ABSTRACT

A GENDERED ANALYSIS OF THE HISTORICAL LOCKE:
RETHINKING LOCKE’S SECOND TREATISE ON GOVERNMENT

by Jason Francis Hulvat

Not having a strong sense of the context leaves our interpretations of past people, events and documents likely to be based on contemporary understandings that may contradict the historical reality. Despite a large body of Locke scholarship, previous gender-based studies have overlooked the importance of historical context in interpreting Locke’s writing. This thesis, while critiquing the works of Melissa Butler and others, examines the Second Treatise on Government within the framework of Locke’s social, historical, and biographical context, addressing an important gap in existing scholarship. Through a close textual analysis of Locke’s Second Treatise and an examination of the historical Locke, this thesis demonstrates that Locke’s use of the terms “man” and “men” are specifically sexed and do not include both sexes, as some have claimed. In doing so this challenges the notion that Locke is an early root of feminism and further highlights the problems of the false universal.
A GENDERED ANALYSIS OF THE HISTORICAL LOCKE:
RETHINKING LOCKE’S SECOND TREATISE ON GOVERNMENT

A Thesis

Submitted to the
Faculty of Miami University
in partial fulfillment of
the requirements for the degree of
Master of Arts
Department of History
by
Jason Francis Hulvat
Miami University
Oxford, Ohio
2003

Advisor: Dr. Judith P. Zinsser
Reader: Dr. David M. Fahey
Reader: Dr. Emily Zakin
c.

Jason F. Hulvat

2003
Trying to gain an understanding of the past is sometimes compared with trying to understand a foreign culture. For the historian, as it would seem for almost anyone, the idea of attaining an entirely objective perspective of the past is rather absurd. As William Green asserts in *History, Historians, and the Dynamics of Change*, “Every historian is a prisoner of his own time, language, and culture.” Green continues by quoting Gerhard Benecke, who claims: “It is impossible for anyone living today to hear early music with the ears of those who first heard it, and it is idle to pretend otherwise.”\(^1\) While these statements reveal one of the major challenges faced by historians they also point to the necessity for historians\(^2\) to be well grounded in the historical context of their inquiries.

Not having a strong sense of the context leaves our interpretations of past people, events, and documents likely to be based on contemporary understandings that may contradict the historical reality. In the same way that the more one studies language, customs, and other aspects of a foreign culture makes one a more equipped traveler in that foreign place, looking at more of the appropriate historical context makes us more effective historians. Yet many people, even “professional” academics, have written numerous works that have little if any grounding in their historical context. As Edward Harpham points out in his historiographical essay, *Locke’s Two Treatises in Perspective*, interpretations and criticisms of *The Treatises* up to the twentieth century were not concerned with what Locke’s writings meant within their historical context, but rather used Locke’s terms and ideas to “highlight particular problems they were grappling with in their own thought.”\(^3\) Seeing the need to examine Locke’s writings not as something isolated, but rather as having been shaped in an important way by a historical context, writers and commentators in the twentieth century have sought to place Locke’s work in a variety of historical contexts.

John Locke’s *Two Treatises of Government* were originally published in 1689, and, along with his other writings, have been the subject of an enormous amount of

---

2. Within the context of this paper I am using Historian in a broad sense which includes those who study people, events, ideas, etc… that happened in the past.
scholarship.\textsuperscript{4} With the extent of scholarly publications on Locke’s writing and particularly the \textit{Two Treatises}, one might be lulled into the misperception that there is little if any room left for new scholarship. Writings on Locke since the early twentieth century have attempted to address the problems of taking Locke’s writings out of context by focusing on the historical environment that shaped Locke’s writing.

The collection of essays that Harpham edits entitled \textit{John Locke’s Two Treatises of Government} illustrates the broad spectrum of aspects of the historical context for the \textit{Two Treatises}, which more recent writings have examined. This scholarship has placed Locke’s writings in its political context of the Restoration, the economic context of the seventeenth century, as well as paid attention to religious and other intellectual issues of the time.\textsuperscript{5} However, despite a rather substantial body of work on Locke from a feminist perspective\textsuperscript{6} there appears to be no presentation of Locke’s \textit{Two Treatises}, which effectively addresses both gender and the appropriate historical context. An extensive portion of this paper will be devoted to providing a gender based context for analysis and interpretation of Locke’s \textit{Second Treatise on Government} and focuses on conceptions of men and women in Locke’s time. Additionally, through this paper I hope to begin to address this void in Locke scholarship by presenting a gendered analysis of Locke’s \textit{Second Treatise}.\textsuperscript{7} An essential part of this gendered analysis will be the question of Locke’s use of the word “man.”

Melissa Butler’s “Early Liberal Roots of Feminism: John Locke and the Attack on Patriarchy,” in which she argues that Locke and particularly his \textit{Second Treatise on

\begin{footnotesize}
\begin{itemize}
\item[5] For a more extensive discussion of these contexts and historiography see: Harpham, \textit{John Locke’s Two Treatises}.
\item[7] Due to the limitations of space and time the analysis of Locke’s \textit{Second Treatise} appearing later in this work will be focused on the initial sections of this treatise which contain the most appropriate material for this type of analysis.
\end{itemize}
\end{footnotesize}
Government formed the “Early Liberal Roots of Feminism,” provided the initial impetus for this study. Dissatisfied with her conclusions I began a close textual analysis of the Second Treatise and found that this text did not appear to support Butler’s claims. To build a critique of Butler’s argument I turned to Carole Pateman’s The Sexual Contract and The correspondence of John Locke and Edward Clarke, edited by Benjamin Rand, which appeared to provide the strongest support for Butler’s assertions. Pateman’s claims, much like Butler’s, appeared to be based on a selective reading of Locke’s Second Treatise overlooking the subtleties and logical structure that a close textual analysis provides. The correspondence, however, proved the most valuable in critiquing Butler’s claim. In checking Butler’s references to the correspondence I discovered not only that there were inaccuracies within the endnotes, but also that a key passage was misquoted. This passage had been used to make the argument that Locke viewed men and women as equal and that therefore when Locke uses the terms “man” or “men,” it may be correctly assumed he is referring to both sexes. However, the actual passage does not support this claim and the letter as a whole appears to contradict Butler’s conclusions.

Despite the large body of Locke scholarship I found no critique of Butler’s work or of several works by other feminist scholars making similar claims. I also noted that a gendered analysis of Locke’s writing which addressed Locke’s social, historical, and biographical context was largely absent in the existing Locke scholarship. Therefore, this thesis, while critiquing the works of Butler and others, examines the Second Treatise on Government within the framework of Locke’s social, historical, and biographical context, addressing an important gap in existing scholarship.

