcing the wrong religion on his subjects, since there is no assurance he has the right religion, and their souls would still not be saved. This may be called his argument from probability.

Locke's conclusion is that the use of force is not only illegitimate but impractical. These considerations, says Locke, seem sufficient to lead to the conclusion that

all the power of civil government relates only to men's civil interests, is confined to the care of the things of this world, and hath nothing to do with the world to come (Letter 22).

The Church

Locke defines a church as a voluntary society of individuals who have come together to worship God in a manner they believe to be acceptable to God and that will lead to the salvation of their souls. Locke sees no one as being born a member of any church, and no child as inheriting the religion of its parents (22). Just as a person freely joins a church, so he is free to leave it if he disagrees with its doctrines or means of worship.

The right to make the internal laws that govern the church's day to day activities, says Locke, belongs only to the members of that church precisely because the joining together of citizens into a church is "absolutely free and spontaneous" (Letter 23).

Locke deals with the question of an uninterrupted line of ecclesiastical succession as a sign of the true church with three arguments. First, he says it is not necessary for a church to be able to demonstrate an uninterrupted line of ruling authority directly from the apostles in order to be the true church since scripture shows that any small gathering is approved of by God and conducive to the salvation of souls.

Second, he points out that the disagreement as to the proper succession of church leaders has led to choosing rulers by means of deliberation and vote, putting any claim that a particular line of rulers is a direct line from the apostles into serious doubt. Third, even if church leaders are in a line of succession that stretches back to the apostles, Locke says it still does not give that church the right to impose itself on anyone. Each citizen has the right, according to Locke, to pick whatever religious leader he wants to follow (Letter 24).

The mark of the true church, says Locke, is a church that follows what is called for in scripture and no more. The "inventions," "interpretations," and "ecclesiastical laws," that some churches claim are necessary to the profession of Christianity are in fact not required by Christ (25). And while the Scriptures say that the true church is also the one whose members suffer persecution, there is no proof in the Scriptures, says Locke, that the opposite is true, that the true church is the one which persecutes others with fire and sword.

The laws within the church pertain only to matters of worship, says Locke, and have no jurisdiction over the personal, material property of any citizen. The church also has no authority to use force. Both the power over material goods and the use of force are solely under the jurisdiction of the civil magistrate. The church may only use "exhortations, admonitions, and advice" to convince its members to respect its laws (26). The only punishment the church may use against an obstinate member is excommunication.

3. The scope of the duty of toleration

Locke next examines how far the duty of toleration extends and what is required from everyone by it.

(a) The Church

First, no church needs to tolerate any person who refuses to abide by its laws. This person may be excommunicated but without the use of any physical force or the confiscation of their material possessions as was common practice of the Church of England in Locke's day.

(b) Private Persons

Second, private persons must be tolerant of those with religious beliefs different than their own since those beliefs affect none but the believer. This mutual toleration of private persons for one another Locke also applies to churches. A church can't have its power over other churches increased through the membership of the civil magistrate. In this sense all churches are equal in power regardless of which one the civil magistrate belongs to. To say that the orthodox church should have power over all others is specious according to Locke, since every church believes itself to be orthodox and the source of truth. Even if one church could prove its orthodoxy over the others Locke says this still would not give the orthodox church the right to use force in destroying its rival since, as he has argued above (20), such force does not work to change the minds of those who have chosen to worship differently. The civil magistrate does not have the authority to transfer his right to use physical force to any

church since such favoritism creates intolerance within the favoured church over those not favoured.

Locke's point is that neither individual citizens, churches, nor states or commonwealths have the right to interfere with the civil rights and worldly goods of others "upon the pretense of religion" or for religious reasons (31). One of the greatest threats to the security and peace of the state, according to Locke, is the belief that "dominion is founded by grace, and that religion is to be propagated by force of arms" (ibid). This fact was borne out by the suffering of individuals and the subsequent unrest of populations Locke saw all around him.

(c) Religious Leaders

Third, Locke says the power of those who hold office in a church comes from the church and ought to be confined within it because the affairs of the church are as separate and distinct from the affairs of state as heaven is from earth. And just as the church has no power to deprive a man of his worldly goods because of a religious difference, so no member of a church has that power either.

It is not enough, says Locke, for ecclesiastical men to abstain from "violence, rapine, and all manner of persecution," they are also obliged to teach their followers to be charitable, meek, peaceful, and tolerant (32-3). Locke argues that since the Bible teaches that Christians are to abstain from violence against those who have actually harmed them, how much more so should they abstain from violence toward those who have done them no harm but simply worship in a manner that is different from their own. A man's religion is as

private an affair as how he manages his estate or his own health, says Locke. Why is it, asks Locke, that, while no one interferes with the man who spends all his money in a tavern, everyone is ready to interfere with the man who does not frequent the approved church? This interference, which may be as severe as a death penalty, seems to Locke to come more from a desire for "temporal dominion" than from a sincere attempt to save the victim's soul from hell (34).

(d) The Magistrate

Fourth, is the considerable duty of the magistrate to be tolerant. In line with his Protestant beliefs, but also for the epistemological reason given above, concerning the nature of the right kind of belief, Locke reminds his readers that the care of the soul belongs to each individual, and can not be left to the magistrate's civil laws or use of force. Just as the magistrate can not force a citizen to care for his health with the force of law likewise he can not force a citizen to care for his soul. Even if a prince were to force his subjects to care for their health, Locke asks which doctor would he force his subjects to consult when there are so many possible remedies and potions? But Locke admits that it could be argued that while there are many ways to good health there is only one way to heaven. The trouble is, says Locke, a magistrate may be forcing his subjects down the wrong path (35). Also citizens who are in fact on the right path are still being persecuted because of frivolous reasons, such as the way they cut their hair or the way they were baptized into the faith, which may not coincide with the approved practices promoted by the state religion. If we are prepared to hold

that these small differences in practices or "modes" in fact lead to different ends, says Locke, we are faced with the problem of having to prove beyond a doubt exactly which is the right path that leads to heaven. According to Locke toleration should therefore not only be extended by the magistrate to include religious beliefs but also religious ceremonies, practices and customs, so long as they are not detrimental to the peace and security of the state. In a later section he extends toleration to include the right to religious assembly (64-69).

The authority of the magistrate does not help him discover the right path to heaven any better than any citizen's private search and study. The prince's superior power and the magistrate's ability to rule does not make either of them better qualified than their subjects to determine which is the true religion. Even if it is granted that the magistrate is allowed to choose the religion that leads to heaven, Locke says there is nothing the magistrate can do to compensate his citizens if he should prove to have been mistaken. To trust the magistrate in as important a matter as the salvation of one's soul is to risk a very great loss indeed (38).

Some might argue, says Locke, that infallible judgement belongs not to the magistrate, but to the church. The magistrate is merely the enforcer for the church. But, Locke asks, which church should the magistrate promote? The way may be just as erroneous whether the magistrate forces his citizens to follow his own dictates or those of some church. Just because one church has succeeded in convincing the magistrate that it practices the right religion does not necessarily

mean it actually does, or that the magistrate speaks for the right religion when he speaks for the church he favours. The truth is, says Locke, that rather than churches influencing political leaders it is far more often the case that political leaders influence the church to change its teachings to suit their political agenda. If religious decrees, articles of faith, and forms of worship can be changed so easily to suit the whims of the powerful, Locke wonders how it is possible for anyone to obey them all with a clear conscience. Church leaders dispute articles of faith as much as magistrates do, says Locke, and a magistrate's decision as to the right religion is no better with or without the help of "churchmen" (40).

Even if the magistrate is in fact promoting the right religion, says Locke, there is no point in a citizen following it except if he is persuaded of it in his own mind. While a person can become rich at a job he dislikes, he can not be saved by a religion which his conscience says is wrong, which he distrusts, and whose form of worship he abhors. As mentioned above, God requires the right kind of belief, that is complete faith and inward sincerity before he will save a person's soul. It will not save people if the magistrate forces them to come to church, says Locke. If they believe, they will come; if they don't believe, forcing them to come will not save their souls. The magistrate ought to tolerate any assembly of individuals who come together to worship God in a manner they sincerely believe is acceptable to God, and who draw others to their church by their good example in life and worship. According to Locke, these churches have as much legal right to exist as any national church.

When it comes to rites and ceremonies, the magistrate has no power to enforce the use of any particular type within any church, first because churches are outside the jurisdiction of the magistrate, and second because to be a justifiable part of worship, rites and ceremonies must be seen to be acceptable to God. Locke emphasizes that the magistrate is only justified in making laws concerning things that affect the good of the commonwealth or state. What goes on in church is the salvation of souls, and religious ceremonies do not affect the life, liberty, or estate of any member of the state. Locke distinguishes between washing a child in water for hygienic reasons and baptizing a child in water in the form of a religious ritual. He says the magistrate may compel by force of law the washing of the child for its health but not its baptism for the salvation of its soul. Again, rituals, to be acceptable to God, must contain what worshippers believe God has commanded for the salvation of their souls, not what the magistrate decrees.

Just as the magistrate does not have the power to impose rites and ceremonies by law, he likewise does not have the power to forbid any rites or ceremonies. Every church believes its rites and ceremonies to be decreed by God as an essential part of worship. For a magistrate to forbid the use of certain rites or ceremonies would, according to Locke, be tantamount to destroying the church itself. Locke says it could then be argued that the magistrate must tolerate the sacrificing of infants if a church's ceremonies call for such an act. But Locke says that what is not lawful in "the ordinary course of life" is likewise not lawful in a religious meeting (47). If it

is legal to kill a calf at home, says Locke, it is also legal to kill a calf as a sacrificial offering at a religious ceremony since doing so does not adversely affect others in the commonwealth. But if, for example, a disease has reduced cattle numbers to dangerously low levels, it is allowable for the magistrate to forbid the slaughtering of calves in religious ritual for the good of the species and thereby the good of the state. But this is then a law based not on religious, but economic and political considerations.

Generally, says Locke, what is allowed by law in the commonwealth should not be prohibited in church, and whatever things secular laws forbid because they are harmful to the citizens of the state should also not be permitted to be part of religious ceremonies. But the magistrate must be very careful not to misuse his authority by oppressing any church "under pretense of doing public good" (49).

If a church is perceived to be idolatrous, says Locke, there is nothing the magistrate can do about it because if he is allowed the power to suppress what some would call a sectarian religion there is no logical reason why his power couldn't also be turned against, and used to suppress, what may be called a more orthodox religion. Locke points out that civil power is universal and the principles guiding such power must be applicable to all civil magistrates. Therefore if something is allowed to one magistrate it will be allowed to all. This means that all churches are likely to suffer at the hands of one magistrate or another depending on which church each magistrate considers to be orthodox and which one idolatrous. Locke goes beyond merely advocating mutual toleration among Christian sects, and empha-

sizes the universality of religious toleration by pointing out that the civil powers of the magistrate are "the same every where, and the religion of the prince is orthodox to himself." If the power to suppress religious beliefs is granted to all magistrates, it will lead them to suppress a great variety of religions world wide, including the true one (49).

It follows from this as well that the magistrate may not punish anyone for any sins against God. So long as the sin, or actions, of one person does not affect another person it may not be punished by the magistrate. The sin of lying is only punishable by civil law when it has a harmful effect on citizens or the security of the commonwealth itself. Again, if the magistrate were allowed to punish sins against God, then the universalization of this power would allow "a Mahometan or pagan prince" to punish those who practice the Christian religion since, in their opinion, it would be a sin against God (51). Here again Locke is arguing for religious toleration not only from the leaders of his home nation, nor for his own chosen religion or church, but on a universal scale.

Regarding the call for capital punishment against idolaters in the law of Moses, Locke says this law applied to ancient Israel not to modern nations. The commonwealth of the Jews was an absolute theocracy with no separation between church and state. God himself was considered to be the legislator, a condition which does not exist in any Christian nation. Locke reminds his readers that Christ did not meddle in the affairs of earthly governments, and the ancient Israelites, although they conquered many other, idolatrous, nations

did not force their inhabitants to embrace the Jewish religion.

The articles of religion, as Locke calls them, consist of two types: practical, which "influence the will and manner"; and speculative which "terminate simply in the understanding" (54-5). Speculative opinions and articles of faith which require belief may not be imposed on any church by civil law because, as was pointed out earlier, a person can't simply will himself to believe on command, nor will professing to believe, when he in fact does not, lead a person to salvation. The magistrate may not forbid the preaching or professing of any speculative opinions in any particular church because opinions don't affect the civil rights of citizens outside that church. According to Locke, the belief that, for example, bread is really the body of Christ does not harm the believer's neighbour and so may not be forbidden by civil law. The truth will suffer, says Locke, if force and violence are used by the magistrate in an attempt to further it. By this he means that not only may the magistrate be wrong and promoting the wrong belief, but that the use of force does not allow men to use those God-given faculties "sufficient to direct them in the way they should take" (Locke Essay 708).

The conflict that may arise between what is ordered by the magistrate and what one's conscience dictates may be resolved, says Locke, if we are clear about the limits of both the civil powers and the power one has over one's own affairs. He points out that caring for one's soul is the most important duty a person has to himself, and that, since one person's religious opinions and manner of worship do not affect others, what he believes and how he worships is no one's

business but his own. It is the duty of every citizen first of all to be obedient to God, that is to worship in the way he believes is acceptable to God, says Locke, since his eternal soul and everlasting happiness are dependent on this obedience, and only then to obey civil laws (59).

Locke says, rather idealistically, that it rarely happens that a magistrate legislates what is good for the commonwealth but disturbs the conscience of its citizens. But if it should happen, citizens have the right to disobey the law and accept the penalty for it. If, on the other hand, the magistrate makes a law concerning matters over which he has no authority, matters in which he was not given the power by his subjects, such as a law that forces citizens to take up a particular religion, citizens are not obligated to follow this law. Locke says his subjects may not have the power to resist him but they may find comfort in the fact that the magistrate's actions will in the end be judged by God.

4. What the Magistrate Need Not Tolerate

It must be kept in mind that Locke defends religious toleration with the argument that toleration of a diversity of religions is far more conducive to peace and security within a state than forced conformity and intolerance. The things which he singles out as not having to be tolerated by the magistrate are those things which Locke sees as harmful to the peace and security of the state.

Locke says that there are five things a magistrate need not, or should not, tolerate. First, the magistrate should not tolerate opinions which are contrary or harmful to society and its moral rules.

But he points out that examples of such harmful teachings are rare since no sect would purposely undermine society in the name of religion knowing that the deterioration of society would be detrimental to its own well being within that society. An important question arises at this point: can the citizens of a commonwealth be adequately protected, and can society as a whole be maintained, without penalizing people for their unorthodox beliefs?

Second, the magistrate should not tolerate individuals or sects which claim some sort of special civil power over others for themselves in the name of religion. Toleration should not be extended to those who, for example, call others heretics, thereby claiming the power to call their own religion the one and only true one. Locke says this includes those churches who claim that excommunicating the king strips him of all civil power, since this asserts a claim to political authority which a church does not possess.

Third, the magistrate should not tolerate those "who will not own and teach" the duty of religious toleration (63). Remember that in his first argument for toleration above Locke says that citizens cannot simply will themselves to believe one thing or another. This makes it imperative that each citizen tolerate whatever it is that others believe since no one is more capable than anyone else of changing what it is they sincerely believe. An unwillingness to tolerate others, says Locke, suggests that the intolerant are prepared to seize the government and confiscate the material possessions of their fellow citizens in the name of religious conformity, leading, no doubt, to civil unrest and a destabilization of government. A

tolerant state needs to be made up of tolerant individuals, says Locke, if it is to survive as a tolerant state. But isn't the argument that a tolerant state must be intolerant a paradox? Or is Locke in fact arguing that to tolerate the destruction of toleration would be self-contradictory (Nicholson 169)?

Fourth, the magistrate need not tolerate a church which demands that its followers consider themselves under the protection and service of a foreign prince. Locke used the example of the Mahometan to illustrate his point, but commentators are agreed that he meant to include Catholics (Wootton 96; Cranston 81, 85; Park 14, and others). In fact he was referring to religious leaders of all denominations who use the force of their power as religious leaders to make decrees regarding civil matters. This would be like allowing a foreign jurisdiction to be established in the magistrate's home state and would, again, be a threat to the peace, security and stability of the state.