A discussion of Locke’s writing, principally a close textual analysis of Locke’s Second Treatise on Government, serves as the centerpiece for this paper. Supplemented by De Beer’s and Rand’s collections of Locke’s correspondence, and drawing upon Locke’s An Essay Concerning Human Understanding and his Some Thoughts Concerning Education this section will look at what Locke actually says in the Second Treatise. Additionally, this section will examine the logical structure of Locke’s treatise, looking at the argument as a whole which will illustrate the importance of a close reading of the text.
Contained within a carefully argued, precisely constructed treatise, Locke critiques the views of patriarchy, especially those of Filmer, and presents an equally inclusive theory of government and society to replace patriarchalism. What Locke is writing in this treatise is a description of a male political society, where he makes clear distinctions between the exclusively male meaning of the terms “men” and “man” and the more inclusive usage of “mankind.” Locke’s individual is male with traditional masculine qualities and it is the identity of this individual that I will explore and present here. A careful textual analysis of Locke’s *Second Treatise on Government*, reveals his views on the character of the male individual as well as the nature of that individual’s relation to both the private and public spheres of society. Additionally, by examining Locke’s other writings, formal texts and personal correspondence, the male individual of the *Second Treatise* will be placed in the broader body of Locke’s ideas.

A second section of the thesis will primarily be a gendered analysis of Locke’s time. A biographical study of Locke in conjunction with this gendered analysis allows for a more thorough understanding of the *Second Treatise* within the appropriate historical context. Expanding upon Hilda Smith’s recently published *All Men and Both Sexes: Gender, Politics, and the False Universal in England 1640-1832*, by exploring Locke’s biographical, social, and historical context this section will illustrate the inappropriateness of assuming the terms “man” and “men” in Locke’s time refers to both sexes.

In order to provide a more complete historical picture of Locke’s “man,” the analysis of his treatise will be placed in the broader context of gender difference in post Restoration England and particularly the legal views of this time. By looking at biographical material on Locke, such as Fox Bourne’s *The Life of John Locke*, in conjunction with a gendered analysis of his time, it becomes clear that it would be extremely uncharacteristic of an individual of Locke’s class, education and associations living in England in the later part of the seventeenth century to have felt compelled to specify that when he used the terms “man” and “men” he was referring exclusively to males. The absence of any such statement in his published writings or his correspondence is therefore not surprising. Further, as a well educated “middling” class elite male who was very conscious of his use of words, it would be equally uncharacteristic for Locke to
have meant for his statements about “man” and “men” to refer to both sexes. The fact that Locke does not mention using this atypical understanding of “man” and “men,” in conjunction with statements indicating his acceptance of certain gender norms, provides compelling evidence that Locke would have used the terms “men” and “man” as specifically sexed.

This analysis also seeks to point out the confusions and misinterpretations of previous feminist inspired studies of this treatise. By examining Locke’s male individual, I will show that Locke’s society is male by definition and that the marriage contract so often studied by feminist scholars, does not imply the inclusion of women as members of that society, and therefore does not pose a contradiction. There is no inherent or implicit equality of men and women in Locke’s views. Drawing upon the textual analysis and broader context of the previous two sections the final portion will critique and respond to writings on Locke’s *Second Treatise* by Butler, Pateman, Makus, and Agonito. The social, historical and biographical contexts of Locke’s *Second Treatise on Government* addressed in this thesis therefore provide a valuable understanding of Locke’s language. A gendered analysis of the *Second Treatise* within this framework illustrates that Locke is not the liberal feminist scholars have made him out to be.

**“Man” Endowed**

The existing Locke scholarship addressing issues of gender in the *Second Treatise* has largely taken for granted that Locke uses terms like “man” in a way not unlike today’s usage. However, by assuming that Locke’s use of “man” is intended to be inclusive of both males and females, these scholars are merely a contemporary example of using Locke’s terms and ideas outside their original context to “highlight particular problems they were grappling with in their own thought.” In Locke’s *Second Treatise on Government*, he does not give an explicit statement as to whether he is using “man” as a specifically gendered category. However, I argue that such a statement is unnecessary if one places the work in the appropriate historical context with regards to seventeenth century views of women and gender. In other words, Locke does not need to specifically indicate that his “men” are male because in his time this would be assumed.

---

8 Edward Harpham makes the critical observation that much of the scholarship on Locke prior to the 20th century paid little attention to the original context of Locke’s words but rather took Locke’s words and placed them in a more modern context to address issues of their own day. Harpham, 2.
As the understanding and interpretation of a philosophical work, as well as an historical document, is dependent on an understanding of the language used, by taking Locke’s writings out of their historical context one is likely to misrepresent Locke’s views due to the fluidity of language. This is particularly significant with gendered language and pronouns, which in more recent times can carry significantly different meanings than in the past. As Denise Riley asserts, “the notion of what a woman is alters; so does the whole conception of what a person is, how a being is unified.” In a similar vein I assert that the notion of what a “man” is alters throughout history as well. Riley continues saying; “A part of this malleable ingredient of being human is the degree to which possession of gender is held to invade the whole person.” In other words, the understanding of the term “woman” or the term “man” is dependent on the extent to which the sex of a person is seen to be the defining aspect.

For Locke, the terms “man” and “men” carried a specifically sexed meaning of male human beings. This understanding compared with a more contemporary one illustrates how the meaning of these terms are “malleable” in the way Riley describes. Where as Webster’s Collegiate Dictionary gives the possible definitions of “man” and its plural form “men” as an individual human being, particularly referring to the male, or referring to human beings in general, it would be wrong to assume that the seventeenth century conception of these words, let alone Locke’s use of these terms, is equivalent to the contemporary conception. I argue that English enlightenment thinkers and particularly Locke thought of and used these terms in a particularly gendered sense and, along with Hilda Smith and others, feel that to apply the universal sense of the contemporary definition of these gender pronouns to historic texts can be misleading and misrepresentative of the historical reality.