Fifth, those who deny the existence of God, namely atheists, are also not to be tolerated. In order for promises and oaths to be binding there needs to be a belief in God behind them. Since atheists have no belief in God, Locke thinks they feel no obligation to honour their oaths and promises "which are the bonds of human society" (64). According to Locke, then, without a belief in God, atheists are a threat to the stability of society. This is, of course, a problematic conception of what motivates individuals to keep their promises.

Furthermore, and in a separate argument, Locke says, since atheists have no religion they can logically have no claim to religious toleration (ibid). Religious toleration is meant to allow

citizens to worship any God in any manner they wish so long as this does not threaten the peace and security of the commonwealth, but, since atheists do not wish to worship any God, Locke sees them as having no religious beliefs, and therefore the concept of religious toleration does not apply to them.

In his first argument against tolerating atheists, Locke is obviously, and mistakenly, convinced that they are a threat to the cohesiveness of society. This argument would be justified if it were agreed, which it is not, that atheists fail to keep their promises. As for his second argument against atheists, logic seems to indicate, contrary to Locke's assertion, that if one grants that every citizen has a right to believe as he chooses, every citizen also has the right to disbelieve as he chooses.

5. On the Right to Freedom of Religious Assembly

Locke says that some people may think that the existence of secret, illegal religious meetings or "conventicles" and "nurseries of factions" are the strongest argument against religious toleration (64). But he points out that these secret groups would not be secret if the state were more tolerant of those with non-orthodox beliefs. It is the intolerance of the state which drives these groups into hiding as a means of self-preservation. Locke goes on to say that religious assemblies are not a threat to the peace and security of the state since they aren't concerned with civil matters. They concern themselves only with the salvation of the soul. And even if there were something to fear from these religious groups, if religious assemblies were a threat to the commonwealth, Locke asks why the

magistrate does not fear his own, and does not consider it a threat. The reason some religious groups are persecuted, says Locke, is because the magistrate is biased against them. It is not religion that leads men into seditious conspiracy against their state, but rather their suffering oppression at the hands of their magistrate. The state will be safe and peaceful, says Locke, if, beyond merely tolerating religious groups, the magistrate allows all religious groups to enjoy "an equal condition with their fellow subjects," "the same favor of the prince," and to all have the same benefit of the law" (68).

6. Conclusion

In conclusion, says Locke, "The sum of all we drive at is, that every man enjoy the same rights that are granted to others" (69). Because Locke presupposes a salvationist nature in religion, he has not only been arguing that a condition of equal rights, which leads necessarily to religious toleration, is essential for maintaining peace and security within the state, but that it leads to a salvation of souls which would not be possible under inequality and intolerance.

According to Locke, equal rights and toleration means that all forms of worship are to be equally acceptable within a society. Everything that is permitted in secular society by civil law should be permitted in church as well. Religion should not be used as a justification to take away a man's worldly possessions or to interfere with the way he wants to live his life. Churches should be allowed to organize themselves in any manner they choose and to preach whatever they wish so long as it does not harm the public peace. They are not

to be sanctuaries of "factious and flagitious fellows" (70). Criminals ought to be equally punished for their acts against society regardless of their religious affiliations. Non-Christians are to be allowed the same civil rights as Christians in a Christian society. And if non-Christians are to be tolerated, says Locke, how much more so ought Christians to tolerate the diversity of opinions within Christianity. Locke sees the unrest in his society as the result of an "unhappy agreement" between the church and the state which leads the state to persecute various groups of people deemed of the wrong faith, and drives these people to forceably defend themselves, as is only natural (71). If the state and the church acted only within their respective spheres of power, says Locke, it would not only end the discord within all societies but the various and bloody religious wars between them.

Locke wrote this letter while witnessing the civil unrest and misery caused by religious persecution and intolerance. No doubt his meeting individuals who had left all their worldly possessions behind to escape a homeland in which they were hated on account of their religious beliefs must have had an unsettling affect on Locke. The question a reader of Locke's Letter Concerning Toleration might now ask is, did the emotional impact of life as a refugee in Holland affect the logic of Locke's arguments? One contemporary reader of the Letter felt there were major problems with Locke's logic and wrote to him to tell him so in no uncertain terms.

Chapter 2 - The Debate between Locke and Proast

After its publication in 1689, Locke's Letter was criticized most notably by the High Church clergyman and chaplain of All Souls College, Jonas Proast.

In his essay entitled "John Locke, Jonas Proast and religious toleration 1688-1692" Mark Goldie claims that Proast was a defender of religious persecution and resisted the toleration of dissenters by what he perceived to be the true church whenever, and by whomever, it was called for. He notes how Proast "resisted [King] James' demand that the Declaration of Indulgence - the prerogative edict of toleration - be read from the pulpit" (Goldie 147). Goldie sees Proast's resistance as having less to do with "the constitutional impropriety of the King's suspension of the penal laws, than with a revulsion against religious toleration as such" (ibid).

But, on careful examination it seems that, rather than being a sweeping or dogmatic defense of existing religious persecution, or a documentation of his "revulsion against toleration as such," Proast's initial criticism of Locke's position, entitled A Letter Concerning

Toleration Briefly Considered and Answered (March 27, 1690), and taking up only twenty-eight large-type pages, was a philosophically interesting and challenging argument with a narrow focus: the efficacy of the use of force on a person's belief. Locke found this response so interesting that it elicited from him a letter of almost equal length to his first filled with clarifying details. This was his A Second Letter Concerning Toleration (May 27, 1690).

A year later, in the enthusiasm of his response to Locke's Second Letter, Proast enlarged his scope and challenged a number of other points made by Locke. But this resulted in his making the fatal mistake of changing Locke's argument from "the use of force to compel belief" to "the use of force to compel the true belief." This tainted all of his subsequent arguments against toleration.

Despite the fact that Proast had, in effect, changed the argument - either by accident or by design - Locke responded to Proast the following year with his enormously long A Third Letter For Toleration (June 20, 1692). In it he takes great pains to systematically and meticulously analyze and criticize each paragraph, each sentence, and often individual words used by Proast to show him how his earlier arguments still hold and Proast's are all ill conceived. This incredibly detailed and analytical third letter from Locke seems to have had a profound silencing impact on Proast. Proast didn't respond until June of 1704, twelve years later, with his Second Letter (in fact his third response to Locke), apparently in order to defend his reputation as not having conceded the lengthy public debate to Locke.

Although Proast's A Second Letter seems nothing more than a

brush-off, and an attempt to wash his hands of the whole affair, Locke none-the-less began to write a reply, entitled A Fourth Letter For Toleration. Much of what is in this letter is an almost word for word repetition of what Locke argued in his previous letters and which Proast either chose to ignore or failed to respond to adequately. But Locke was unable to finish the letter before his death on October 28, 1704 and so the debate was ended. The reader is left with the questions, first of all, who has won the debate; second, do the arguments in Locke's original Letter Concerning Toleration withstand the criticism of Proast's analysis; and third, how does Locke clarify his position in the course of his debate with Proast? An answer may be found by following the various lines of argument through the seven letters.

In his first reply to Locke, Proast summarizes what he claims to be the "single" argument of Locke's Letter Concerning Toleration as follows:

1. there is only one way to salvation and only one true religion (by "religion" Proast means a specific denomination or church, as will be seen later in his arguments);
2. no man can be saved by this religion if he does not believe it to be the true religion;
3. belief in this religion must be created through reason and argument, not by outward force and compulsion;
4. therefore all such force is useless for promoting the true religion and the saving of souls;
5. and therefore nobody, regardless of their station in society, can

have the right to use force to bring men to the true religion
(Argument 3-4).

Proast presents the first proposition as though it were Locke's, although it is not. In fact Locke maintains that the way to salvation lies in the core teachings of all Christian churches, but that their various outward forms of worship or ceremonies often conceal this core. The second proposition is also one which Proast mistakenly attributes to Locke. Again, Locke would not have said that salvation comes from belonging to one particular church, but by living in harmony with the teachings of Christ which can be found as the basic teachings in all Christian churches. Proast says he agrees with the third of what he claims to be Locke's propositions, that only reason and arguments can induce the mind to assent to any truth. But, as for the fourth proposition, he wonders whether it might not prove effective to use force, not instead of reason and argument, but only "to bring men to consider those reasons and arguments which are proper and sufficient to convince them," but which they never would have considered without being forced to (Argument 5). Using force "indirectly and at a distance" would bring men to consider the true religion which they otherwise might never have done due to their carelessness, negligence, or prejudices against it (ibid). The use of force to bring men to consider the truth, says Proast, refutes Locke's fourth proposition that all use of force is utterly useless for promoting true religion and the salvation of souls. In response Locke reminds Proast that the other two arguments of his Letter Concerning Toleration (that the magistrate has no authority to use force in

matters of religion, and that the magistrate may be enforcing the wrong religion) are ample reason for toleration even if it were allowed that force could be used successfully to convince men's minds. It is evident, both from what Proast himself has written and Locke's reply to him, that Proast has failed to appreciate the complexity of Locke's position.

Locke also claims that Proast has attributed to him a claim he has not made. Referring to himself, Locke says,

[Nowhere] does the author say that it is impossible that force should any way, at any time, upon any person, by any accident, be useful towards the promoting of true religion, and the salvation of souls (Works vol. 6 68).

Locke says he didn't deny that God may at times "graciously" make use of "force towards the salvation of men's souls." What he did deny is that "force has any proper efficacy to enlighten the understanding, or produce belief" (ibid). It is for this reason, he says, that the magistrate may not lawfully use force in an attempt "to compel men in matters of religion" (ibid).

The use of force "indirectly and at a distance" as Proast proposes, may make some men take up the true religion, says Locke, but these can be seen as nothing more than accidental consequences which may or may not result from the use of force. But in his Third Letter Proast again insists that, although he agrees force is not able to procure the conviction of the understanding, it may be useful by way of procuring such a conviction by compelling a man "to consider and weigh those reasons and arguments which do convince his understanding"

since force has "a proper efficacy... to procure the enlightenment of the understanding and the production of belief (Third Letter 16,17). In this subtle argument Proast is not claiming, contrary to Locke, that force can be used directly to change a person's belief, but only that force can be used to make a person give thought to his beliefs and in this way he might change his beliefs of his own accord. This effect of force on belief would not be as accidental as Locke claims, says Proast, but "is both intended by him that uses it, and withall, I doubt not, so often attained, as abundantly to manifest the usefulness of it" (ibid).

1. Force May Be Used By All

But, says Locke, if one accepts that the use of force by one magistrate is justifiable, then it logically follows that it is justifiable for all magistrates to use it. The problem then is that one would have to agree that the heathen magistrate may use force to compel Christians, papists may use it against protestants, and those who consider themselves orthodox protestant Christians may use it against those they perceive as non-orthodox protestant Christians. Locke makes this point a number of times by repeating that if one magistrate, who believes his religion to be the true one, has the right, according to the law of nature, to use force, all magistrates have the right to do so, since the law of nature gives equal power to all magistrates (Works vol. 6 143, 146, 150, 402). Locke thereby points out that even if it were true that force could change beliefs, there is still another argument for toleration which holds: if one argues that one particular magistrate has the natural right to use

force in matters of religion, every magistrate who maintains religious convictions has the same natural right.

2. Whom To Use Force On?

Locke sees Proast's contention that force should be used to make dissenters at least consider joining the state religion as also running into problems of a different nature. For one thing, he says, it is impossible to distinguish between dissenters, non-believers who don't attend church, sly non-believers who attend church to avoid punishment, and those who honestly don't know what they are to believe. By this he means that it is not possible for the magistrate to pick out those who deserve to be forced with punishment to consider the error of their beliefs from those who don't. Some men have sincerely considered the state religion and believe it to be wrong, refuse to attend the state church, and are therefore legitimate dissenters entitled not to be punished; others simply don't believe in God or religious worship, refuse to attend the state church, and may or may not have considered their disbelief carefully - it would be difficult to distinguish which since no one can know what is in the heart or mind of another; still others attend church as though they are believers but are merely going through the motions, acting as though they are believers while in fact disbelieving, simply in order to avoid the punishment they in fact deserve; and finally there are those who are sincerely religious but confused about their beliefs, which confusion does not justify punishment. Again, determining which of these descriptions applies to which citizen of the commonwealth is an impossible task, says Locke, because no one besides God is capable

of knowing the motives or true intentions of another.

In order to be on the safe side and get at, and succeed in punishing all those dissenters who have not considered their beliefs and are therefore deserving of punishment, says Locke, it seems Proast would be logically forced into punishing all non-believers since he would not be able to identify and isolate deserving dissenters for punishment. Not only would Proast then be punishing the innocent, but some of the guilty, especially those attending his own favoured church, would not be found out and therefore not receive the punishment they deserve. This makes his call for a law to punish non-believers not only impracticable but inherently illegitimate since it would be inequitable (Works vol. 6 74, Wootton 104).

Locke also points out that Proast's call for punishment is not directed generally against those who don't believe in God but specifically against those who don't accept the magistrate's or the state religion. Locke thereby not only points out that Proast is calling for the punishment of a very specific group - only dissenters and those outside the national church - he also infers that Proast is assuming something about the state religion which may in fact not be true at all - that the state religion has the truth and that the dissenters and non-believers are wrong and need to be forced to consider the error of their way. But Proast's suggestion that dissenters and non-believers should be forced to consider the state religion would be serving justice only if carried out specifically against those who the magistrate is certain have not thought long and hard about what the state religion has to offer. The task of how to

determine who has considered adequately and who has not is, of course, impracticable (ibid 75).

In light of the difficulty of distinguishing exactly who is a dissenter and who is a non-believer, and who has, and who has not considered their beliefs, Locke points out in his third letter that if force were in fact a useful means of bringing men to the true religion, "God alone knows where it is necessary, and on whom it will be useful, which no man being capable of knowing" (Works vol. 6 162).

3. Force May Harm The Truth

In pointing out a further problem with the use of force, Locke asks Proast to name precisely "what that truth is, which you can positively say any man, 'without being forced by punishment, would through carelessness never acquaint himself with'" (Works vol. 6 73-4). Locke already argued in his original Letter Concerning Toleration that there is a strong probability that the beliefs of most magistrates are false. Proast's call for the magistrate's use of punishment against those outside the national church assumes, and very possibly wrongly, that the national church, on whose behalf the magistrate is acting, is unquestionably the true one. Because of this, he says, using force may in fact "bring men to receive and embrace falsehood, which will destroy them... Force is much more proper, and likely, to make men receive and embrace error than the truth," since those magistrates using this force are apt to be on the wrong way which they only believe to be the true way (ibid 76). This also means, says Locke, just as he argued in his first letter, that it

would be a mistake for citizens to invest in the magistrate the power to choose their religion for them, and that they would be no further ahead than if they were to choose their own religion, since a magistrate is just as liable to be wrong in his choice as any ordinary citizen (ibid 177-9).

That using force may do more harm than good is borne out, says Locke, by the fact that it cannot be measured whether or not, and how well, men have been compelled to consider their beliefs, especially if they refuse to change their religious affiliation after being forced to consider. Force may, in the end, turn men away from the true church and create enemies by virtue of the fact that the magistrate has unfairly punished them in the name of the true church even though they have already considered and decided against it of their own free will (Works vol. 6 78). Locke points out in his third letter that in those places where magistrates have been using force to promote a particular religion, this force has caused more sectarianism and more prejudice against Christianity than would ever have been caused by toleration (ibid 240). While force may have turned men against the true church, Locke says, there is no evidence that the opposite is true: that toleration has ever led men to take up false religion (ibid 478).

In fact, says Locke, if the use of force by the Inquisition were taken away from countries like Italy, Spain, Portugal, and France and toleration were practiced, even in popish, Mahometan and pagan countries, "the true religion would be a gainer by it" since those who belong to the true religion where it is not the state religion would not be persecuted for being dissenters or unorthodox, and would

be allowed to try to persuade others to join them (Locke Works vol. 6 64).

Another important point, according to Locke, is that although force may make men consider their beliefs, it does not help them to make a correct decision between truth and falsehood, so it is no help at all in leading men to the true church (Works vol. 6 78).

Finally, Locke insists that if it is necessary to force dissenters to consider the religion of conformists, then it is logical to conclude that it is also necessary to use force to compel conformists to consider the beliefs of dissenters (Works vol. 6 85). Locke's point here is that there is no available objective point of view from which to determine which group of believers has the truth, and therefore which group is allowed to compel the other with force to consider their beliefs.

4. How Much Force Is Enough?

Proast is convinced that the use of force would create a better world. The fact that there are so many different and false religions is evidence to Proast that men have not bothered to seek the truth in the right way (Proast Argument 8-9). If we accept that men choose religion based on "stiff prejudices" and without good reason, then, says Proast, it is obvious that both gentle admonition, "most earnest entreaties," and persuasion won't work to change their minds (ibid 10). The use of "penalties" or force in "just measure," or the right proportion is the only way to bring men to consider the truth (ibid 11-12). Of course the use of extreme measures, such as imprisonment, starvation, taking away their worldly possessions, and

maming and torturing men to death in an effort to bring them to the true religion and save their souls, says Proast, is a "manifest absurdity" since it can create the exact opposite effect (ibid 13). Force should only be used by way of

disposing men to submit to instruction, and to give a fair hearing to the reasons which are offered, for the enlightening their minds and discovering truth to them (ibid).

According to Locke, this points to yet another problem with the use of force: the difficulty of determining what sorts of punishments are severe enough and long enough, and at the same time not too severe, to compel men to consider the truth of their religion (Works vol. 6 106-9).

Proast explains that what he means by the use of moderate force "indirectly and at a distance," is that it is the same sort of benevolent force used by schoolmasters, tutors, or masters "upon their scholars, or apprentices, to bring them to learning, or to the skill of their arts and trades" and that it may work just as well for the magistrate when used on citizens in this manner for the purpose of bringing them to consider the true religion (Argument 18, 26). This claim about the usefulness of moderate force also seems to imply a right for some - that is those in authority - to use it (ibid 53). But Locke responds in his Third Letter by saying that Proast's analogy between the schoolmaster or parent forcing a child and the magistrate forcing his subjects does not hold, since adults are not children. Adults are not under the age of reason, incapable of making their own

informed decisions, needing people in authority telling them what to believe (Works vol. 6 206-11). And as for the efficacy of using punishment to teach, Locke gives the example of mathematics, in which, as in religion, the truth of propositions is not self-evident. Locke says that even if all students are sincere in their desire to come to know mathematical propositions by coming to an understanding of the proofs, some students will come to understand proofs and know propositions which others never will, regardless of the methods used by the instructor, including the use of physical punishments (Works vol. 6 425). Locke is implying that just as punishment will not help some students to ever come to understand some proofs or propositions in mathematics, punishment is similarly unlikely to ever help some men come to understand the proofs of religious truths or to discover the true religion. So if punishment is to be applied until such an understanding comes, says Locke, when will the punishment of these students and some men ever end?

Proast's call for moderate force or penalties which can be increased for those who refuse to change leaves the door open, says Locke, for an ever increasing use of force. The question remains: how much force to use; what is too little or too much (Works vol. 6 263-5, 270, 457)? For an example of how punishment can escalate to extremes Locke cites the case of the law which first allowed the levying of a 1s fine against a man for not attending church. The punishment was continually increased until it eventually led to the law allowing the banishment of a man from his home and country on threat of the death penalty, and all this during the reign of a single queen -

Elizabeth (ibid 287). What will prevent this escalation of punishment? Proast's rule for punishment is "so general, loose, and inconsistent," says Locke, that it is no help at all in avoiding the death penalty at the extreme (ibid 279).

Locke also points out that Proast has in fact contradicted himself, and is not as benevolent in his use of "moderate punishment" as he tries to appear. He says that while Proast has called the use of the death penalty to save a man's soul "an absurdity" early on in his first letter, he later seems to allow for "greater punishments when lesser are not sufficient to bring men to be convinced." Proast seems evidently to condone the "absurd" use of the death penalty as a means of saving souls when he says, "all coercive power resolves at last into the sword since all that refuse to submit to lesser penalties must at last fall under the stroke of it" (Works vol. 6 73; Proast Letter 23). In fact, in the end Proast makes no pretense against the use of capital punishment when he again affirms the use of "the sword" against those who rebel against the magistrate and refuse to submit to lesser penalties meant to bring them to consider their beliefs in his Third Letter (21).

Locke asks Proast to look beyond a mere consideration of the degrees of punishment and to consider the justice of what he proposes. While it may seem to him justifiable to use moderate punishment to force a man to consider his beliefs, Locke asks, is it still justifiable to use force against a man who will not profess the national faith even though he has given it careful thought and has concluded that he does not believe it to be true, or against the man who does

not enter a church or worship a certain way because he thinks these are erroneous? Proast may be arguing for the use of "moderate" punishment merely to motivate everyone to consider their beliefs, but, says Locke, "where there is no fault," where careful consideration has already been made, "there can be no moderate punishment," because even the lightest kind of punishment of an innocent man is unjustifiable (Works vol. 6 71).

5. God And The Use Of Force

Proast argues that if the use of force were not effective to bring men to consider the true religion, then God would not have furnished it as a means of saving souls and promoting his own honour. The fact that the use of force has been necessary throughout the history of the true church, especially after early Christians were no longer able to use the performing of miracles to convert unbelievers, says Proast, shows that there is a right to use force, and that this right seems to rest with the magistrate and all those in authority, such as "parents, masters of families, tutors etc." (Argument 16).

To this Locke says in his third letter that many more people in the early days of Christianity, and since then, have come to accept the gospel of Christ due to the preaching and persuasions of Christian missionaries rather than because of the performing, and witnessing, of miracles. This shows that miracles were not necessary for conversion, and force is not therefore a legitimate replacement for miracles to convince men of the true religion (Works vol. 6 443-44). No one has the right, says Locke, to make use of any other means for the salvation of men's souls besides preaching and persuasion regardless of how

useful that means may seem. The only means anyone has a right to are those prescribed by "the author and finisher of our faith," that is through persuasion with arguments (ibid 81, 112-13).

While there is no doubt that preaching is effective in promoting belief, says Proast, this does not rule out the use of moderate force as a useful addition to preaching (Argument 37). Furthermore, if God did not want "moderate penalties" used to induce men to hear and consider "he would have told us so" says Proast, and Locke should have shown where he did so in scripture (ibid 38).

In reply, Locke quotes a number of texts from the Bible (which say that faith comes by hearing, that faith is a gift of God, etc.) that dispute Proast's claim that God seems to have allowed the use of force to create faith (Works vol. 6 82-5). He also points out that, clearly, the Gospel was first spread by means of discussion and persuasion, and that it thrived without the use of force (ibid). Using Proast's own argument against him, Locke says that it could be said that if force is necessary in promoting the church, then God did not furnish his people the means for promoting his own honour in the world during the first three hundred years after Christ's death, since force was not used to spread Christian belief (ibid 113).

6. What If Citizens Agreed To The Use Of Force?

In his Third Letter Proast returns to arguing scripture. He says he is not satisfied that Locke has used the scriptures to his advantage. He argues that the magistrate has the right to use force because a number of scriptural texts seem to indicate that God, through the Law of Nature, gives him this commission. His using force

is simply "the discharging an old duty" (ibid 35, 52). Proast feels he also has this right when his subjects have vested this power in him of their own free will for their own interest, that is, because they see it as beneficial to the salvation of their own souls (ibid 65).

Proast says, according to Locke, the magistrate's jurisdiction is to be measured by the end for which the commonwealth is constituted. But Proast asks, why must the commonwealth be constituted, as Locke claims, only for the procuring, preserving, and advancing of civil interests? This statement, says Proast, merely begs the question: Why can a commonwealth not be constituted for the procuring and advancement of men's spiritual and eternal interests? This would certainly legitimize the magistrate's use of force in the salvation of souls (Argument 18). What Proast fails to recognize however is that the arguments in Locke's original Letter already refute the implied argument in Proast's question: a commonwealth can't be constituted for the procuring and advancement of men's spiritual and eternal interests because, first, rational citizens would not agree to allow their magistrate to use force on them to compel them to believe what he wanted them to believe; second, the use of outward force by itself is insufficient in the formation of the right kind of belief - the kind that leads to salvation; and third, the magistrate may be compelling false belief (Letter 19-22; Works Vol 6 116-17)

Proast also points out that Locke's assertion that the care of souls is not committed to the civil magistrate is a "proving the thing by itself" or a circular argument (Argument 19). Since only the civil magistrate may lay penalties on citizens who refuse to

embrace the doctrine of a commonwealth's spiritual leaders, Proast sees this as proof that the care of souls through the use of force must indeed be committed to him (ibid 20-21). It may be noted however that, if anything is a circular argument, it is this argument of Proast's. Furthermore, says Proast, this authority of the magistrate's is not, as Locke has portrayed it, "to compel any one to his religion," but rather

only an authority to procure all his subjects the means of discovering the way of salvation, and to procure withall, as much as in him lies, that none remain ignorant of it, or refuse to embrace it, either for want of using those means, or by reason of any such prejudices as may render them ineffectual (ibid 21).

Proast goes so far as to say that citizens actually allow the magistrate the power to use the sword, in other words the death penalty, against those who refuse to submit to the lesser penalties meant to make them consider (Argument 23).

Locke responds by arguing that just because an end may be attainable by civil society (eg. the salvation of souls) it does not then necessarily make this one of the ends of civil society. In fact the use of force within society as a means to make men find the true religion, and as an attempt to improve society, may actually do more harm than good to civil society because "men's civil interests are disturbed, injured, and impaired by it" (Works vol. 6 117-8).

Locke also says that

nobody can in reason suppose that any one entered into

civil society for the procuring, securing, or advancing the salvation of his soul, when he, for that end, needed not the force of civil society (Works vol. 6 119).

It is clear to Locke that just as the church has as its end the salvation of souls, not civil affairs, so every civil society and its magistrate has as its end the smooth running of the secular affairs of that society and not the salvation of souls. This is what each institution has been commissioned to do by its citizens (Works vol. 6 120-22). This also refutes Proast's claim that he has argued in a circle, says Locke, since to say that the magistrate does not have the power to care for souls because it is not committed to him by his subjects is "a fair proof" and not circularity (ibid 122-3).

Locke also suggests that there is a contradiction in Proast's agreeing with him, on the one hand, that a man cannot and should not leave the matter of his own salvation in the hands of another, while asserting, on the other hand, that citizens of a commonwealth could commit to their magistrate the power to force them to examine their religious beliefs (Works vol. 6 127-8).

Furthermore, Locke wonders in his second letter what it will do to the magistrate's own religion if he is to use force to procure "all his subjects the means of discovering the way of salvation" (Works vol. 6 88, 90-1, 103, 125-6). Locke again suggests that the magistrate will find himself in the absurd, but logical, position of having to use force against all his subjects, even those whom he considers to have the true religion, in order to be equitable in his use of force.

Locke says that in the final analysis the use of force is either unlawful, because this power was never committed to the magistrate by his subjects, or impracticable, because it is impossible to determine on whom force should be used, how much force should be used, what sort of force should be used, and so on (Works vol. 6 126).

7. The Argument From True Religion

Proast argues that the magistrate does not use his power, and is not commissioned, to bring men to his own religion but to the true religion. By forcing his subjects to make use of the light of their own reason and to follow the dictates of their own consciences, citizens could actually find themselves being led away from the religion of their magistrate when they discovered it to be false. This investigative process will lead citizens ever onward toward the true religion (Argument 26-7). This supports his contention that the use of force by the magistrates of all commonwealths will lead to all citizens seeking, and eventually finding, the one true religion.

This argument from true religion proves to be the fatal flaw in Proast's second response to Locke. In this letter Proast makes a number of interesting points, but the fatal flaw in his reasoning overshadows and cripples all his arguments. The mistake Proast makes is that he bases his justification for the magistrate's use of force to make men consider their beliefs on the assumption that the magistrate is in fact promoting the true religion. While he spoke in his first letter of the magistrate's use of force as necessary and useful in promoting the true religion as though the true religion was as likely to be different from that of the magistrate as it was to be the

same (The Argument 26-7), in this letter Proast argues that force is not necessary when the national religion, or the religion of the magistrate, is in fact a false one. He points out that it logically follows that "no man ought to be punished for being of any false religion, though it be the national religion, " and that

all who have sufficient means of instruction provided for them may justly be punished for not being of the national religion where the true is the national religion because it is a fault in all such not to be of that national religion (Third Letter 20).

Proast makes this point again and again throughout his third letter by saying in various ways, "I am for punishing only such as reject the true religion," (Third Letter 24, 26-30, 40, 42, 45, 47-51, 55, and elsewhere). He grants that Locke's argument for toleration would hold if all religions were "equally true and so indifferent, or all be equally certain (or uncertain)" since in this case there seems no point to make anyone change his religion (ibid 47). But he goes on to say that if there is only one true religion, "and that may be known to be the only true religion by those who are of it" it is then reasonable and necessary to force those of the wrong religion "to forsake their false religion and to embrace the true" (ibid 48).

But this argument is, according to Locke, "based on so general and equivocal marks," and dependent on suppositions which nobody will grant Proast - that some one magistrate can be certain that his state religion is the true one. It would be impossible, says Locke, to know

for certain one person who could be said to be guilty of belonging to what is unquestionably known to be a false religion and therefore deserving of punishment from the magistrate, since no one but God knows which is in fact the only true religion (Works vol. 6 255; Wootton 102).

This raises the question concerning what some writers claim to be Locke's scepticism (eg. Proast Second Letter 35; Wootton 101, Tuck 33, 35; Horton John Locke 9). The third argument in his original letter seems to suggest a religious scepticism. But while the sceptic holds that one ought to suspend belief in any religion until irrefutable proof is found as to which one is the true one, Locke is very clear in his belief, granting Proast

that there is but one true religion in the world, which is that whose doctrine and worship are necessary to salvation. I grant too that the true religion, necessary to salvation, is taught and professed in the Church of England (Works vol. 6 320).

Notice that he has not said, as claimed by Proast, that the true religion is the Church of England, only that it is taught by the Church of England. He goes on to say

it will not follow from hence that the religion of the Church of England, as established by law, is the only true religion; if there be anything established in the Church of England by law, and made part of its religion, which is not necessary to salvation (Works vol. 6 422-3).

What Locke has done is distinguish between the "doctrine and worship necessary to salvation" and those peripheral rituals and ceremonies as established by church law which are not necessary for salvation. For Locke, therefore, true religion, as necessary for salvation, may be present in a number and variety of churches. Locke is far from being a sceptic since he believes that the Christian religion has within it what is needed for salvation despite the fact that there are "contrivances of men" added on which are not necessary for salvation (Works vol. 6 328). His argument against Proast then is not one from scepticism about Christianity but one from uncertainty as to which of the many Christian churches in the world are among the plurality of paths to salvation because of the confusion of rituals and ceremonies which obscure their core teachings. First he refuses to accept Proast's contention of the single path to salvation - viz. the Church of England. And second, he denies that force is justified in the spreading of belief.

Locke sees force as being used unlawfully in England since it is used to make men accept those peripheral rituals and ceremonies which are merely claimed necessary to communion in the Church of England but are in fact not necessary to salvation (Works vol. 6 327). Locke says that in order to justify the use of force to compel men to conform to the national church, even if it were the true one, it must be shown that no salvation is possible outside this church (ibid 247). What differentiates this church from others is not the truth of its core beliefs, but merely its insistence on particular rituals and ceremonies. In Locke's opinion, which he also expresses later in his

book The Reasonableness of Christianity, any number of churches may have the truth, and the disputes among the various churches is not about this core of truth but about the peripheral elements or trivialities unessential to salvation. Therefore, if force is used to compel men into this or that church, says Locke, force will not necessarily be used to compel men to accept the truth but only to accept those trivialities associated with some particular church's rituals or ceremonies.

In his Third Letter Locke says that to argue, as Proast does, that the magistrate may not use force merely to compel men to his religion, but only to compel them to the true religion, which is the magistrate's religion and which he has judged to be true, is to argue in a circle (Works vol. 6 185). Furthermore, Locke says, "if men must be punished as long as they reject the true religion, those who punish them must be judges what is true religion" (ibid 295). This makes it a logical imperative that the magistrate be forced to consider his own beliefs before he uses any force to bring others to consider the religion he holds as the true one (ibid 364-6). If it is the absence of "molestation" or persecution that constitutes the greatest danger to the souls of men, says Locke, then it seems the magistrate himself is in the gravest danger of all since there has, so far, been no talk of punishing or forcing the magistrate (ibid 136). Locke, almost tongue in cheek, accuses Proast of ignoring this very important problem. The questions this leaves is, who is to force the magistrate, and who is to determine whether he has considered his beliefs adequately enough to have arrived at the true religion?