---

11 Ibid
As Hilda Smith argues in her recently published *All Men and Both Sexes*, it is only when one reviews language, descriptors, and analyses of terms standing for the species and compares them with terms and descriptions representing the male sex, and then contrasts these with comparable discussion of women by the same author, or in similar works, that their falsely universal nature becomes clear.¹⁴

Further Smith asserts that falsely universal language hides the omission of those (especially women) not fitting the definitional patterns of the individual(s) represented by these terms. Additionally we concur that “historians have concentrated too easily on abstract and supposedly inclusive terminology and given too little attention to the contextual and exemplary base upon which such terminology is grounded.”¹⁵

Based upon extensive reading of seventeenth century English texts Hilda Smith concludes that “for everyday English texts, gender differences and delineation of roles based on sex was central.”¹⁶ Further, “the omission of women was seldom explicit, as was the omission of servants or tenants, and falsely universal language instead gave the appearance of their inclusion” and “visions of an independent, political man, of whatever class, were not meant to include their sisters.”¹⁷ However, women “were not simply omitted or overlooked, but definitionally were excluded from qualities attached to those categories.”¹⁸ For example,

when authors wanted to be inclusive in terms of class, they used the term ‘all’, but the term did not include women or boys; they belonged to separate divisions. (Girls were determined by sex and not age and fell under categories tied to gender definitions rather than those linked to age.)¹⁹

While Locke’s *Second Treatise on Government* will be discussed at length later in this piece, at this point it is worth noting Locke’s use of “all” as in “all men” a number of times in the *Second Treatise*, including some key passages that define participation in the society that he is describing. Further, the categorical distinctions between men and boys

---

¹⁴ Ibid, x.
¹⁵ Ibid, 1.
¹⁶ Ibid, 15.
¹⁸ Ibid, 5.
¹⁹ Ibid, 3.
based on age and between men and girls based on sex and not age are clearly seen in both Locke’s *Second Treatise* and his *Some Thoughts Concerning Education*.

As Hilda Smith points out, there is a consistent pattern (especially in seventeenth century writings on education) to “universalize the language of male experience while engendering that of women’s, even when circumstances would seem to dictate against it.”20 With this in mind as an important key to understanding Locke’s works, as well as those other seventeenth century English writers, and with the awareness of the use of the false universal typical of these writers, clearly it is inappropriate to assume that Locke had anything other than male individuals in mind when he wrote of “men” or “man.”

One must be cautious not to fall into the trap that Hilda Smith so clearly describes when she states:

One reads in innumerable works the words “everyone” or “all” and assumes that one must belong to such inclusive terms. Then in reading on, one learns that what “everyone” is doing is taking a wife, or governing his household to protect the family (identified as wife and children), or has lost a job which makes it impossible to aid a mother or other siblings. If the reader is a woman, at that moment she is drawn up short and realizes that, no, while I thought the author meant me, he/she did not.21

In John Locke’s *Essay Concerning Human Understanding* he states “that by the term ‘man’ we mean ‘a corporeal, rational creature’” and it is this definition of “man” that I will use throughout as the basis of Locke’s definition of “man” and “men” in his other writings.22 While this definition does not necessarily exclude the possibility that this “corporeal, rational creature” could be either male or female, through a presentation of materials from Locke’s *Second Treatise*, his personal Correspondence, and his *Essay Concerning Human Understanding*, in conjunction with views of women in English Society during the sixteenth and seventeenth century as well as the arguments of other scholars, I will show that for Locke “man” is a specifically sexed term referring exclusively to males.

20 Ibid, 32.
21 Ibid, 36.
In introducing his extensive work on the British enlightenment, Roy Porter asserts,

When thinkers like John Locke spoke of ‘man’, there doubtlessly lurked a generic if tacit notion of ‘mankind’ in general, but the people they envisioned as doing the teaching and preaching, writing and enlightening, were male. They did not think much of women in such public contexts, and when they did, they singled them out specifically.23

Additionally Margaret Hunt in her *The Middling Sort* states, “Eighteenth century people were generally quite precise with their gender signifiers, and seldom used terms like ‘man’ to refer to anyone other than the male of the species.”24 While Hunt’s reference is largely about people more recent than Locke, it would seem likely that this assessment of how “man” was understood would be more akin to Locke’s usage than the more recent conceptions of “man” as a non-gendered, universal term for human beings.

**Conceptions of Women in Sixteenth and Seventeenth Century England**

While the views of these two scholars alone may not be sufficient to claim that Locke’s language in the *Second Treatise* is sexed, they provide a valuable support to the case that I will continue to build through a discussion of women in sixteenth and seventeenth century England. Through an examination of significant works on women in England from 1500 to 1800 I sought to gain some insight into the historical conception of women in Locke’s time. I have attempted to reconstruct the historical conception of women in Locke’s time by examining legal, theological, and scientific perceptions of women as well as issues of property and politics as factors shaping the “common intellectual conception” of women during Locke’s time.25

In Locke’s *Some Thoughts Concerning Education* he claims that while this tract is primarily intended for the education of young gentlemen it may also be used for the education of daughters. He points out the differences of sex will require some differences in education. Yet, he asserts that “though where differences of Sex Requires different

---

25 By “common intellectual conception,” I most nearly mean how a person such as Locke during this time would most likely conceptualize women.
treatment ‘twill be no hard matter to distinguish’.”26 While this statement does not clearly indicate the differences that Locke views between males and females, it does indicate that there is a difference with regards to sex and that his views are consistent with the ‘norm’ of his society; otherwise these different treatments would necessarily be hard to distinguish.

The context of gender is essential for an effective analysis of John Locke’s writings since, as Mendelson and Crawford point out, “To contemporaries, the differences between the two sexes was a fundamental principle upon which society was constructed.” They continue by asserting, “Writers assumed that woman was inferior to man.”27 Since views and ideas about women during the sixteenth and seventeenth centuries were discussed in a wide range of texts a broad intellectual conception of women in Locke’s time can be explored. While this context for the conceptions of women will certainly differ from Locke’s specific conception of women, based on the earlier discussion it is the ‘norm’ conception of women in this time that is important here, and this should be feasible to approximate.

*Science and the Second Sex*

From a scientific perspective, women were seen as being weak, inferior, flawed, or imperfect in some way or another. This may in part have been due to influences from religion where Eve was presented as being flawed because she “tempted Adam to the Fall.”28 The physical embodiment formed a vital aspect of the early modern conception of sexual difference.29 This sexual difference was not just seen as the inferiority of the female, but it was also thought that the physical construction of men and women led to different qualities and virtues of the two sexes. In the early modern conception of the sexes men and women were seen as having traits in opposition. For example the male was perceived as active, energetic, courageous and strong, while the female was seen as passive, timid, weak, and gentle.30 Scientific views of gender also extended to intellectual

---

28 Ibid, 18.
30 Mendelson and Crawford, 20-22. See also: Laqueur.
capacities as well as physical differences. It was believed that for one to have the “comfort of having wise children, one must endeavor that they be born Male; for the Female, through the cold and moist of their Sex, cannot be endowed with so profound a judgment.” On the whole the scientific perspective of women and men was both based on and further supported the premise that the female sex was inherently inferior to the male sex.