Regarding the fatal flaw in Proast's second response to Locke - Proast's Third Letter (his assumption that the magistrate knows he has the true religion) Locke repeats in numerous places (Works vol. 6 142, 150, 167, 169, 176, 185, 295, 321 and elsewhere) what he points out most succinctly near the middle of his Third Letter when he says,

You say, "the question there debated is, whether the magistrate has any right or authority to use force for promoting the true religion; which plainly supposes the unlawfulness and injustice of using force to promote a false religion, as granted on both sides." Neither is that the question in debate; nor, if it were, does it suppose what you pretend (Works vol. 6 364).

The problem is, says Locke, even if a magistrate were commissioned to use force, he can only act according to his belief, and still does not know for certain that his religion is in fact the true one (Works vol. 6 144-45, 176). What Proast has failed to explain is, in order to justify the use of force, "which of the magistrates of your time... certainly knew which was the ministry which our Lord had appointed" (Works vol. 6 150). "What, I beseech you," asks Locke, "is that true religion?" (ibid 167).

A further troubling point regarding the use of force, says Locke, is that allowing the magistrate the power to use force or punishment "to make men consider" seems to be identical with allowing punishment to be used to force men to take up a particular religion, namely the magistrate's, since he would logically use force only against those

not of his own religion (Works vol. 6 128-9).

Proast grants in his second letter that a magistrate is obliged to use force to bring men to his own religion because his religion "must needs be the True Religion" (ibid 5). This is because the magistrate has not simply been persuaded to promote his own religion because of his faith or belief in it, says Proast, but rather because of "something very near to demonstration" which makes his persuasion "knowledge" or "full assurance." The more the magistrate examines his religion, the more clear and solid the ground of his knowledge of the truth of his religion (ibid 6-8). No false religion would ever stand such close scrutiny, says Proast, as to lead a magistrate to believe it to be the true (ibid 9). And furthermore, he says, no matter how firmly a magistrate believes his false religion to be true, he is forbidden, by "the First Table of the Divine Law," from using any means for the promoting of his religion no matter how good his intentions (ibid 16-17). With this as his final argument Proast, incredibly, thinks he has said enough to counter all the arguments against religious persecution made up to this point by Locke.

Conclusion

Locke's short, because unfinished, reply to Proast's final brush-off, that is, Proast's Second Letter, is entitled A Fourth Letter For Toleration (1706), and was not published until after Locke's death. In it Locke finds himself obliged to repeat many of the arguments he had made successfully against Proast in his second and third letters, especially the fact that it is impossible for any magistrate to be certain beyond a doubt that his religion is the true one. He tells

Proast that every magistrate is convinced that the religion he believes to be true is in fact the true one. "Men in all religions," he says, whether they are Bramin, Mahometan, papist, Lutheran, quaker, anabaptist or presbyterian, "have equally strong persuasions" about the truth of their religion, and no one can judge for them whether they are right or not (Works vol. 6 559-61). He reminds Proast that he has neglected once again to insist that magistrates themselves be brought to consider their beliefs through the use of force against them (ibid 564-5). The fallacy in Proast's reasoning, says Locke, is that

you allow yourself to suppose the magistrate, who is of your religion, to be well-grounded, attentive, and unbiased, and fully and firmly assured that his religion is true; but that other magistrates of other religions different from yours are not so (568-9).

Locke also repeats that since all magistrates believe they are of the right religion, and the law of nature allows all to use force, using force in the matter of religion allows more harm than good to come to the true religion (ibid 566). All of Locke's arguments in this letter are virtual repetitions of former arguments he has made which Proast has not bothered to, or has been unable to, refute. In the final analysis, Proast's third letter can be described in the same terms with which Locke describes one of its empty paragraphs, that is as "a most exact and studied piece of artificial fencing, wherein, under the cover of good words, and the appearance of nice thinking, nothing is said" (ibid 557).

While Proast makes a variety of arguments against toleration, there is no doubt that Locke counters them all effectively. What seems to Proast to be his single most powerful argument against Locke's call for toleration of all religions, that of the magistrate's using force to promote the true religion, turns out to be nothing but a straw man argument of his own making. Even so, Locke sportingly offers a number of devastating arguments against it, most of which he has not previously made in his original Letter.

In his original letter Locke argued that, because of the nature of the belief that leads to salvation, a magistrate's using outward force in an attempt to compel a person to believe would not be successful. In the course of his argument with Proast, Locke is obliged to make a number of additional supporting arguments. First, he says that the magistrate is not authorized to use force to compel belief since it is not humanly possible to determine who needs to be compelled to consider and who has in fact already considered. Second is the problem of how much force to use - what is severe and long enough to compel a person to consider adequately? Third, he points out that it is impossible to determine whether the use of force by a magistrate actually does any good, whether it actually brings a person closer to the true religion or whether it harms the cause of truth by driving the victim away from his own belief which may have been the truth. Fourth, Locke says the use of force alone doesn't help a person to decide between falsehood and the truth. Fifth is the possibility that the magistrate's use of force may lead a person to take up an unexpected religion or belief, one which the magistrate considers to be

obviously false. And finally there is the fact that if everyone is to be forced to consider their beliefs then the magistrate himself must also suffer such force to be inflicted on him.

But Locke's two arguments which are the most damaging to intolerance are never considered by Proast: first, the magistrate does not know that the religion he is forcing on his subjects is in fact one that will lead to salvation; and, second, even if the magistrate is forcing the true religion on his people, they cannot force themselves, through an act of will, to believe that which they are being compelled to believe. By failing to account for all of the premises of Locke's complex argument, Proast proves himself to be an unconvincing opponent unequal to the systematic analytical mind of John Locke. Rather than harming Locke's position, Proast's attack on Locke leaves the arguments made by Locke in his original Letter Concerning Toleration even more solidly defended.

While Proast's challenge to Locke's Letter Concerning Toleration led Locke to a greater clarification of his arguments, even more insight is available by means of an examination of some of Locke's other writings in the area of political theory, epistemology, education, and religion.

Chapter 3 - Clarifying Locke's Arguments Concerning Toleration By Means of an Examination of Some of his Other Writings

Locke's Early Writings and Intolerance

In his First and Second Tracts on Government (1660, 1662) Locke pointed out that the variety of Christian sects was a "perpetual foundation of war and contention" because it necessitated the use of force against heresy and dissension. Although intolerance no doubt added to the unrest created by sectarianism in society, Locke thought early on that a policy of toleration, rather than improve things, was sure to make matters worse. Therefore, he argued, it is prudent for the magistrate to end this unrest and destruction in society brought on by the various Christian factions by imposing uniformity in religion (Tuck 33-4). He maintained that there was a need "for an absolute state authority to impose religious orthodoxy and political unity," and he allowed that it was acceptable to impose uniformity in those matters that were necessary for salvation (Wootton 28, 33). For the young Locke intolerance was a matter of practicality; he saw uniformity as the only way to peace and stability in society.

All of Locke's arguments in the two tracts are mainly directed

towards justifying the civil magistrate's authority over the realm of indifferent things, "that is those practices which are conventionally part of religious practice, but which are not expressly prescribed by divine law revealed through scripture" (Kelly 127). While Locke believed all Christians held the same core beliefs, it was these indifferent things on which the various Christian sects differed that caused all the unrest among them. Locke argued that if the magistrate was given the power over indifferent things, then he could limit what various sects could claim to be essential, and therefore worth fighting over. Locke knew that if the magistrate was required to accommodate liberty of conscience over indifferent things in religious worship,

then his authority was effectively undermined because each individual and sect could still claim to be the ultimate determinant of whether an action was objectively indifferent or whether it formed part of the necessary requirements of religious worship or practice" (Kelly 131).

That Locke was concerned about the extent to which religious leaders thought themselves to have the power to control citizens is illustrated in his first tract where he gives the example of the Presbytery of Scotland who

took on them at pleasure to forbid the civil and innocent meeting of friends in any place but the church or market, under pretense to prevent evil and scandal. So far will religious and spiritual jurisdiction be extended even to

the most indifferent of common actions... (First Tract of Government in Wootton 142).

If society was to remain peaceful, then the power to control these "most indifferent of common actions" should belong only to the magistrate, according to Locke. In his two tracts Locke makes it his business to clearly establish the power and jurisdiction of the magistrate over "indifferent things" so that citizens might not be able to claim that actions which are not prescribed by scripture, but are potentially divisive and disruptive to the peace and security of the commonwealth, are in fact essential to the practice of their religion.

From his earliest writing to his landmark Letter, Locke continues to try to separate out those things unessential to salvation that are the greatest cause of dissension and conflict between Christian sects.

While it might be said that in his early writings young Locke is "a loyal member of the Church of England, a scholastic philosopher, an authoritarian, and an absolutist," he nevertheless encourages dialogue between differing opinions, something he champions throughout his more mature works.

Although he does not endorse scepticism, he states sceptical arguments in their strongest form. He endorses neither divine right monarchy nor contractarianism, but gives both their say (Wootton 36).

And at the same time that he promotes a religious uniformity under the discretion of the civil magistrate he also imagines an ideal world in which religion does not have the right to the use of force, and where warfare and bloodshed may no longer be justified in

the name of religious beliefs (From the First Tract on Government in Wootton 144-5).

An Essay Concerning Toleration

Locke's attitude toward religious toleration seems to have been greatly influenced in the direction of toleration by his coming to know Lord Ashley, the Earl of Shaftesbury in 1666. Shaftesbury was a strong proponent of toleration. In his essay "The Development of Locke's Belief in Toleration" J.W. Gough suggests that it's possible Locke's attitude to toleration was "already defined" by 1659 as evidenced by a letter he wrote thanking someone he only referred to as "S.H." for sending him a book on toleration which he read "with great pleasure and admiration" (Gough 59). Of course, this does not constitute proof that his attitude had in fact changed at such an early date. Be that as it may, while Locke had maintained in his earlier writings that uniformity, and therefore intolerance, was most likely to ensure peace and stability in society, by 1667 he had changed his mind and was arguing in his Essay Concerning Toleration that it was in fact toleration that was necessary in order to establish and maintain a peaceful society (An Essay Concerning Toleration in Wootton 192-3, 197-8, 207). P.J. Kelly sees the maintenance of civil peace and stability as the most important political goal underlying all of Locke's political writings

because civil peace and stability are necessary conditions for the development and flourishing of man's two essential functions, rationality and agency. The successful flourishing of these two defining features of

human nature is a condition not only of the successful and industrious life, but it is also a condition of realizing man's greatest goal, namely personal salvation (Kelly 132-3).

Many of the points and arguments Locke makes two years later in his Letter Concerning Toleration are already in evidence in his Essay Concerning Toleration. For example, regarding the clear differentiation of the jurisdiction and powers of the church and state, Locke says in the Essay

the trust, power, and authority of the magistrate is vested in him for no other purpose but to be made use of for the good, preservation, and peace of men in that society over which he is set... For the magistrate is but an umpire between man and man; he can right me against my neighbour but cannot defend me against my God (in Wootton 186, 188).

Later he writes in his Letter that the purpose of the power and strength with which the magistrate is armed is "in order to the punishment of those that violate any other man's rights." But Locke makes it clear that

the whole jurisdiction of the magistrate reaches only to these civil concerns, and all civil power, right, and dominion is bounded and confined to the only care of promoting these things; and it neither can nor ought in any manner to be extended to the salvation of souls... (Letter 19).

Another example is when he says in his Letter that the reason why a magistrate can have no say in the matter of salvation of men's souls is because men have not given him the power to make them do that which they can't make themselves do, i.e., to believe according to what he orders them to believe (Letter 19, 55). In his Essay Locke had already made this same argument by saying, "No man can give another man power (and it would be to no purpose if God should) over that over which he has no power himself" (Wootton 187, 189). Locke also says in his Essay that speculative opinions "cannot by any means either disturb the state or inconvenience my neighbour, and so come not within the magistrate's cognizance" (in Wootton 187). He makes this same point later in his Letter by saying the magistrate should not forbid the "preaching or professing" of any speculative opinion in any church because "they have no manner of relation to the civil rights of the subjects" (Letter 55).

Other examples can be found in his arguments regarding the magistrate having no jurisdiction over so-called "indifferent things" to religious worship, which indifferent things, such as outward rites and ceremonies, although having no effect on civil society, are a very important instrument of communication between a man and the God he worships (cf. Toleration in Wootton 190; Letter 43-44); his argument that whatever doesn't disturb the peace or threaten the security of the state ought to be allowed and ought not to be outlawed by the magistrate (cf. Toleration in Wootton 191; Letter 43, 47-9); his argument that it is not acceptable to use force to influence a man's religious opinions since force doesn't change a man's mind, it only

makes him a hypocrite (cf. Toleration in Wootton 192; Letter 19-20); and his argument that Catholics or papists ought not to be tolerated since they claim allegiance to a foreign power (cf. Toleration in Wootton 197, 202-3; Letter 63).

Like his later Letter, his Essay Concerning Toleration is both Christian in its approach as well as secular, "both authoritarian and libertarian, both in favour of passive obedience and sympathetic to resistance," (Wootton 41). The importance of his Essay Concerning Toleration is that with it Locke turns the corner from the conservative argument that national peace and security can only be maintained through forced uniformity in religious belief and worship which he had been promoting in his two Tracts on Government, to the argument that in fact "people that are so shattered into different factions are best secured by toleration" (Toleration in Wootton 207). There is little doubt that his Essay Concerning Toleration anticipates the main arguments and conclusions of the Letter Concerning Toleration of 1689, and was consistent with the fundamental thesis which Locke adhered to consistently all through his life (Gough 71).

The Fundamental Constitutions of Carolina

When Lord Ashley and eight of his associates became the Lords Proprietors of the "province" of Carolina in North America, Locke was asked to be their secretary and to draft a constitution for the colony. In 1669 Locke helped to draft The Fundamental Constitutions of Carolina. Although this document is included in collections of Locke's political writings it seems to be generally agreed that, although Locke drafted it, the scheme of the Constitution was not his.

In his Life of John Locke (1876) Fox Bourne wrote that Article 96 (discussed below) was not drawn up by Locke at all but was inserted by "the chief of some of the proprietors, against his judgement; as Mr. Locke himself informed one of his friends" (cited in Gough 67).

Article 95 of the Constitution seems to reinforce the aversion Locke expresses in his Letter against atheists (Letter 64). He says that if a person refuses to acknowledge the existence of God, and the fact that God ought to be "publicly and solemnly" worshipped, such a person shall not be permitted to be a freeman in Carolina or "to have any estate or habitation within it" (Constitution in Wootton 228). Since Locke felt that society was based on the keeping of oaths and promises, and since he believed that an atheist would not be compelled to keep his oaths and promises since he had no belief in God as the enforcer, it seems reasonable, in light of these views, that Locke included this clause in the constitution of a newly established "commonwealth."

A somewhat surprising aspect about the Constitution is that, while Locke concludes his Letter Concerning Toleration by saying that "The sum of all we drive at is, that every man enjoy the same rights that are granted to others" (69), he allows every freeman of Carolina to have "absolute power and authority over his Negro slaves, of what opinion or religion soever" (Article 110, Constitution in Wootton 230). By permitting slaves to be "of what Church or (religious) profession any of them shall think best, and there of be as fully members as any freeman" (ibid) it could be said that Locke can say that at least in this sense every man enjoys the same rights as every

other. But this right does not exempt the slave from "that civil dominion his master hath over him," which civil dominion is the citizen's right to ownership of property, i.e., his slave (ibid). Since the recognition of slavery may have been a given while Locke exercised his control, it is likely that Locke already has in mind, and is trying to establish in Carolina, a clear distinction between civil matters (ownership of property) and matters of religious freedom (the right to worship as one pleases) which he later argues for in his Letter. This call for freedom of religion, while he allows for the ownership of slaves, seems to be clear evidence of his belief that the two jurisdictions of church and state, are quite independent and should not interfere with each other.

Article 96 is another unexpected item in the Constitution. While his Letter Concerning Toleration clearly defends (and perhaps even encourages) diversity in religion, article 96 states that

it shall belong to the parliament of Carolina to take care for the building of churches, and the public maintenance of divines, to be employed in the exercise of religion, according to the Church of England (Constitution in Wootton 228).

The Church of England, then, was also to be the national church of the new colony of Carolina. As mentioned above, this article might not at first seem like a position Locke would take since it seems to be promoting one particular church. Locke will later use the argument from uncertainty as to which is the true church in his Letter to argue for toleration. This would lead one to expect that, left to write the

constitution on his own, Locke might have decided against establishing a national church in a new colony, and opt instead for allowing a diversity of churches to establish themselves as they may. But it must be remembered that a diversity of churches and beliefs is still possible even though the state endorses one church as the state church. What Locke argues against in his Letter is the right of any church to claim the exclusive right to exist, and thereby to claim as legitimate the right to the use of force to eliminate all other churches, and to compel those outside the state church to accept it as their own. He does not argue against the legitimacy of the existence of a state church per se.

Sixteen years after the writing of the Constitution Locke would write in his Letter Concerning Toleration that "no opinions contrary to human society, or to those moral rules which are necessary to the preservation of civil society, are to be tolerated by the magistrate" (61). He expresses this same sentiment in the Constitution when he says, "no person whatsoever shall speak anything in their religious assembly, irreverently or seditiously of the government or governors, or state matters" (Article 103, in Wootton 229). In this way Locke assures that religion may not be used as a camouflage for the discussion of ideas and the making of plans that are harmful to the peace and security of the commonwealth or the colony.

The Lords Proprietors of the colony and Locke provide for religious toleration in the new colony by means of Articles 102, 106, and 109 of the Constitution which guarantee citizens the right to religious assembly free from molestation by other Churches or indivi-

duals, Churches the right to be free from "reproachful, reviling, or abusive language" by nonbelievers, and individuals the right to be free from being disturbed, molested, or persecuted by others because of their religious beliefs (Constitution in Wootton 229, 230). Locke later includes these provisos in his Letter.

The First and Second Treatise of Government

Locke published both his First and his Second Treatise of Government in 1689 shortly after his Letter Concerning Toleration (Gough 57). While some analysts hold that Locke's Letter Concerning Toleration predates his Two Treatise of Government (Gough 57), and that therefore Locke's Letter "provides a foundation for the social and political freedoms defended in the Second Treatise of Government" (LaSelva 2), David Wootton dates the writing of both Treatise as circa 1681. He dates the writing of the Letter as 1685. This supports the conclusion that Locke's ideas concerning the nature, function and scope of civil government were well developed before he wrote his Letter Concerning Toleration.

In his Letter Concerning Toleration Locke goes beyond justifying the magistrate's right to rule, and beyond establishing the purpose of a commonwealth and the scope of the magistrate's power. The central argument of Locke's Letter is "that, whatever the scope of the magistrate's legitimate power may reasonably be thought to be, the regulation of religious worship as such must lie unequivocally beyond it" for the three important reasons discussed in the first chapter above (Dunn 175). So, while the Letter makes use of his political theory and it is consistent with his Two Treatise, its argument does not rest

on an acceptance of his contractarian conception of society. In this way his Letter can stand quite independent of his political theory.

In his Treatise Locke establishes that a commonwealth consists of individuals who are "united into one body, with authority to decide controversies between them, and punish offenders," to redress the injuries that may happen to any one of its citizen, and, perhaps most importantly - "the great and chief end" - to preserve their property through a common established law and judicature (Second Treatise in Wootton 304, 305, 325). He acknowledges this position early in his Letter by stating that the commonwealth seems to be "a society of men constituted for the procuring, preserving, and advancing their own civil interests," which he says are "life, liberty, and indolency of the body" as well as "the possession of outward things, such as money, lands, houses, furniture, and the like" (Letter 18).

In his Second Treatise Locke also says that the people have "a supreme power to remove or alter the legislative" when they find their rulers making laws that are "contrary to the trust" the people have placed in their leaders (in Wootton 337). The community "perpetually retains the supreme power of saving themselves from the attempts and designs of anybody, even their legislators" (ibid). Locke makes a similar point regarding the power retained by citizens in his Letter when he says that if a magistrate makes a law concerning things which are not within his jurisdiction, as, for example, if he should attempt to compel people to worship in a particular way or to attend a particular church, "men are not in these cases obliged by that law, against their consciences" because matters relating to the salvation of the soul are the concerns of individuals themselves, and

not the magistrate's (Letter 59-60).

This supreme power which justifies citizens of the commonwealth to save themselves from the designs of their legislators is founded not only on the extent of power citizens have agreed to allow their magistrate, it is also based on that which, in Locke's opinion, citizens cannot do, namely to deliver themselves up to "the absolute will and arbitrary dominion of another" (Second Treatise in Wootton 337-8). This limitation on what men can do is the first of the three arguments Locke makes in his Letter against the magistrate's being involved in the salvation of souls. The magistrate does not have the duty to care for men's souls because, says Locke, "the care of souls is not vested in the civil magistrate... by the consent of the people." The choice of faith or worship cannot be handed over to the magistrate since it depends on inward persuasion and not simply an agreement to conform to the magistrate's dictates (Letter 19). In both the Letter and the Treatise Locke reminds his readers that the power of the magistrate or the legislative is only a fiduciary power, meaning that it is a trustee relationship which allows the magistrate the power to use force to promote what citizens see as their own good, and not the power to do what the magistrate sees as best for the citizens but against their will, or worse still, what is best for himself (Letter 18-19; Second Treatise in Wootton 337).

Perhaps the most important element of Locke's Second Treatise is that he stresses in it that all men are naturally in a state of equality, "wherein all the power and jurisdiction is reciprocal, no one having more than another" because all men are "furnished with

like faculties, sharing all in one community of nature" (in Wootton 263-4). This equality of all is reaffirmed by Locke in the Letter when he says at its beginning that it is the duty of the magistrate to care for his subjects "by impartial execution of equal laws," and at the end of his Letter with the conclusion that the sum of all he is driving at "is that every man enjoy the same rights that are granted to others" (Letter 18, 69). This equality which Locke writes about in his Letter can therefore be seen to originate from the same natural state of human equality Locke argues for in his Second Treatise.

Four years after Locke composed his two Treatise (1681) the latin version of his Letter Concerning Toleration was published (1685). Four years after his Letter his Essay Concerning Human Understanding, which he had been working on since 1671, was published in its final draft (1689). In it he was able to clarify, and discuss at much greater length, the epistemological arguments he had used in his Letter in support of religious toleration.

An Essay Concerning Human Understanding

Locke clearly states that the purpose of his Essay Concerning Human Understanding is to

enquire into the origin , certainty, and extent of human knowledge; together with the grounds and degrees of belief, opinion and assent... It is therefore worth while to search out the bounds between opinion and knowledge, and examine by what measure, in things, whereof we have no certain knowledge, we ought to regulate our assent and

moderate our persuasions (Essay 43-44)

It is in part this question of the certainty of knowledge in matters of religion, the nature of belief itself, and the probability of knowing for sure which is the right belief that he wishes to enquire into with his Essay. These epistemological considerations are present in (though not central to) all three of Locke's main arguments for toleration in his Letter (19-21).

In his Letter Locke had written that belief cannot be compelled by means of "corporal sufferings or any other outward penalties" but only through "light and evidence" (Letter 20, 21). He reaffirms this position in his Essay when he says

faith is nothing but a firm assent of the mind, which if it be regulated, as is our duty, cannot be afforded any thing but upon good reason, and so cannot be opposite to it (Essay 687).

Not only is Locke here saying that faith or belief rests on coming to a firm conviction through reason, he is, more importantly, saying that it is every person's duty to use the light of reason to examine their beliefs because it is through such examination that the examiner will come ever closer to the only form of belief acceptable to God, and to the truth. In his essay entitled "The Claim to Freedom of Conscience: Freedom of Speech, Freedom of Thought, Freedom of Worship," John Dunn says that for John Locke

the non-discretionary character of human belief at any particular time was not in itself a justification - indeed it was not even an excuse - for the content of that belief. The central purpose of Locke's greatest

work, the Essay Concerning Human Understanding, was to insist on the urgency and intricacy of the duty of each human being to regulate his assent to the content of his own beliefs, to make himself fully responsible for that content and to shape it meticulously and strenuously to fit the obdurate contours of external reality (Dunn 179-80).

The salvation of the soul is accomplished, according to Locke, through a faith built on reasoned understanding of those things one has faith in. It is the use of reason that distinguishes us from beasts, and elevates us "as rational creatures above brutes" (Essay 696). One cannot be ignorant or doubtful of one's religion and expect salvation. "I cannot be saved by a religion that I distrust," says Locke in his Letter, and there is no salvation without conviction and "an inward and full persuasion of the mind" (40-41, 19).

Not only is it necessary that one understands what one claims to believe, it also makes logical sense, according to Locke, not to simply go by what others say. In his Essay he says that there cannot be a "more dangerous thing to rely on, nor more likely to mislead one" than the opinions of others since there is "much more falsehood and error amongst men than truth and knowledge," because no one has "the uncontestable evidence of truth of all that he holds" (Essay 657, 660). Assent, then, or the accepting of something as true should only ever be based on the degree of probability that the reasons, arguments, or proofs offered are in fact true and therefore believable (Essay 657-8). Locke's first and third arguments (that neither God

nor the people themselves have given the magistrate the power to choose a belief for them since no one can "conform his faith to the dictates of another;" and that there is no guarantee that the faith of the magistrate is the one that will lead to salvation) are therefore seen by some analysts as "explorations of problems in decision-making theory, problems concerning making decisions on the basis of judgments of probabilities," decisions made in such a way as to lead to the right kind of belief (Wootton 103). The Letter Concerning Toleration is therefore

not just a text that echoes the contractual political theory and the resistance arguments of the Second Treatise; it is also directed to problems central to the discussion of probability and decision-making in the Essay (Wootton 103).

Locke takes up this topic by devoting all or parts of chapters XV, XVI, XVII, and XX of Book IV of the Essay to an extended discussion of how sound decisions are made and what factors affect the probability of a correct decision being made concerning what is true.

In his Letter Locke asks what hope there might be that more men would be led into the right religion and certain salvation "if they had no other rule to follow but the religion of the court" in light of the fact that the leaders or princes of the world, as well as the various religious leaders they endorse and promote, are as divided "in the variety and contradiction of opinions in religion" as in their secular interests (21). He makes this point again in his Essay, asking rhetorically,

Are the current opinions and licensed guides of every country sufficient evidence and security to every man to venture his greatest concerns on, nay his everlasting happiness or misery? Or can those be the certain and infallible oracles and standards of truth which teach one thing in Christendom and another in Turkey (Essay 708)?

The question Locke asks here is identical with the one he asked in his Letter: what are the chances, what is the probability, that the religion being forced on his subjects by one magistrate in one country will lead to salvation, when there are so many differing opinions among magistrates as to the right way to salvation? The solution to this problem is clearly offered by Locke on the same page when he says, "God has furnished men with faculties sufficient to direct them in the way they should take" (Essay 708). Every citizen is, according to Locke, to use their own reasoning power to find the way to salvation.

In the Letter Locke limits the scope of what the magistrate should allow in terms of outward forms and rites of worship, and the doctrines and practical and speculative articles of faith (42-61). There are rites and ceremonies which the magistrate has a right to prohibit, namely those which harm the peace or security of the commonwealth, or those, like the sacrificing of the calves in times of cattle stock shortage, that are necessary for the good of the commonwealth, and then there are those which the magistrate may not interfere with that are necessary for worship since they are seen as direct commands from God.

In chapter XIX of his Essay Locke addresses the other side of this issue, so to speak. Having already argued in his Letter that the magistrate's power and jurisdiction does not extend over religious matters, Locke addresses religious believers, especially those prone to what he calls "enthusiasm." Enthusiasm, according to Locke, is founded neither on reason nor divine revelation, but comes from "the conceits of a warmed or over-weening brain," and leads men to think that whatever they feel strongly inclined to do they may call a "direction from heaven" that must be obeyed as a "commission from above, and they cannot err in executing it" (Essay 699). In modern English it might be called religious fanaticism. The problem with enthusiasm for Locke is, of course, that if any sort of action at all may be called "a commission from above," it would allow citizens to commit all sorts of actions harmful to the commonwealth in the name of God or religion. By dealing with this sort of fanatical religious claim made by some in the name of freedom of religion, Locke has anticipated and eliminated the argument that there exists a need for the magistrate to prohibit some beliefs in the name of the good of the state. Recall that Locke has previously argued it is impossible for the magistrate to make such decisions because of the nature of belief, and the uncertainty of which church is the true one (Letter 19-21). In the Essay Locke asks each citizen to examine the workings of his own mind, and to use the light of reason to determine what is in fact a command from God and what is no more than potentially harmful "enthusiasm." In this way citizens will be protecting their own right to religious freedom through self-policing, rather than allowing the

argument that it is necessary for the civil magistrate to make decisions regarding the authenticity of certain religious claims.

In his Letter Locke also writes about "Christian brethren" who are "all agreed in the substantial and truly fundamental part of religion" but among whom "implacable enmities" develop because they disagree with each other on frivolous things which may be omitted from their religion without risking the salvation of souls (Letter 36). This issue concerning the unreasonableness of disagreements on account of matters of little actual consequence to salvation is taken up by Locke again in his Essay. There he writes that because men "have been principled with an opinion that they must not consult reason in the things of religion," religion has become filled with "absurdities," "fancies," "natural superstitions," "extravagant opinions and ceremonies...contradictory to common sense," and "extravagant practices" due to which

a considerate man cannot but stand amazed at their follies, and judge them so far from being acceptable to the great and wise God, that he cannot avoid thinking them ridiculous, and offensive to a sober, good man (Essay 696).

It seems evident then that Locke is convinced that religious beliefs and practices that are peripheral to the core and fundamental truth of the Christian religion - which topic he writes about at length in his Reasonableness of Christianity discussed below - and which "absurdities" have not been examined by means of the light of reason, not only cause unrest within a society because of the disagreements.

among churches as to which are essential and which are mere trivia, they are also, for the most part, unacceptable to God since they have nothing to do with the fundamental faith all churches believe God requires of believers.

With his Essay Concerning Human Understanding Locke leaves the reader in no doubt that, in light of the nature of human belief, which cannot be forced either by the agent or the magistrate to change from one view to another, and in light of the diversity of beliefs, and therefore the uncertainty of religious truths, it would "become all men to maintain peace, and the other common offices of humanity and friendship in the diversity of opinion" and to "commiserate our mutual ignorance, and endeavour to remove it in all gentle and fair ways of information," in other words, to be tolerant of one another (Essay 659, 660).

Some Thoughts on Education

An issue which Locke addresses repeatedly in his essay entitled Some Thoughts on Education (1693) is that of punishment as a part of raising and educating a child. He says early on,

I am very apt to think, that great severity of punishment does but very little good; nay, great harm in education: and I believe it will be found, that, caeteris paribus, those children who have been most chastised, seldom make the best men (Works Vol. 9 35).

He points out later that maturation takes care of much of the "actions of childishness" and "unfashionable carriage" and that

there is less need of the use of "the discipline of the rod" or beatings of children "as is generally made use of" (ibid 60). He goes on to say that

if we add learning to read, write, dance, foreign languages, &c. as under the same privilege, there will be but very rarely any occasion for blows or force in an ingenious education (ibid).

The right way to teach, he says, is "to give them a liking and inclination to what you propose to teach them to be learned" (ibid). The greatest discouragement to learning, Locke observes, is when those whom one wishes to teach, or who express an interest to learn, are then compelled to it (ibid 63). These passages support Locke's position regarding the use of force in his Letter Concerning Toleration in which he points out that a magistrate has no right to use force to compel his subjects to believe, or - as Proast would have it - to at least consider, any particular religion. "Teaching, instructing, and redressing the erroneous by reason" are the only means available to the magistrate in the educating of men and the saving of souls, says Locke, because "such is the nature of the understanding that it cannot be compelled to the belief of any thing by outward force" (Letter 20). This can be seen as both a utilitarian and an epistemological argument for the use of reason over force, both in the education of children and in bringing men to the true religion, since, in Locke's opinion, force cannot persuade but reason can. "If truth makes not her way into the understanding by her own light," Locke explains, "she will be but the weaker for any

borrowed force violence can add to her" (Letter 56).

The use of the rod, which seemed to be highly favoured by tutors in Locke's day, "naturally breeds an aversion to that which it is the tutor's business to create a liking to" (Works Vol 9 37). This is similar to an argument Locke made in his response to Proast's call for the use of force in compelling men to learn about and consider adopting the state religion as their own. He told Proast that persecution, punishment, or compelling men to consider may in fact bring more harm than good to the true religion since it will lead men away from that church which condones the use of force rather than bring men to it. Similarly in his essay on education Locke says that the greatest discouragement to a child's learning is when "they are called to it; it is made their business, they are teased and chid about it, and do it with trembling and apprehension," all of which intrenches on their freedom (Works Vol 9 63). While in his Letter he allows the magistrate to instruct, redress the erroneous by reason, and do "what becomes any good man to do" rather than compel with the use of force, similarly in his essay on education Locke suggests that instead of beatings to compel a child to learn "there needs patience and skill, gentleness and attention, and a prudent conduct" to attain a child's interest in learning (Letter 20; Works Vol 9 64).