**Divine Right in the Divine Order**

Issues of gender within the intellectual sphere are not just limited to medical and other scientific views. Religion also played an influential role not just for intellectuals, but also for the population in general. Crawford and Mendelson assert a claim which should be familiar to nearly all who study Early Modern England: “During the sixteenth and seventeenth centuries, the religious establishment was perhaps the most powerful medium through which theories about human nature and society were disseminated to the general population.” With sermons that were produced by the church to be read throughout England, the information and opinions of clerics on public affairs provided a common medium of terms and ideas for a broad range of social issues. While these issues were by no means limited to discussion of marriage, gender, and related issues, the religious teachings on gender issues provides an important component of this historical context. Both John Locke in his *Two Treatises* and Robert Filmer in his *Patriarcha* use and critique the religious components of patriarchy; therefore, the religious views of women in their time are an essential context to explore.

While clerics presented women and men as sharing equal spiritual status as based on St. Paul’s assertion that “in Christ there is neither Greek nor Jew, slave nor free, man nor woman”, the temporal reality was seen as very different. In the sixteenth and seventeenth centuries women did not share an equal role in the temporal hierarchy of the church, and, on the whole, “men monopolized the institutional expression of religion, formulating and disseminating religious ‘information’ about gender issues as well as other matters. They [men] decided points of theology, carried out sacred rituals, and

---

32 Mendelson and Crawford, 31.
33 Galations 3:28
34 Quakers are a notable exception to these religious views and teachings on women.
performed all public preaching.”35 While this structural reality implicitly shows that women were seen as somehow inferior or incapable of participating in religious hierarchy, it also implies that the church would present a similar view of the roles of the sexes in society as a whole. While the religious structure implied women’s subordination to men, this is only part of the theological view of women at the time. “Theology defined the good daughter, wife, mother, and widow in terms of her conformity to her role [in society],” and “because man was created mentally and physically superior to woman, his reason should enable him to control his wife.”36

**Law, Property, and Politics**

As we have seen theological conceptions of women were influential in science and for the general population, but it is also important to note that these views of gender difference and roles also played an important function in legal and political topics. “Writers on legal topics, for example, borrowed from theology to justify female exclusion from the political realm.”37 In discussing the perception of gender roles and difference on legal and political issues I will be focusing primarily on women in relation to issues of citizenship, property, and participation in the law. Each of these issues is an important aspect of existing discussion on Locke’s conception of women and their role in the society that he envisioned. As such these issues are an important part of the historical context for a gendered analysis of Locke’s writings.

**Second Class Citizens**

To explore to what extent women could participate as citizens in early modern English society is somewhat a problematic undertaking, for it is not necessarily clear what citizenship meant for men at the time, let alone for women. Drawing from Hirst’s *The Representative of the People?* Mendelson and Crawford assert:

> The stark dichotomy we take for granted now days, which assumes that men before the twentieth century had the potential to be citizens and women did not, is only a crude approximation to the early modern ideas about civic status. It was not clear to contemporaries (nor is it yet clear to historians) precisely what

---

35 Mendelson and Crawford, 32.
36 Ibid,33 The emphasis of this role is clearly illustrated in many published funeral sermons dedicated to women. Hilda Smith’s *All Men* provides a number of examples and some discussion of these sermons.
citizenship meant for men. Women’s civil rights and privileges were even more ambiguously defined, when they were defined at all.\textsuperscript{38}

Even though we cannot know precisely what citizenship meant to contemporaries, there are certain things we can observe about women’s role in this society. For example, they could hold certain offices by inheritance or by royal grant.\textsuperscript{39} Also, both Erickson and Stretton point out that husbands in the sixteenth and seventeenth centuries frequently appointed wives as executrices to their wills, making widows responsible for the legal settlement of debts.\textsuperscript{40} However, to make any inference about women’s position in society from these points would likely lead to overstated conclusions. As I will show later in this discussion of women and the law, their position as executrices to wills has more to do with ensuring male heirs receive all property due to them rather than being indicative of a woman’s importance in this society. Sommerville, in \textit{Sex and Subjugation} gives a very effective discussion of gender roles in early modern England. Citing this work Mendelson and Crawford assert:

Regardless of their economic, social, matrimonial, or civic status, ownership of land, or liability for taxes and other civic duties, women were barred by law or customs from many important rights and privileges. Nearly all of these restrictions concerned the exercise of political power or civil authority, whether through office-holding, the franchise, or other formal responsibilities which conferred status on males. Although the rationale employed to exclude women from civic prerogative varied from one context to another, all such explanations treated the female sex as a separate case. The grounds for women’s exclusion were of three types: feminine defect, whether intellectual, moral, or physical; legal dependency created by marriage; and finally the sexual ‘dishonour’ which

\textsuperscript{38} Mendelson and Crawford, 49.
\textsuperscript{39} Ibid,50
\textsuperscript{40} Amy Louise Erickson, \textit{Women and Property in Early Modern England} (London and New York: Routledge, 1993), 156-172. See also Timothy Stretton, \textit{Women Waging Law in Elizabethan England} (Cambridge and New York: Cambridge University Press, 1998). While Stretton’s title seems to indicate the narrower time frame of the Elizabethan period, this study encompasses women and the law throughout both the sixteenth and seventeenth centuries.
would result if a woman were permitted to exercise magisterial powers which might subvert the traditional gender hierarchy.\textsuperscript{41}

In many ways this assessment of women’s position in civil society can be seen as a culmination of the views presented in science, religion and the law. On the whole it seems clear that women were seen as necessarily inferior and therefore subordinate to men simply because of their sex. From these views of women in civil society we can begin to see the larger picture of the conception of women in Locke’s time. However there are still important issues of law and property that reveal even more about the early modern English conception of women.

\textit{Passive Litigants}

It is evident that contemporaries were well aware that the law, a point that is clearly made by Stretton, Mendelson and Crawford, viewed women and men differently. While there are different opinions over to what extent women were able to participate in the law in early modern England, it is evident that the law viewed men and women differently. For example, \textit{The Lawes Resolutions of Women’s Rights} published in 1632 it was clearly a foundational principal for civil, criminal, and ecclesiastical law that there was an essential and natural difference between the sexes as well as an inequality in moral and intellectual aptitudes of the sexes.\textsuperscript{42} However, in her \textit{Women and Property}, Erickson makes an argument for the position that the typical woman in early modern England both understood and could use the law for her own purposes.\textsuperscript{43}

However, Stretton’s argument that \textit{The Lawes Resolutions of Women’s Rights} published in 1632 with the subtitle ‘The Woman’s Lawyer’, which references obscure law cases and is bogged down with Latin and Law French, is far from being the practical guide which would support claims that women understood the law. Rather it is a text that is clearly intended for lawyers to use when representing women’s cases and not to be used by the women themselves.\textsuperscript{44} Additionally, Stretton’s text on \textit{Women Waging Law} essentially argues that cases involving women, when not brought on behalf of a male relative, arise primarily from their role of executrices to wills.