Locke does allow that only one situation calls for the beating of children: obstinacy or rebellion. But this punishment has nothing to do with convincing or educating a child. Rather it is analogous to Locke's argument that the magistrate is allowed to punish the citizen who disobeys civil law. Even so, Locke cautions that he does not mean

that punishment ought to inflict a lot of pain, but rather that the threat of punishments, and the fear of the "shame" of the punishment is enough to keep a child in line (Works Vol 9 65). Similarly in his Letter Locke says that the magistrate has the right to punish subjects who disobey the laws of the land, and that it is the fear of punishment alone that will keep citizens in line (Letter 18).

In both his Letter and his essay on education then, Locke sees force as having very limited and specific application: the enforcing of the laws of the household or the laws of the land. According to Locke, force works neither in the education of children nor in the persuasion of adults to consider or adopt a particular religious belief.

The Reasonableness of Christianity

In his essay entitled The Reasonableness of Christianity as Delivered in the Scriptures, published in 1695, Locke renews the inquiry into the principles of revealed religion which he had undertaken earlier in his Essay Concerning Human Understanding. In this work Locke advocates

a historical empiricism, plainness of sense, and the rejection of systems of divinity with their 'learned, artificial, and forced sense' of expression, in the understanding of the scriptures, which were for him... designed by God 'for the instruction of the illiterate bulk of mankind in the way to salvation' (Nidditch, in the Foreword to Locke's Essay Concerning Human Under-

standing xxi).

Locke also further clarifies what he perceives to be the most important and fundamental element of being a Christian: the simple belief that Christ Jesus is the saviour of sinful humankind (Works Vol 7 17). He clearly differentiates this belief, which he has called the "one truth" and "one way to heaven" in his Letter, with those outward rituals and ceremonies he calls "indifferent" in his Letter and "absurdities" in his Essay (Letter 21, 42-49; Essay 696). Not every sentence written in the Gospel, he says, needs to be seen as a fundamental article that must be understood and believed necessary to salvation. If it were in fact necessary to know and understand all the truths of the Bible before salvation could be achieved, says Locke, what would become of those early Christians who fell asleep "before these things in the epistles were revealed to them" (Works Vol 7 155)? Locke reminds his reader that most of the epistles were not written until some twenty to thirty years after Christ's ascension to heaven. How would it have been possible for those early Christians to have come to gain salvation if it were necessary for salvation to have known everything in those epistles? A Great many of the truths revealed in the Bible, says Locke, "everyone does, and must confess, a man may be ignorant of; nay, disbelieve without danger to his salvation" (Works Vol.7 155, 156).

He makes this point again in his Second Vindication stating that an explicit belief in many of the "other truths," which may have no more than a "remote connection" with the fundamental article of the law of faith (the belief that Jesus is the Messiah), is not necessarily required to make a man a Christian, or to save his soul (Works

Vol 7 227-8, 353-4). This means that the use of force to compel citizens to accept any of the various diverse practices only peripheral to the core Christian belief is unjustifiable from a Christian perspective, a point he has previously made in his Letter (16). Locke here affirms his earlier position, as explained in his letter to Proast, that it is not necessary for a man's salvation that he accept the Church of England, with all its outward rituals and ceremonies, as the one and only way to salvation since what is necessary for salvation can be found in the core beliefs of a great many churches and religions.

This explanation by Locke of the kind of faith he believes constitutes a true Christian, and what it is that he thinks is necessary for salvation also refutes the contention of some analysts that Locke was a sceptic about religion. Far from believing that one could not know where the truth lies in religion, or which is the true religion, The Reasonableness of Christianity manifests Locke's belief that the true religion may be found within Christianity, but that it is often obscured with a profusion of various ecclesiastical rituals and ceremonies quite unnecessary for salvation.

In his defense of his Reasonableness of Christianity, entitled A Vindication of the Reasonableness of Christianity from Mr. Edwards's Reflections, Locke again makes reference to the claim to orthodoxy of this or that form of worship. He says that there is "nothing more ridiculous" than for any one person or group to hold that they are infallibly orthodox and thereby assume the power to condemn others who differ with them in their opinion (Works Vol 7 376). "The considera-

tion of human frailty ought to check this vanity," says Locke. This reaffirms his position, as stated in his Letter Concerning Toleration, that "every church is orthodox to itself; to others erroneous or heretical. Whatsoever any church believes it believes to be true" (Letter 29). Locke holds that men are not able judges of the truth of their own beliefs, and that the only one capable of judging which has the truth, which is the orthodox church, is "the Supreme Judge" and not any one earthly magistrate (ibid). The Vindication thereby also supports the argument he made earlier in his Letter that there should be no toleration of those who

attribute unto the faithful, religious, and orthodox, that is, in plain terms, unto themselves, any peculiar privilege or power above other mortals in civil concerns; or who, upon pretense of religion, do challenge any manner of authority over such as are not associated with them in their ecclesiastical communion (Letter 63).

Locke knew that this claim to orthodoxy and special privilege by one church was not only logically indefensible, but that it was causing great unrest in the England and France of his day. Locke also reaffirms in the Vindication the stand he took against atheism in his original Letter. There he sees it as undermining all of society and religion (Letter 64). Here he calls atheism madness as well as a crime "which... ought to shut a man out of all sober and civil society" (Works Vol 7 161).

Locke concludes his original Letter by saying that its purpose is to argue that "every man enjoy the same rights as are granted to

others," that, since the free practice of their religion is allowed to some people it should be allowed to all (Letter 69). He reinforces this position in his Second Vindication when he says

How fully soever I am persuaded of the truth of what I hold, I am in common justice to allow the same sincerity to him that differs from me; and so we are upon equal terms (377).

Here Locke is not only calling for the toleration of one group of believers by another, more powerful, group, he is evidently speaking in terms of equality under the law and equal rights within the commonwealth for citizens of all of the various differing religious persuasions - a theme that is clearly present throughout his Letter (18, 69).

Chapter 4 - Some Later Criticisms of Locke's Letter

Locke's Letter Concerning Toleration may have seemed like a radical argument to those, like Proast, born and raised amid the religious intolerance of the 17th century. To them Locke's call for a sweeping and universal toleration - not only of Christians for the beliefs and practices of other Christians, but of Christians for the beliefs and practices of non-Christians and vice versa - must have seemed like a call to open the floodgates of sinful ideas and behaviour that would lead to the demise of entire nations.

But as times changed and religious intolerance proved itself ever more to be the cause of, rather than the cure for, many of society's ills, Locke's letter eventually came to be read by some as actually not arguing strongly enough on behalf of toleration, and as excluding too many things (and too many people) which should in fact be tolerated.

Today, while there is still disagreement in some quarters as to whether Locke's toleration went too far or not far enough, a broader criticism has been developing: is Locke's letter relevant to the

events and situations we experience in this modern era?

This chapter will examine some of the historic as well as some of the contemporary criticisms levelled against Locke's Letter to see whether Locke's perspective on religious toleration can still be meaningful for us today.

(1) Is The Scope of Locke's Toleration Too Narrow?

In his essay "Locke: Toleration and the rationality of Persecution," (published in 1993) Jeremy Waldron argues that Locke's conception of toleration is too narrow, that it concerns only religious toleration, rather than all types of toleration, and then only for a very specific reason. He says that Locke's opposition to intolerance based on the awareness of the difficulty of determining whether the religion the magistrate believes to be the true one is in fact objectively the true one "is not opposition to intolerance as such, but only opposition to particular cases of it. It is not an argument for toleration in general" (Waldron 108).

In her essay "Locke: Toleration, Morality and Rationality," Susan Mendus agrees with Waldron that Locke fails to address general toleration of all sorts, pointing out that, unlike John Stuart Mill who argues for liberty in general, "Locke's argument is a quite specific argument for [religious] toleration, or against persecution (he takes the two to be identical)" (Mendus 157-8).

But even though we grant that Locke himself was too narrow by specifically addressing only religious toleration, this doesn't preclude applying the principles he holds to justify religious toleration to other matters besides religion. Recall that in his Letter Locke's

religious toleration is consistent with his general political theory, as expressed in his Two Treatise on Government, in which he holds that citizens of a state retain all the natural rights they brought with them from the state of nature into the commonwealth except those they willingly consent to hand over to the state (Locke Letter 58). And since he assumes that citizens act in a rational manner, he would also assume that no citizens would knowingly consent to the state being intolerant, either in matters of religion or in secular affairs, since anyone and everyone is liable to suffer under the dictates of an intolerant state. Since the peace and security of the commonwealth is one of the primary concerns Locke addresses in both his Letter and previous political writings, it seems reasonable to assume that Locke would advocate general toleration as a means to that end. Locke's principle justifying his argument for religious toleration can therefore be used to justify toleration in general even if the topic of general toleration is not directly addressed by Locke in his letter.

(2) Does Locke Neglect Individual Rights?

Waldron also criticizes Locke by saying that Locke does not seem to exhibit any deep concern for the victims of persecution since he addresses and advises only the oppressors and persecutors. Waldron sees the interests of the victims of persecution "addressed and protected only incidentally as a result of what is, in the last resort, prudential advice offered to those who are disposed to oppress them" (Waldron 120).

Susan Mendus notes that this is indeed the impression one gets from Locke since his emphasis on rationality is "greater than and

different from that which is favoured in modern moral philosophy" (Mendus 161). Mendus agrees with Waldron that Locke seems to be focusing on the persecutor, that he has failed to address the rights of the persecuted (ibid 159), and that there is "no general right to freedom of worship" acknowledged in the letter (ibid 160; 157, 159). But Mendus offers two arguments in defense of Locke against Waldron's criticism. To begin with, Mendus says, unlike Mill who argues for liberty, it is Locke's intention to argue only against those who perpetrate religious persecution, implying that it is therefore reasonable for Locke to address the persecutors rather than attending to the rights of their victims. Locke's approach must be seen, she says, as addressing a practice that was generally held to be wrong, namely religious persecution, at a time when freedom of worship was not yet an assured personal right (Mendus 158, 160-61).

But, while in defending Locke, Mendus agrees that Locke is addressing the persecutor rather than the victim, a closer reading of the Letter seems to indicate that he is in fact concerned with the rights and freedoms of citizens. Locke spends a number of pages arguing for every citizen's right to be free to worship in any manner he pleases so long as it does not disturb the peace and security of the commonwealth. He argues for restraint on state and individual interference with the rights of others from a view of the natural rights of the individual. He speaks in no uncertain terms of the freedom to care for one's own soul (Letter 35), the freedom to pick one's own path to salvation (ibid 37 -38), the freedom of conscience in religious matters (ibid 41), and the freedom of choice of ritual,

rites, ceremonies and practices (ibid 47). Locke's summary statement, "having thus at length freed men from all dominion over one another in matters of religion..." makes it evident that Locke feels he has indeed argued not only for toleration and an end to persecution, but for the individual's natural right to freedom of worship (ibid 41).

In her second defense of Locke, Mendus says Locke's approach does not necessarily constitute a denial of the wrong done to the victim. She refers to an argument made by Onora O'Neill that

while rights can be exhaustively analyzed in terms of obligations, the converse is not the case, and therefore the perspective of obligation may enable us to explain why certain actions are wrong even though they do not constitute a violation of rights (Mendus 160).

Mendus goes on to explain that the reason modern theorists, like Waldron, feel so uneasy about Locke's failure to deal with rights is because modern ethical thinking is simply different from that which was carried out in Locke's day. According to Mendus, Locke's focus on the "irrationality of the would-be persecutors is wholly at odds with much modern thought on the subject of toleration" for two reasons: (1) ethical rationalism is no longer in vogue, that is, contemporary theorists no longer focus, like Locke seems to have, on the irrationality of the persecutor; (2) individual autonomy is a central concept in modern liberalism with its focus on the rights of the individual. According to Mendus, this means that while modern political theorists ask, "What are the rights of individuals to

practice their own faith?" Locke's commitment to reason has him asking, "What are the reasons which should dissuade us from preventing them practicing their own faith?" (Mendus 150).

Regarding (1) above, it is, first of all, not at all clear that Locke's approach is that much at variance with modern ethical thinking, or that his approach is purely from the direction of the irrationality of persecution. Admittedly, Locke is clearly concerned with the consequences of intolerance, from a subject's losing his chance at salvation as a result of his being forced to change his form of worship and thereby being hypocritical in his worship of God (Locke Letter 19), to "bustles and wars" that are a reaction by citizens against their intolerant leaders (ibid 71). But his Letter is none the less consistent with his previous political concern with the rights of individuals, and the illegal infringement of those rights for so-called religious reasons, as noted above.

Secondly, Locke's three main arguments for toleration are not based solely on the irrationality of the persecutor. Like other, more modern, political theorists Locke argues from legitimate political rights which the consent of the citizens of a commonwealth have vested in their magistrate (Letter 19). Locke's emphasis on rationality cannot be said to be "greater than and different from that which is favoured in modern moral philosophy." Nor is his emphasis on the irrationality of would-be persecutors "wholly at odds with much modern thought on the subject of toleration" (Mendus 161, 150) since the irrationality of persecution is only one part of his argument.

In (2) above Mendus argues that individual autonomy is a modern

liberal concept which was not a focus of attention in Locke's day. But it must be remembered that in his letter Locke speaks of the fact that the magistrate is "armed with the force and strength of all his subjects" and that the care of souls is not committed to a magistrate because such power cannot be vested in the magistrate by the consent of the people for reasons to do with the rationality of personal choice and so on (Letter 18, 19). It seems then that Locke was indeed addressing the issue of individual autonomy, or self-determination. The issue of individual autonomy is central to Locke's Two Treatises of Government, written four years prior to his Letter but published the year after his Letter was published. In it he argues that in the state of Nature, the law of Nature allows each individual to personally punish wrongs perpetrated against them. People form a commonwealth by leaving the state of Nature and freely consenting to transfer some of this individual power to punish offenders to the commonwealth or political state. People also have the power to determine how much power leaders are to have, to decide how long they are to have this power before it reverts back to the people, and so on (Second Treatise Chapter 10 sec. 132, 141; Chapter 11 sec. 135, and elsewhere). Again, as mentioned above, Locke is concerned with how intolerance will affect not only the individual's salvation but his civil rights, and this makes it evident that there is indeed in Locke a clear notion and defense of individual autonomy.

Wootton, on the other hand, defends Locke by pointing out that, contrary to Waldron's interpretation, Locke's first argument does not focus on the rulers or persecutors but rather on the subjects. It is

an argument aimed at those who might become the persecuted because it is about "what is rational for subjects," and "what sort of state is in the moral interests of its citizens" (Wootton 99, 100). Wootton says Locke points out how it is irrational for subjects to hand over to their rulers the responsibility for deciding what they should believe because it is placing themselves under an obligation (to obey the ruler) which they would not be capable of fulfilling (adopting the beliefs prescribed by the ruler). According to Wootton, then, Locke seems to be arguing that rational self-interest dictates that citizens ought to regard their right to think for themselves as inalienable (ibid 99). Wootton goes on to point out that Locke's third argument (what the magistrate may choose as the "true" religion may in fact be false), when combined with the first argument (the subject can't force himself to change his belief at will) leads the subject to conclude, "I ought not to agree to the government making religious decisions on my behalf; that this is no proper part of its functions" (ibid 101). In fact, either premise could, on its own, lead to this same conclusion. This conclusion is clearly aimed at the subject (the potentially persecuted) and not at the magistrate (the persecutor) thereby disproving Waldron's claim that all of Locke's arguments are aimed at the latter.

It might also be argued against Locke that the wording of his first argument is so ambiguous that it does not constitute a very solid defense of the rights of citizens since it speaks of a power or ability citizens lack - not being able to use their common consent to give their magistrate the power to use force. But this is not a lack

of political power but rather an epistemological limitation - the inability to conform what one believes to the dictates of another. Locke is not arguing that citizens lack the right to vest this power in their magistrate but simply that they have good reason not to vest it in this way. That Locke seems clearly to think he has defended individual rights throughout his letter is evident when he says near its end, "The sum of all we drive at is, that every man enjoy the same rights that are granted to others" (Letter 69). But the question as to whether or not Locke does in fact address the issue of rights may be settled more conclusively if we determine how he has come to this conclusion.