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{41} Mendelson and Crawford, 54.
\item \textsuperscript{42} T. E., 2. See also Mendelson and Crawford, 34-37, and Stretton, \textit{Women Waging Law}.
\item \textsuperscript{43} Erickson, \textit{Women and Property}
\item \textsuperscript{44} Stretton, 43-50.
\end{itemize}
\end{footnotesize}
In these cases the widowed wife is obligated by common law to bring to the law all unresolved debts owed by or due to her deceased husband. Stretton indicated that the purpose of this is not to assert the widow’s authority, but rather to fulfill the function of the executor by ensuring that the inheritance is fully transmitted to the appropriate male heirs. Also, it is observed that frequently new husbands will file suit on their wife’s behalf for any unclaimed inheritance, or other debts, due to her so that this property may join what the male gained control over in the marriage.\textsuperscript{45}

It is important to keep in mind these aspects of women’s participation in the law when discussing the early modern conceptions of women in England. While Stretton is making an argument in favor of the position that women did take an active role in the law, his own evidence and arguments like those already presented show that women went to the law primarily for the benefit of men and were looked down upon when seeking their own personal gain. There were numerous concerns that helped shape the law’s perspective of female litigants.

These included concerns about women’s sexuality, modesty, independence and speech, each of which might have had a bearing on how onlookers regarded female litigants. All of these concerns, and the belief in women’s subordinate position which underpinned them, were expressed to the fiercest effect in the prescriptive literature of conduct in which authors strove to mark out a place for women within the strictly conceived hierarchies of Elizabethan society.\textsuperscript{46}

Stretton’s arguments are largely consistent with Patricia Crawford’s observation of pre-industrial England that “although the reasons for women’s necessary subordination might change, the axiomatic inferiority of women remained.”\textsuperscript{47}

When looking to the courts and the law to gain an understanding of contemporary views of women, there are several important features of legal material to keep in mind. First, the nature of legal documents is such that decisions made by the courts rarely if ever gave the court’s rationale behind the decision. Also, court cases may reflect the

\textsuperscript{45} Ibid,101-154.
\textsuperscript{46} Ibid,44.
extreme issues rather than the ‘norm’ issues relating to women. Additionally, as Stretton asserts,

Parties entered bogus or insufficient suits to put opponents to great expense, to harass them or simply to delay them. Unsupported actions could cause delays of months or even years, time enough for unscrupulous parties to sell land to innocent third parties, to dispose of incriminating documents, or to wait for elderly witnesses or opponents to die.48

Keeping in mind the already small number of cases involving women, and that of these many were for the benefit of males, and/or brought by men on behalf of women, as well as the possibility of “bogus” suits, estimating the number of legitimate cases brought by women and their use of the law becomes an even more difficult task to undertake.49 During the period from 1560 to 1640 while common law litigation expanded women appear to have played only a minor role as suitors, and while the proportion of women suitors increased between 1613 and 1714, women were the lone suitor in less than ten percent of cases presented in the court of requests during this period further indicating women were not the active litigants some claim.50 Women:

participated in a range of activities that might give rise to legal wrangling. At the same time, unmarried women were regularly denied access to formal education, refused entry to apprenticeships and trades and barred from holding positions of authority, so that while they might be active within ‘informal’ areas of the economy and society they were often excluded from more ‘formal’ areas.51

Lack of resources, ignorance, and concern for their reputation are all reasons argued by Stretton to have discouraged women from litigation. Once again it is evident that early modern English society, if only the more formal aspects, viewed women, whether married or single, as inferior and subordinate to men.

The Feme Covert

From the perspective of common law all women were viewed as married or to be married, and further, man and wife (or feme covert) were seen as one person and that one

48 Stretton, 15.
49 Ibid
50 Mendelson and Crawford, 42.
51 Stretton, 104.
person was the husband.\textsuperscript{52} “As a husband was legally responsible for his wife, coverture placed her in the same category as children, wards, lunatics, idiots, and outlaws.”\textsuperscript{53} The wife as a \textit{feme covert} “could make no legal contract, except concerning her clothing and food. Her husband could sell her clothes. Her earnings were not her own, and she could neither sue nor be sued. Any inheritance of personal property she was due were her husband’s unless some specific protection had been made.”\textsuperscript{54}

In looking at the law we see that women, on the whole, are not seen as active knowledgeable participants. Despite a slightly misleading title of \textit{Women Waging Law}, Stretton points out that most cases involving women are either introduced by their husband or another male on their behalf, and of these cases the majority served to ensure the proper transmission of inheritance from one male heir to the next. Additionally “there was a right way and a wrong way to go to law. The Right way was for a woman to say little, leaving her counsel to argue all aspects of her case on her behalf. In other words to entrust her affairs to a man.”\textsuperscript{55} The views from the law as seen through issues of property are particularly important for understanding the conception of women during this time. Women are not seen to have the autonomy, authority, or the same level of participation in property, the law and society in general that men enjoyed at the time.

Through looking at the relationship between women and property in England during the sixteenth and seventeenth centuries Staves shows that while the form of married women’s separate property shifts from the dower to forms such as pin money, jointures, and others, in no way were these forms of property seen as a means to give women autonomy or authority. In fact, to a large extent these changes lead to further securing the male inheritance of property. Essentially women’s property, whether in the form of land money or regular payments, was seen as a form of maintenance and nothing more. The main difference between the different groups of women was the form of maintenance and the amount. These differences were primarily dependent on the social class of the wife and the husband.\textsuperscript{56}

\footnotesize{\textsuperscript{52} For a more extensive discussion of the \textit{feme covert} see Stretton, 129-154.\textsuperscript{53} Mendelson and Crawford, 37.\textsuperscript{54} Ibid, 38.\textsuperscript{55} Stretton, 54.\textsuperscript{56} Susan Staves, \textit{Married Women's Separate Property in England, 1660-1833} (Cambridge: Harvard University Press, 1990), 4, 35, 83-4, 160, 208, 222, 229.}
As Mendelson and Crawford point out, “At the end of the seventeenth century, Locke’s theories of contract allowed men to view their position vis-à-vis their sovereign as citizens not subjects, but the theory of contract was not extended to the relationship between husband and wife.” They continue asserting that “a wife’s role was to bear heirs so that landed property could be transmitted from one male to another.”57 This point is further supported by Susan Staves who states in her *Married Women’s Separate Property* that:

> From the Anglo-Saxons right through to the Family Provision Act of 1975 and beyond, rules concerning married women’s property have always functioned to facilitate the transmission of significant property from male to male; entitlements of women have been to provide them with subsistence for themselves and minor children who are dependent on them. Men want women to have enough to survive, indeed to survive at a level appropriate to a woman (not man) of their husband’s rank, but not enough to exercise the power that comes with a significant accumulation of property [sic.].58

In the sixteenth and seventeenth centuries women were conceived by science, religion, the law, and political society as being subordinate to men because of their sex. While women could have separate property, this property was meant to provide for maintenance, not autonomy. Their participation in the law was generally with men, for men or through men. Women were perceived as weak in both mind and body, and in many ways seen as possessing the opposite qualities of their male contemporaries. But none of these understandings of women in the sixteenth and seventeenth centuries are all that new or novel. Most of the authors presented willingly admit these points. So, why devote such attention to something well accepted? Because, simply stated, Locke scholarship, particularly feminist scholarship, has ignored this important context. By doing so Locke has been misrepresented in articles, monographs, anthologies, and even textbooks as playing an early role in feminism. And all because of a simple three letter word: “Man.”

---

58 Staves, 35.
Locke’s use of “man” has been widely presented as referring to people in general. Based on the historical context of gender in Locke’s society it would be unreasonable to conclude that Locke’s use of the term “man” in his Second Treatise carries anything other than a specifically gendered meaning. With this understanding of the sexed nature of Locke’s language a more effective gendered analysis of his Second Treatise on Government, as well as a critique of feminist interpretations of this treatise, can be attempted.

**But Who Was John Locke?**

Lacking an explicit statement by Locke on the meaning of his use of the words “man” and “men” in his writings, particularly the Second Treatise on Government, we must turn to other sources to assess the most likely meaning and usage of these terms. By getting a sense of who Locke was and by examining the views typical of those of similar class, education, and occupation, we can attempt to reconstruct how someone such as Locke would have viewed the world around him. While this may not satisfy the empiricists who would insist on the “smoking gun,” this approach is certainly an improvement on the assumption based on little if any evidence that “men” for Locke meant both “men and women.”

In the seventeenth century there is certainly a dichotomy between views on men and views on women, and both sexes were seen as clearly and distinctly different from one another. The views from the renaissance and before of women as imperfect or incomplete men was no longer as accepted by the 1600’s, although the implications of this earlier view of women still has much influence well into the eighteenth century.\(^59\) In looking at how women are perceived in this and any time period it is important also to look at ideals of men, as these are typically points where women are seen to lack or have the opposite ideal or trait. For example, Davidoff and Hall assert that the family status in the middling classes rose through their economic exertions, where as for a woman economic exertions was to risk shame for those around her.\(^60\) Additionally, they argue that, “At a time when the conception of occupation was becoming the core element in

---

masculine identity, any position for women other than in relation to man was anomalous.”61 This issue of occupation as a key component of masculine identity is particularly significant during Locke’s lifetime in the areas of science and medicine. Additionally there was a class dimension to this and many other perceptions of men and women in this time period. For example, “In lesser establishments, tasks usually assigned to one gender might have to be undertaken by the other, at least behind closed doors. The crossing of such a significant boundary, if made visible, could be taken as a sign of social inferiority when social status was crucial to building a picture of creditworthiness.”62

The ideal of women’s domesticity was a deeply engrained value in all levels of society; however, “the explicit statement of these values seem to have been somewhat greater among the households of professional men: army officers, medical men, and above all the clergy.”63 Yet at the same time women were expected to contribute to family enterprise when needed. “The balance between helping out the family enterprise by cheerfully undertaking such duties and an anxiety about maintaining the family’s social standing is a constant theme in the literature aimed at young women.”64

This literature is just one example of women’s education in values and ideals, an education that was very different from that of men. “Like men, women’s first duty was to train themselves for a religious life. But for women this could also be the central aim of education.”65 Education for women was primarily non utilitarian, and since women were regarded as central to the image of family status, their training was directed to that end. The arts, drawing, piano playing, knowledge of French which became the staple, and much derided, fare of female accomplishments, were deliberately paraded as being the opposite of business duties.66 While there were a small number of women exposed to a general liberal arts education, the goal of this education was specifically non-vocational.

In addition to the differing aims of women’s and men’s education, the content available also varied, and the exclusion of women from certain educational opportunities

61 Ibid
63 Ibid, 256.
64 Ibid
65 Ibid, 258.
66 Ibid, 259.
also represented an exclusion from other areas of society. “Basic Latin and Greek, the ticket for entry into Law, medicine and the Anglican clergy, were effectively closed to girls as well as the newer commercial and scientific subjects.” 67 In addition to being excluded from these areas of education, “the book clubs, debating societies, and natural history field clubs which were heavily used by apprentices and shopmen were for the most part off limits to young women.” 68

The limitations on the education of women, combined with the ideals of domesticity, certainly did not leave many opportunities for their formal employment, even if women were willing to risk pursuing them. However, “a variety of factors attracted women to teaching in addition to its relatively high status. Teaching was seen as an extension of childrearing which was being given special emphasis within serious Christianity.” 69 However, there were limitations on women here as well: Women were limited to running schools for and teaching girls, or schools for both sexes under about the age of seven. It was seen as inappropriate for women to be in a position of authority over males older than seven. This idea would certainly seem to be consistent with Locke’s views that the education of boys and girls at a young age would not need to be very different.

Turning again to Locke, it is important to keep in mind that he had an Oxford Education and was involved in the “new science” emerging at the time. Additionally, he was a medical professional and certainly in the upper echelon of the “Middling” class. It is interesting that all these aspects of Locke’s life relate to areas of society which relegated women to a subordinate status and excluded them from economic and educational opportunities open to men. Men in medicine and in science worked hard to distinguish themselves from women in similar pursuits. Beyond the distinctions of educational status, these men were seeking to distinguish themselves as professionals, whereas women were non-commercial.

What is perhaps most interesting about these men of science in this time period is what Hilary Rose asks in her forward to *Women, Science, and Medicine 1500-1700*: “What went on in the minds of these men [founding fellows of the Royal Society] so that

67 Ibid, 260.
68 Ibid
69 Ibid, 263.
the wife or the sister was at one moment their intellectual confidant and at the next, the Other, to be excluded from the new public knowledge?"70 She continues, “How did such men reconcile themselves to membership of a family circle that included brilliant creative women, and establish this exclusive club for the new ‘masculine thought’?”71 These men clearly saw the women around them as distinctly different from themselves. Rose’s questions seem to indicate that the reaction of these men is somewhat surprising. However, looking at the expectations of men and women at the time, the perceptions of women’s subordinate status from education, medicine, science, theology, and law, and the values and norms of the time, the reaction of these men should be seen as typical, if not expected.