Three approaches may be taken. In the first one could simply review the direct references to the rights of citizens, and therefore potential victims, made by Locke throughout his letter. Locke sees the commonwealth as being constituted for the express purpose of "procuring, preserving, and advancing" the civil interests of individuals, namely life, liberty, health and indolency of the body, the ownership of property, and the access to benefits from one's own labour (Locke Letter 18, 72). If one person violates the rights of another, Locke allows that the state may punish the guilty party. He sees people as having the right to join and leave a church of their own free will (*ibid* 22), to choose a leader of their church, and to make laws with which to govern the affairs of their church (*ibid* 23-4). Excommunication may not affect any of a person's civil rights or franchises that belong to him as a man or a "denison" (*ibid* 27). Private persons have no right of superiority or jurisdiction over one

another. In other words, all citizens, regardless of religious persuasion have equal rights within the state in all matters including business and education (ibid 28, 31, 51, 67-8). Everyone has the right to worship any way they please since the care of the soul belongs only to the person himself (ibid 33-59). All have the right to neglect their own health or wealth and to sin if they so choose, and to lie and perjure themselves provided no harm comes to others or the commonwealth (51). Finally, everyone has the right to abstain from state-sanctioned actions he judges to be unlawful, and the right to peaceful assembly (ibid 59-60, 65-66). With this many direct references to rights, it is not at all surprising then that Locke says near his conclusion, "The sum of all we drive at is that every man enjoy the same rights that are granted to others" (ibid 69).

A second, and perhaps better, approach is from the direction of the assumption of natural rights possessed by all citizens. If we allow that in this letter Locke holds the same assumptions about the origins of the commonwealth or state that he expounds in the Two Treatise of Government, it becomes evident that all his arguments focus on the retention of those natural rights which he argued every individual possesses in the state of nature, some of which some states have illegitimately arrogated to themselves.

According to Locke, the commonwealth is formed when individuals who have been "free, equal, and independent" in a state of nature form an alliance or society by consent and give over some of their power and natural rights to the state. One of the individual rights citizens give up to the state is the right to punish those who wrong

against others by taking property to which they are not entitled. The state is therefore the holder of a monopoly on force (Letter 58, Second Treatise ch. 8 sec. 95, ch. 11 sec. 135). But while the individuals in a commonwealth have given up the right to use force against one another, they have not given up innumerable other rights, such as the right to choose which religious belief to accept as their own. This is one of the rights, argues Locke, which individuals have not given up to the state for the three reasons already examined in chapter one above. And, since force can't create belief, the state has no right to attempt to create belief. Rather it is the right of the individual, through the "inward persuasion of the mind" to choose his own path to salvation. This is Locke's second main argument (*ibid* 20). These three arguments then can all be seen as being based on and supporting the natural rights of the individual to freedom of worship - rights which Locke feels the individual possessed in the state of nature, rights which the individual would never knowingly have given up, but which, in Locke's day as well as other times in history, the state has illegitimately arrogated to itself without the consent of the people. Locke concludes his three main arguments by pointing out that "all the power of civil government relates only to men's civil interests, is confined to the care of the things of this world, and hath nothing to do with the world to come" reiterating that the citizens of the commonwealth have not consented to give their state any greater powers than these (Letter 22).

A third response comes when one examines how the notion of rights may be addressed. Locke's addressing the persecutor, in so far as he

does so, is compatible with the protection of the rights of citizens because it focuses on why the actions of the persecutor are wrong because they infringe upon the rights of citizens. Locke is providing the magistrate with arguments against persecution, or conversely, he is providing the magistrate with reasons to tolerate, thereby defending the natural rights of citizens, rights which they have not relinquished to the state.

All of these responses to Waldron make it evident that, contrary to Waldron's criticism, Locke does not only address and advise the oppressors and persecutors, nor does he merely address and protect the interests of the victims of persecution "incidentally as a result of what is, in the last resort, prudential advice offered to those who disposed to oppress them" (Waldron 120). While Locke is not indifferent to prudential reasons, his arguments go well beyond them.

(3) Does Locke Assume What Can't be Done?

Locke assumes that matters of religious belief and secular matters can easily and clearly be separated. He says, for example, "The care therefore of every man's soul belongs unto himself and is to be left to himself" (Locke Letter 35). By this he means that, since a citizen of a commonwealth is a rational, responsible and free person, that citizen's spiritual well being, their personal decisions as to what to believe and how to worship in order to find favour with God and gain salvation, is the responsibility only of that person. He extends this right to all rational adults, even those not citizens of the commonwealth but merely residing within its borders. Locke argues that neither the magistrate nor any other person has the right nor the

duty to concern her or himself with the care of another person's soul. It seems reasonable to assume that Locke would argue that the care of a child's soul belongs to the parents since a child is under the age of reason. But what of cases where it is impossible to make a clear distinction between what is care for the body and what is care for the soul? One modern day example of a fusion of body and soul care is the case of blood transfusions. The state insists that a child receive a blood transfusion for the sake of its physical welfare, but the parents insist, due to their religious beliefs, that refusing the transfusion is caring for the child's soul. Which perspective should be given precedence? Does Locke's assumption, that a clear distinction exists between where the care of the soul ends and where the care of the body begins, hold in this case?

In an attempt to answer this question it may be noted that the case of the state's ruling in favour of forcing a blood transfusion on a child to save its life, against the wishes and religious beliefs of the child's parents, seems analogous to Locke's reasoning on the question of whether the state ought to allow infants to be sacrificed according to the religious beliefs of the parents. His response to this question is, "These things are not lawful in the ordinary course of life, nor in any private house, and therefore neither are they so in the worship of God, or in any religious meeting" (Letter 47). Locke might say that the parents' disallowing a blood transfusion to save the life of the child would be the same as sacrificing the child for religious reasons, and therefore the state could not acquiesce to the wishes of the parents. Such a stance by civil authorities may

make it difficult for the parents to follow the teachings of their church, and it might interfere with the salvation of the child's soul, but these are not the concern of the state, whose mandate, as given to it by its citizens, is only to care for the physical well being of the child. It seems therefore that, in this case at least, where matters of the physical well being of a child and its spiritual salvation seem to conflict, this conflict is the result of the religious beliefs encroaching on civil matters - i.e., the physical well being of a citizen - over which, Locke says, religion has no legitimate jurisdiction. If religions stay within their jurisdiction it is in fact possible, as Locke holds, to clearly separate matters of state from matters of religion.

(4) If Coercing Belief Works to Enhance State Security, Why May the State Still Not Use it?

Waldron agrees with Locke that there exists "an unabridgeable causal gap between coercive means and religious ends" (Waldron 115), meaning that physical coercion will not change belief and therefore the use of coercion is irrational. Waldron points out that in his Essay Concerning Human Understanding Locke states that knowledge is not voluntary for two reasons (1) we don't choose how to perceive what we perceive, we simply do; and (2) the process of understanding and believing the ideas that come from what we perceive works automatically. But Waldron points out that a person can decide "which objects to look at, which books to read and more generally which arguments to listen to, which people to take notice of and so on." So a law can compel a person to turn their attention to reading

or listening to certain material which may eventually influence belief, or conversely keep them from hearing or reading material which may be detrimental to government sanctioned religious belief (ibid 116). Note that public education curriculums in the modern western world are almost exclusively dictated by civil governments which, in North America, promote such ideas as evolution which run contrary to the teachings of some religions. In this way it doesn't attempt to force an alteration of the religious beliefs of individuals directly but may succeed in doing so indirectly through education. Therefore, this does not seem to be an irrational application of coercion since it could turn students away from thinking about either particular religious beliefs or from religious thinking in general.

Waldron could go farther still and argue that the magistrate could also subtly use the power of his authority and office on his subjects when he is engaging them in argument and attempting to persuade them to accept his beliefs, as Locke allows in his Letter (20). Such ingenious, though not infrequent, use of status to add to the force of persuasion does not contravene the limits Locke has placed on the state's use of "outward force." Waldron says Locke provides no argument against force being applied to the epistemic apparatus which surrounds, supports and generates belief, namely selection, attention, concentration and so on, over which will does seem to have control (Waldron 117). This would be force applied, as Proast put it, "indirectly and at a distance" "to bring men to consider those reasons and arguments which are proper and sufficient to convince them," but which they would not have considered without being forced

to (Argument 5). The question for Waldron, as it was for Proast, is: have citizens agreed to the use of this subtle coercion? If the answer is "no" then this type of forced persuasion may not be legitimately used by the state even under the guise of "education."

Waldron says one argument against his position might be that belief is not genuine if it is generated through coercion, but something more like what results from intensive propaganda, or worse, brain washing. And since it is genuine belief that the magistrate is after, it is irrational to force belief even in this indirect manner.

In defense of Locke, Susan Mendus attempts just such a criticism of Waldron by pointing out that Bernard Williams discusses four conditions which are necessary for belief. One of them he has called "the acceptance condition" which says that for "full blown" belief what is needed is both the possibility of "deliberate reticence (the agent not saying what he believes) and the possibility of insincerity (the agent saying something other than what he believes) (Mendus 152). Williams sees legitimate belief as being dependent on the human will and the ability to assert what one does or does not believe. It could be argued that there is not necessarily any difference, in this ability to assert a belief, between the person whose belief has been forced on him by the state and the person who has come to his beliefs independently. It could perhaps be argued that a subject might meet Williams' "acceptance condition" even after being coerced into a belief through propaganda or brainwashing, and that this fabricated belief might be every bit as "full blown" as a belief that is known to have resulted from non-coercive causal factors.

In discussing the four conditions necessary for belief Williams says that "If a man recognizes that what he has been believing is false, he thereby abandons the belief he had" (Williams 137). He states furthermore that rational creatures hold beliefs on rational grounds, and he acknowledges that there are causal factors which can produce false beliefs (ibid 143, 149). This is in line with the view of belief and faith Locke himself held. In his Essay Concerning Human Understanding Locke says that faith, or religious belief, is

nothing but a firm assent of mind: which if it be regulated, as is our duty, cannot be afforded to any thing, but upon good reason; and so can not be opposite to it. He that believes, without having any reason for believing, may be in love with his own fancies; but neither seeks truth as he ought, nor pays the obedience due to his Maker, who would have him use those discerning faculties he has given him, to keep him out of mistakes and error (Locke Essay 687).

This reasoning process which leads to the holding of a particular belief or faith, and does not seem to be as independent of the will as Locke suggests in his Letter (19), is rational and explainable purely in cognitive and psychological terms. Hence religious belief, in order to be genuine or "full blown" from the non-theological perspective, does not seem to need anything more than a particular psychological state. This could lead one to accept Waldron's conclusion that it would be rational for the magistrate to use coercion, although indirect and only on the decision-making apparatus, to try to change

beliefs. But just because it may be rational for the magistrate to do so given this one argument this still does not support the stronger conclusion that the use of force is therefore legitimate. Recall that Locke offers three arguments for toleration, of which the argument from the nature of belief is only one. Locke's response to Waldron would in all likelihood be that Waldron has fallen into the same trap which caught Proast: he assumes Locke's argument for toleration is completely dependent on this one premise when in fact it is supported by three.

Mendus attempts to save Locke by pointing out that, unlike the belief that is the product of brainwashing, legitimate religious beliefs are not merely functionally efficient. They are genuine convictions coming from deep inside; they are ultimate and so compelling that the believer has no choice in the matter because his belief is for him an undeniable reality. They are beliefs that have been generated in the right way and are held in the right kind of way (Mendus 154).

William James goes even further and argues that genuine religious beliefs are in fact intuitive and come from

a deeper level of your nature than the loquacious level which rationalism inhabits... If a person feels the presence of a living God... your critical arguments, be they ever so superior, will vainly set themselves to change his faith (James 72-3).

But if religious beliefs - that is, the "right kind" of beliefs that leads to salvation - depend on intuition and feelings it seems

fair to ask, How is it possible to account for the innumerable individuals who have changed their beliefs, not only from one religion to another but from theism to atheism? Even to argue that religious belief comes about by miraculous intervention is not enough since, for one thing, miracles can't account for loss of belief the way rational contemplation can. If one wants to argue that there is more than rationality behind belief, then one is in danger of having to allow for arguments which assume a random change of faith, or the existence of supernatural influences, or for a "miraculous change of heart" over which the agent has no control. Furthermore, is it not possible that those very feelings or intuitions on which religious beliefs are said to be based are the product of contemplation and rational persuasion? Locke acknowledges the efficacy of rational persuasion on belief when he says in his Letter that the magistrate may "make use of arguments, and thereby draw the heterodox into the way of truth," to "persuade," and to "press with arguments," to "admonish, exhort, convince another of error, and by reasoning to draw him into truth" (20).

Mendus' defense of the nature of legitimate belief can't withstand Waldron's own two responses against his argument. He says that (1) he finds it hard to imagine what sort of epistemology or philosophy of mind could possibly connect the nature of the way belief was acquired with the efficacy of those beliefs and (2) that the "correct belief" approach

appears to place such great demands on the notion of genuine belief as to lead us to doubt the genuineness of

everything we normally count as a belief in ordinary life (Waldron 118).

Mendus responds that "it is one thing to say that all belief must be causally explicable in some way, quite another to say that any way is as good as any other and that all sincerely expressed beliefs are equally genuine" (Mendus 154). But Waldron's point above is that perhaps beliefs can be caused in a number of different ways, including strong persuasion assisted by the use of force, and still be held as "full blown" or genuine beliefs by the agent of which they are, as Locke puts it, fully satisfied in their own mind that it is the truth (Letter 19). Not only will outside observers not notice the difference between an agent's fabricated belief and "real" belief, neither will the agent himself. A better argument is that God would know, but that would be digressing into the realm of theology.

A different approach taken by Mendus, that is perhaps a stronger argument than the above, is when she says that while it may be a relatively easy matter to brainwash children whose beliefs are not fully developed, it is extremely difficult to change the beliefs of adults. This is in fact the issue Locke was addressing, and history has shown that attempts to eradicate religious belief completely in adults (such as in communist Russia) proved unsuccessful because of the holistic effect of religious belief on the agent's life, and the non-intellectual nature of this belief (Mendus 155). But Waldron's reply might be that Locke has overlooked the fact that the state need not concern itself with adults. It may achieve its end by focusing exclusively on the education of children. For example, while Russian

communist education did not eradicate all religious belief, it nonetheless achieved such far-reaching effect, not only over a single population but over several generations, that those in power during Russia's communist era might be rightfully able to claim that their anti-religion propaganda efforts were in fact successful.

Wootton, on the other hand, sees Waldron as having completely missed Locke's point. He sees Locke's main argument arising out of, what he calls, his first and third arguments (first, that neither God nor citizens themselves have given the magistrate the power to compel them since it is not possible to conform belief according to the dictates of another, and, second, that the magistrate may be wrong in his choice of which religion to compel citizens to follow). Wootton sees these arguments as being explorations of problems in decision-making theory rather than the ineffectual nature of coercion over belief (Wootton 103). He explains that while experts can help a person predict future eventualities in, for example, financial matters, and therefore it is rational for a person to consult such an expert in making decisions about their finances, matters of religion require sincere belief that goes beyond simply following the advice of others. Like Mendus, Wootton argues that religious judgements need to be reached in the right way, that is from personal belief and conviction. Wootton says Locke argues that it is therefore irrational for the citizen to allow the state to act as the expert and take the advice of the civil authorities in matters of religious belief. Locke's main argument is, according to Wootton, that "there are certain decisions that it is irrational, and perhaps impossible, to

allow others to make on our behalf," and not simply, as Waldron suggests, that it is irrational for the state to coerce belief (ibid 104).

The question for both Wootton and Mendus is, if we don't allow God to figure in the argument in terms of being the judge of who has arrived at belief in "the right way," then why can't a depth of conviction be arrived at by means of state "education" and force of modern methods of persuasion that is every bit as profound, sincere, genuine, and full-blown as the identical psychological state that can be reached by each person independently? Wootton's and Mendus' arguments both seem to require a means of objectively judging the origin of belief that necessitates the acceptance of premises defending the existence of God in the position of ideal observer. But in the absence of such premises Waldron's conclusion still holds - it may be possible and judicious for a state to influence religious judgements by generating those deep psychological states called beliefs in its citizens through the various means at its disposal. Both Wootton and Mendus would have been more successful in their defense of Locke by pointing out that, in making his argument concerning the rationality inherent in the state's use of force to generate belief, Waldron has failed to account for Locke's two other arguments.