Born in 1632 in Summerset, John Locke was the son of a man (John Locke Sr.) who was a captain in the parliamentary army during the civil war, who worked for the local justice of the peace and, as Harris describes him, a man of significant influence on John Locke and his writings.72 Academics quickly became the major focus of Locke’s life. Through a friend of his father’s, John Locke was sent to Westminster in 1646 and in 1652 he was elected to a junior fellowship at Christ Church, Oxford. Locke is described by Laslett, Harrison, and others as being among the scholars repelled by the Aristotelian philosophy dominant at Oxford at the time. In fact it is notable that Locke’s Library was surprisingly lacking in works by Aristotle, especially considering his popular association with philosophy.73 It is also worth noting that the meaning of “philosophy”, like that of other words, has changed over time and particularly since Locke’s lifetime. Philosophy in the modern sense is a much narrower and more defined area than it was in the seventeenth century. Considering changes in language, Locke would perhaps be better described as a scientist, a point which has important implications for understanding both Locke and his writing. However, he was interested in philosophy, and as Fox Bourne observes “his first relish for philosophy was due to his study of Descartes.”74

---

71 Ibid, xvii.
Locke’s study and fascination with Descartes relate well to his clear interest in science and medicine. As a friend of Boyle and other founders of the Royal Society, of which he later became a Fellow, John Locke was closely tied to the “new science” emerging in England. Locke’s medical career, though lesser known today, is in all likelihood the main reason Locke is remembered at all. This may seem an odd paradox, but Locke’s life reveals that it was his medical skills that led to patronage, and that patronage seems to have played a decisive role in Locke’s writing. Clearly medicine, both as an occupation discussed in all the major biographical works and as the subject of the second largest component of his library, is an important component to understanding John Locke.75

Though Locke never received his medical degree, he practiced medicine with David Thomas, a college friend, and it was in this capacity that in 1666 Locke met Ashley who later became his patron.76 “It was Locke’s conversation which attracted the keen-sighted politician as well as his skill as a doctor…Within a year he had taken up residence in the Ashley family, invited there to talk to the great man, to advise him and to doctor him and those about him.” At a time when surgery was much more like butchery, Locke preformed a delicate operation on Ashley to remove an abscess, likely saving his life.77 While Ashley was Locke’s patron, Locke was not only a doctor, but also a wise friend and in many ways a member of the family. Locke assisted Ashley with political, business and family matters, as well as sharing academic pursuits. Their relationship is especially important in the context of this study as Locke wrote the first drafts of both his Two Treatises on Government and his Essay Concerning Human Understanding while under Ashley’s patronage.

While Locke’s relationship with Ashley had advantages, there were also disadvantages. Locke had the advantage of a powerful patron who shared similar intellectual interests, and allowed Locke the freedom to pursue ideas and avenues not necessarily open to a scholar at Oxford. However, in the later years of James II and of Charles II when Ashley fell in disfavor and was imprisoned in the Tower, Locke fled

75 Harrison and Laslett, 18-19.
76 Fox Bourne, Vol. 1, 133, 249, 330.
England for exile in the Netherlands. It also appears that it was during this time that the middle section of Locke’s *Treatises on Government* was destroyed.

While Locke’s biographical history as a whole provides an important context for his writing, there are some points of biographical relevance particular to the *Two Treatises*. First, it is reasonably clear that Locke wrote what is now called the *Second Treatise* prior to writing the *First Treatise* and that both these components were written at least in draft form by 1681. This is significant because it shows that Locke was not writing to justify the Glorious Revolution but rather in support of the possibility of one. These two portions of Locke’s work do not constitute the entirety of the text, and in fact are only about half the original work. Additionally, it is important to note that the *Two Treatises* were published anonymously, with Locke taking credit for the works only at the time of his death. This is particularly significant in that it indicated how controversial this treatise was, specifically the lost portions. It is important to keep in mind that Ashley, Locke’s patron, was for a time imprisoned in the Tower for a plot in which Locke’s involvement is questionable, and that Algeron Sidney was executed as a traitor for having written a similar tract. All this happened in the 1680’s around the same time when the missing portions of the treatise seem to have been destroyed and while Locke himself was in exile.

Locke apparently “destroyed all his workings for the book [the *Two Treatises*] and erased from his papers every recognizable reference to its existence, its composition, its publication, printing and reprinting.” Despite this meticulous effort to conceal his authorship, Locke was extremely concerned about getting this work published just right. “There is evidence to prove that he [Locke] went to great pains to ensure that we should read him on politics in the exact words which he used.” Therefore, Locke, the meticulous author concerned for the exactness of his written word, is who we should have in mind when reading his work. Further, Laslett notes that “Empirical medicine, rather than philosophy, seems to be the model for the man who sets out to comment on

---

78 The following material is largely drawn from Laslett’s extensive introduction to his edition of Locke’s text.
79 Laslett, 5.
80 Laslett, 6.
political matters. Locke the doctor rather than Locke the epistemologist is the man we should have in mind when we read his work on government.”

So What is Patriarchy?

Since the portion of Locke’s treatise which most directly deals with gender issues, is also a response to Sir Robert Filmer’s discussion of patriarchy, it is necessary to include some discussion of this theory as a precursor to exploring Locke’s treatise. “It [patriarchalism] was a fully articulated theory which expressly accounted for all social relations – king-subject, father-child, master-servant, etc. – In patriarchal terms.” This inclusiveness is important to note as feminist critiques of Locke’s treatise argue that Locke does not present an equally complete account of the social relationships. Specifically they point to Locke’s relative silence on women. Notably Butler argues that because of his meticulous critique of Filmer, Locke was unlikely to overlook women and therefore he must have meant terms like “man” to imply women as well. Criticisms were not limited to Locke’s apparent silence on the subject of women, but also to inconsistencies in Filmer’s argument as well challenging the comprehensiveness of Filmer’s theory.

Filmer did not use patriarchal theory to challenge women’s claims to the throne. His critics, especially Sidney, seized upon his silence, protesting that Filmer would allow women and even children to rule as patriarchs. Patriarchal theory enthroned “the next in Blood, without any regard to Age, Sex or other Qualities of the Mind or Body.”(Algeron Sidney, *Discourses Concerning Government*, London 1698, p. 4)

Butler’s observation that because of Locke’s meticulous style he was unlikely to overlook women is very astute; however the assumption she draws from this is inconsistent with Locke’s language, style, and historical context. I argue instead that the lack of discussion of women is a result of Locke’s views that they lack full or equal participation in society.