Locke also states in his Letter that it is irrational to force a particular religious practice on a person since he may go through the motions but not believe and thereby be guilty of the sin of hypocrisy and lose his soul anyway (Locke Letter 19). But Waldron argues that such "practice may stand in some sort of generative and supportive

relation to belief - that is to say it may be part of the apparatus which surrounds, nurtures and sustains the sort of intellectual conviction of which true religion, in Locke's opinion, is composed" (Waldron 118). In other words, a law requiring a particular religious practice may not change belief immediately, but it may be rational for the state to force such a practice as an indirect means of "avoiding a decline in genuine religious faith" (ibid). This leads Waldron to conclude that "we can no longer say that the magistrate's power is rationally inappropriate in the service of true religion" (ibid 119).

In response to Waldron, Wootton points out that Locke's third argument addresses this attempted approach when he says that the magistrate is probably wrong in his choice of religion and therefore rational citizens would not hand over decision-making authority to the magistrate (Wootton 104).

While Waldron's argument may at first seem compelling, Locke's arguments in his Letter do in fact adequately counter it. Locke would probably have responded the same way to Waldron's modern criticism as he did to those of his contemporary, Jonas Proast: first, in forcing belief on his citizens, the magistrate may be coercing his citizens to attend the mass of the wrong church - one that does not lead to salvation. Furthermore, and much more importantly, in the type of political arrangement Locke envisions in a tolerant commonwealth, free and equal citizens would never consent to force being used on them by the magistrate for religious purposes, even if it were only the subtle force of indoctrination through education, censorship, or advertising, in other words, "indirectly and at a distance." It does not matter,

as both Mendus and Wootton argue, that brainwashing or indoctrination leads to "the wrong kind" of belief, one that will not lead to salvation. From a political point of view, the important point is that free and rational citizens would never consent to allowing the magistrate to use these subtle forms of mind manipulation on them and their children. Again, the magistrate who attempts to use such means to force belief on his subjects would be doing so illegitimately.

(5) Locke's Intolerance...

(a) Of Opinions

In his book An Essay on the First Principles of Government and on the Nature of Political, Civil, and Religious Liberty (1768), Joseph Priestley, writes that the greater the liberty in matters of religion, the more society stands to gain. He says that the toleration in England of his day "is far from being complete" (117). Drawing on the examples of France, England, Pennsylvania, Holland, and Poland, Priestley says history has shown that "the consequences of unbounded liberty, in matters of religion, promise to be so very favourable to the best interests of mankind" (108). Recall that far from calling for "unbounded liberty," Locke calls for the state to not tolerate, among other things, "opinions contrary to human society, or those moral rules which are necessary to the preservation of civil society" (Letter 61).

Priestley writes that all religions, no matter how subversive their ideas may seem to outsiders, have "some salvo for good morals; so that, in fact, they enforce the more essential parts, at least, of

that conduct, which the good order of society requires" (Priestley 110). According to Priestley, if an outrageous religious belief should lead to an illegal act it is simply a matter of that act being restrained by a civil magistrate operating within civil laws, he says. Therefore there is no need to have what Locke seems to be calling for, namely, civil authority judging, and ruling against, some religious belief in the interest of avoiding a possible action that may be detrimental to society. Without saying so directly, Priestley is arguing against Locke, and for the absolute toleration of all religious opinion, by extending the principle made by Locke himself - that the magistrate has no jurisdiction within the church - and by denying the necessity of the proviso Locke has added on - that all opinions are allowed so long as "the commonwealth receive no prejudice, and that there be no injury done to any man, either life or estate" (Letter 48). Priestley saw the benefits to the commonwealth resulting from allowing the free expression of all opinions as far outweighing any possibility of direct harm from these opinions. Speaking of the commonwealth as a constatly growing and developing entity, he wrote, "The more liberty is given to everything which is in a state of growth the more perfect it will become" (Priestley 137).

Twentieth century philosopher John Rawls says that while Locke has based his limitations to toleration on what he supposes is "clear and evident consequences for the security of public order" Locke is drawing hasty conclusions regarding the danger to society from opinions, and the harmful effects the intolerant, Catholics, and atheists would have on a society, without the benefit of sufficient

empirical evidence. More experience, says Rawls, would presumably have convinced him that he was mistaken (Justice 121).

Rawls says religious opinion, or "liberty of conscience" may only be limited when there is "a reasonable expectation that not doing so will damage the public order which the government should maintain" (A Theory 213). This "reasonable expectation" should be based on more than merely the magistrate's worries that an opinion might harm the commonwealth. Rawls says it must be based on

evidence and ways of reasoning acceptable to all. It must be supported by ordinary observation and modes of thought (including the methods of rational scientific inquiry where these are not controversial) which are generally recognized as correct... The consequences for the security of public order should not be merely possible or in certain cases even probable, but reasonably certain or imminent... This requirement expresses the high place which must be accorded to liberty of conscience and freedom of thought (A Theory 213).

The question Rawls' criterion raises is, is it in fact realistic to expect that the consequences of an opinion can ever be shown to be "reasonably certain or imminent"? With such stringent criterion Rawls certainly allows for far fewer, if any, cases of intolerance of opinion than it appears Locke calls for in his Letter. Rawls, like Priestley, sees the possibility of harm coming from opinions as virtually non-existent. Only actions harmful to the commonwealth, may be reacted against by the magistrate; never opinions themselves.

(b) Of The Intolerant

In his Letter Locke says the state need not tolerate those who, in the name of their religion, arrogate special powers to themselves which threaten the civil rights of others in a community (Locke 62-3). This includes, he says, that the state should not tolerate those who refuse to be tolerant of the religious beliefs of others and who refuse to teach religious toleration to their followers. These intolerant ones, says Locke, are a threat to the state since they merely use the toleration afforded them by the magistrate to build up their own strength so that they may one day take absolute political control, and take the estates and fortunes of others for themselves. On the basis of his contractual theory of society, Locke sees the purpose of a commonwealth to be the procuring, preserving, and advancing of the interests of the citizens of that state. Since Locke sees liberty and equality as two of the interests the citizens of that state wish to procure, preserve, and/or advance for themselves, it seems to him logical to say that they cannot allow intolerance to be tolerated within the tolerant state they have created.

But Rawls sees the toleration of the intolerant as a requirement of a tolerant state. Still, Rawls, like Locke, argues that there must be some limits to toleration. Rawls theorizes that a just state would result if it were based on

the principles that free and rational persons concerned to further their own interests would accept in an initial position of equality as defining the fundamental terms of their association (A Theory 11).

In this initial or "original position," as Rawls calls it elsewhere, no person would know for certain whether they would or would not be part of the dominant religion if it were allowed that the state could promote a favorite church and persecute the rest. Therefore, rational individuals in the original position would "insist upon an equal right to decide what his religious obligations are" (ibid 217). In other words each person would choose religious freedom and toleration for all in order to secure it for themselves. But rational individuals in the original position would also undoubtedly claim the right to self-preservation, or as Rawls puts it, "justice does not require that men must stand idly by while others destroy the basis of their existence" (ibid 218). It would seem therefore that justice would allow citizens not to tolerate the threat to a peaceful existence posed by the intolerant.

But Rawls says there is no reason for a general denial of freedom to the intolerant. Citizens should allow equal liberties to all, including the intolerant, so long as the constitution which guarantees these liberties is secure and in no danger from the intolerant. In fact, says Rawls, given enough time within a tolerant state, an intolerant sect will "tend to lose its intolerance and accept liberty of conscience" (ibid 219).

But what if the intolerant sect should pose an immediate threat to the "just constitution" of "a well-ordered society?" Rawls says, the state may limit the freedoms of the intolerant "only in the special cases when it is necessary for preserving equal liberty itself," or "when the tolerant sincerely and with reason believe

that their own security and that of the institutions of liberty are in danger" (ibid 220). And when the liberty of the intolerant is limited "it is done for the sake of equal liberty under a just constitution the principles of which the intolerant themselves would acknowledge in the original position" (ibid). So while Rawls agrees with Locke that, in order to protect the constitution of a tolerant state from the actions of the intolerant, it is at times necessary to limit the freedom of the intolerant to act, he disagrees with Locke's position that opinions themselves must at times not be tolerated.

(c) Of "Those Devoted to Another Prince"

In his Letter Locke also says that the state need not tolerate those who "deliver themselves up to the protection and service of another prince" (Locke 63). By this he means that the state can't afford to tolerate either the Catholic church whose members claim allegiance to the Pope, or other religions whose members hold that obeying their church's leaders takes precedence over obeying the leaders of their state. Locke sees such religious devotion as a conflict of interest in the contractual agreement of loyalty between citizens and their state that will be detrimental to the well-being of the state.

In reply, Priestley says that it may be said that Catholicism is an evil because the Catholic church at one time persecuted Protestant dissenters. But a "mature consideration" shows that it is not necessary to render more evil for a past evil (Priestley 119). In the first place, he says, it is unlikely that "so absurd a system of faith" will ever appeal to any but the "lowest and most illiterate

of our common people" and will therefore never have any effect on the state (ibid-120). Persecution or intolerance toward Catholics could in fact be used by Catholics to argue that Protestantism is so weak it finds it necessary to attack its rival. But tolerating them, says Priestley, makes them an "open enemy" which is less dangerous than a secret one (ibid 122). Furthermore, Priestley points out that Poland, a "popish country," is presently showing more toleration than England, and another Catholic nation, France, may soon improve on its level of toleration. This may result in a mass emigration of persecuted British citizens to more tolerant places. It is therefore necessary, says Priestley, for self-preservation that England be tolerant toward all its people, even the "popish ones" (ibid 125).

So while Locke has argued for the non-toleration of Catholics and all those who hold allegiance to a "foreign prince" because he sees a conflict of interest in the contractual agreement between the individual and the state, Priestley calls for toleration for prudential reasons: it allows for the open observation of enemies of the state, and it prevents large numbers from emigrating out of the intolerant state.

One reading of the Letter makes it seem that Locke allows for the breaking of civil laws in the name of someone claiming to be speaking on behalf of Christ or God, by stating that "obedience is due in the first place to God, and afterwards to the laws" (Letter 59). This seems to allow for all manner of actions that contravene civil laws to be perpetrated in the name of obedience to those who claim to be speaking with authority directly from God, as various cult

leaders have done recently. But Locke's call for intolerance of those who claim allegiance to "another prince" does a good job of addressing this modern day problem of cult leaders who insist that their followers obey laws which run contrary to the civil laws of their state. Undoubtedly Locke would acknowledge that if cults were allowed to contravene the secular laws of their state on so-called religious authority the peace and stability of the secular state would be seriously threatened. Therefore, Locke's giving priority to God's laws over secular laws does reflect his belief that secular laws may be broken in the name of religion. He saw God's laws, as revealed to his worshippers in church, as not at all concerned with secular affairs or affairs of state, but only with the salvation of souls. In light of this view of the nature of religion, it is clear that Locke does not give cult leaders the authority, freedom, or right to contravene secular laws in the name of their religious beliefs, or on a claim to authority from God.

(d) Of Atheists

Locke also argues in his Letter that the state need not tolerate those who "deny the being of God," in other words, atheists (64). Human society is based on bonds that are created through promises, covenants and oaths sworn to be upheld in the name of God. Since an atheist does not believe in God, says Locke, his oaths and promises will have no hold on him. "The taking away of God, though but even in thought," says Locke, "dissolves all" (ibid). Atheists, according to Locke, are therefore a threat to the mutual trust which binds human society together. Furthermore, since atheists are, by definition,

irreligious they can logically have no claim to religious toleration.

On the other hand, Priestley sees the opinions of atheists and heretics as having "nothing formidable or alarming in them," and among the most easily refuted. It is therefore completely unnecessary, in his opinion, to persecute those who hold such points of view. In fact there is a danger that persecution may actually lead some Christians to take up the cause of the persecuted (Priestley 173-4). Furthermore, he says, it seems an impossible task to attempt to determine which beliefs are in fact heretical or atheistic. The magistrate may find himself having to punish not only those who "directly maintain the principles of atheism but he must punish those who do it indirectly" (ibid 181). The problem is that too many harmless beliefs may then be punished because they are seen as leading to atheism. But, although Priestley considers the consequences of atheism and argues that they are not as dire as Locke supposes, he does not address Locke's concern directly.

In order to respond to Locke one needs to argue, as Pierre Bayle did shortly before Locke wrote his Letter, that "the notion that atheism is the source of all vices is disproved by experience" (Labrousse 80). There seems to be no provable causal relation between religious experience and moral dependability (Dunn 188). Locke might reply that an atheist's keeping his promises is contrary to his disbelief in God, and that this disbelief will some day lead the atheist to act in a way that is harmful to society. But two replies to Locke are possible: one is that many who call themselves Christians also do not keep their promises, covenants, and oaths, demonstrating that his

belief in God does not necessarily make a citizen trustworthy; and two, that it is neither the case that "the taking away of God, though even but in thought, dissolves all," nor is it the case that oaths and promises are meaningless to an atheist (Locke Letter 64, Wootton 109). It seems reasonable to suppose that trustworthiness is a character trait which is not necessarily connected with a belief in God.

John Rawls writes that equal liberty of conscience, when it comes to religious beliefs, is "consistent with a sense of community" within a just society (Justice 116). If a society does not allow atheists to freely disbelieve in God - which is in effect their belief - then, under Rawls' theory, it has relegated them to an unequal and inferior status within that society, not only weakening the sense of community within that society but proving itself to be unjust.

The question for Locke then is: Since atheism, like any belief, is not an attitude one can simply choose to surrender, and since atheism has empirically proved itself throughout history to be harmless to secular society, why should it not be tolerated for either one or both of these reasons? It seems that in his enthusiasm for maintaining the peace and stability of society Locke may have gone a bit too far in his intolerance of atheism.

Chapter 5 - Conclusion

In the final analysis it is clear that Locke's Letter Concerning Toleration not only addresses the concerns, and survives the criticisms, of his 17th century contemporaries and the historical events of his day, his arguments for religious toleration continue to display a vitality that enables the modern reader to apply Locke's reasoning and arguments to current events.

The problem of fringe religious groups or cults who claim authority directly from God, and sometimes perpetrate crimes against their fellow citizens in the name of religion, was as serious a concern in Locke's day as it is in the twentieth century. Locke's reasoning allowed the fringe groups of his day the right and freedom to hold and express any opinions that were not contrary to the welfare of society, but did not allow them to act on those opinions that would break civil law, and thereby harm their fellow citizens, in the name of their religion. This same reasoning may be applied today, and works equally as well in today's modern society as it did in Locke's day.

Locke's reasoning concerning the nature of belief - that it can't be forced on an individual from the outside, nor can he or she simply decide to believe - still holds today. Locke argued, especially against Proast, that belief may not be compelled by civil authorities, and that citizens have not allowed civil authorities to force belief on them. Locke argued that, in order that the right kind of beliefs may develop, that is, the kind that lead to salvation, everyone must be allowed the freedom to develop their own beliefs. The question about forced belief was raised again in this century by Jeremy Waldron, but Locke's reasoning still holds. In fact we have modern-day evidence that compelling people to believe does not work: in communist Russia forcing belief failed, first because people could not simply discard their deeply held religious beliefs and accept those presented by the state, and second, the citizens of Russia had not given their civil leaders the power to force beliefs on them and eventually rebelled against their illegitimate use of force. Locke's argument holds: compelling people to believe that which they are not convinced of in themselves was just as wrong in communist Russia as it was in the France and England of Locke's day.

Locke also warned that compelling citizens through force of civil laws to believe a particular religion is irrational since it is probable that the belief chosen by the civil authorities as the right one is in fact not the way to salvation at all. No one can be so certain about their particular church that they can guarantee salvation to those who follow its teachings. The same argument may be directed at fanatical, right wing fundamentalists of all persuasions

who insist on forcing their beliefs, by means of secular legislation, on entire populations. Those who promote their religion as "the only true religion that will lead to salvation" are just as likely to be mistaken today as those who claimed the same in Locke's day. Religious toleration, as Locke advocated it, and as many are arguing for it today by means of the premises offered by Locke, is the only legitimate, and the most logical way, for rational citizens to find salvation for themselves.

So while his letter has sometimes been criticized as being too parochial or historically bound it seems evident that it has stood the test of time and will continue to exert an influence on discussions of universal religious toleration, and toleration in general, not only this year, 1995 - the year the United Nations has declared "The Year of Toleration" - but for generations yet to come.

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