---

81 Laslett, 85.
83 Butler, 80. See also: Filmer, *Patriarcha* and Schochet, *Patriarchalism in political thought*. 
Another important aspect of Filmer’s theory and that of other patriarchal writers is their insistence that the king rule absolutely as the divinely ordained father of his people.\(^{84}\) In an era of “divine right kings,” patriarchal writers believed the legitimacy of a monarch’s claim to absolute rule could be proved if the source of a divine grant of power could be found.\(^{85}\) “By tracing the king’s power back to Adam, the theory provided more than mere historical justification; it provided divine sanction.”\(^{86}\) This divine grant becomes a major point of contention in Locke’s response to Filmer’s arguments.

However, just to reject Filmer’s argument on the grounds of scriptural nuances would not be sufficient to counter the clarity and expressiveness of this theory.

The patriarchal family experience was universal. The family patriarch was a universally acknowledged authority figure with immense power. By linking the authority of the king with the authority of the father, a theorist could immediately clarify the nature of a subject’s political obligations.\(^{87}\)

“Patriarchalists insisted that God, nature and history were on their side. For proof, one need only consult the Book of Genesis. Not only was Genesis divinely inspired, it was also the oldest possible historical source and the best guide to man’s nature.”\(^{88}\) It is this argument for patriarchy and these points that Locke needed to address in his treatise to provide a complete response to the theories of Filmer and others.

**Tiny Details, Tremendous Differences**

Locke’s views on the emergence of society and the nature of “man” and “mankind” contained in his *Second Treatise on Government* provide a rich description of what he sees as characteristically male in both the political and non-political realms. Contained within a carefully argued, precisely constructed treatise, Locke critiques the views of patriarchy, especially those of Filmer, and presents an equally inclusive theory of government and society to replace patriarchalism. What Locke is writing in this treatise is a description of a male political society. Within this society, terms like “men” and “man” refer exclusively to males, as opposed to the more modern conception of “man” as a universal term that carries a meaning not unlike Locke’s use of “mankind.”

\(^{84}\) Filmer, *Patriarcha* and Schochet, *Patriarchalism in political thought*. See also: Butler, 74.

\(^{85}\) Butler, 75. See also: Filmer, *Patriarcha* and Schochet, *Patriarchalism in political thought*.

\(^{86}\) Ibid

\(^{87}\) Ibid

\(^{88}\) Ibid
Locke’s individual is exclusively male and it is the identity of this individual that I will explore and present through an analysis of Locke’s Second Treatise. This gendered analysis will draw from the historical context already established in this paper as well as Locke’s treatise and other writings. To a large extent this analysis will deal with subtleties of language and presentation.

While the distinctions are subtle, by ignoring the subtleties of Locke’s argument one misses the intent of the text and is likely to conclude that Locke meant to assert some equality of women and men, or that through the “Sexual Contract” Locke brought women into society and in doing so created a contradiction within the Second Treatise. This treatise appears to have generated some confusion, especially among feminist scholars such as Melissa Butler, whose essay, “Early Liberal Roots of Feminism: John Locke and the Attack on Patriarchy” in title alone signifies a gross misunderstanding of the Second Treatise.89 By examining Locke’s “man,” through this section I will show that Locke’s society is masculine by nature and that the marriage contract does not imply an inclusiveness of women as members of society, and therefore does not pose a contradiction. Contrary to Butler and Pateman’s assertions, there is no inherent or implicit equality of men and women in Locke’s views.

For Locke rationality is a defining characteristic of “man.” In his An Essay Concerning Human Understanding Locke defines reason as a faculty of man.90 “Locke, as MacPherson argues, would have limited participation to the demonstrably rational classes.”91 This would seem to create the possibility that Locke means “man” to have an inclusive sense referring to both males and females. This possibility is dependant on viewing “man” as a disembodied mind and therefore sex would not be a defining trait of “man.” However, Locke also gives primacy to embodiment over rationality as a defining characteristic.

89 While Locke’s treatise does not provide the foundations for feminism in the sense which Butler argues, it is impossible to deny the importance of early critiques and interpretations of this work in shaping the feminist debate.
90 “But the consideration I shall have of it [reason] here, is in a signification different from all these; and that is, as it stands for a faculty in man, that faculty whereby man is supposed to be distinguished from beasts, and wherein it is evident he much surpasses them.” John Locke, An essay concerning human understanding. Collated and annotated, with prolegomena, biographical, critical, and historical by Alexander Campbell Fraser (New York: Dover Publications, 1959). Book III Ch XVII, 1
Man Embodied

Locke’s individual is not a disembodied mind but rather is primarily defined by his embodiment. As the interpretational problems tend to revolve around the assumption that “man” as a category is meant to include both male and female individuals, the characteristics that Locke uses to define categories of people are central to interpreting his writing. The distinction between the sexes is observed most clearly in the physical bodies of males and females. It is the physical difference alone that compels us to classify one group as males and the other as females. No other characteristic would seem to give certainty in classification.92 In the following passage from his essay Concerning Human Understanding Locke asserts the importance of the body in defining an entity.

…since I think I may be confident, that whoever should see a creature of his own shape or make, though it had no more reason all its life than a cat or a parrot, would still call him a man; or whoever should hear a cat or a parrot discourse, reason, and philosophize, would call or think it nothing but a cat or a parrot; and say, the one was a dull irrational man, and the other a very intelligent rational parrot… For I presume it is not the idea of a thinking or rational being alone that makes the idea of a man in most people’s senses, but of a body, so and so shaped, joined to it;93

The fact that Locke recognizes the primacy of embodiment in classification is an important key to interpreting his writings. If he did not view man as defined by embodiment but rather by rationality alone then it would be possible to claim that any rational being could be classified as man, even a cat or a parrot, whether female or male, person or not. However, Locke’s individual is embodied and therefore when he speaks of “man” it is necessary to assume he is speaking of an embodied man unless otherwise qualified.

92 In this I make the assumption that physical or embodied distinctions are fundamentally immutable despite modern medical procedures that may blur this distinction. Locke, An Essay Concerning Human Understanding Book III Ch XVII 1.
93 Locke, An Essay Concerning Human Understanding Book III Ch XXVII, 8.
Preserving Male Authority from the Perils of Patriarchy

Having seen in his essay Concerning Human Understanding that Locke defines man as both rational and embodied, a look at the Second Treatise on government gives a more complete picture of who Locke’s masculine individual is. Because of its critique of Patriarchy, Locke’s Second Treatise has been mislabeled as an early liberal root of feminism. However, with careful attention to the structure and wording of the treatise it is clear that Locke is writing a tract on a society that is exclusively male in both formation and membership. In fact, his critique of patriarchy is not meant to empower or include women; rather, it reinforces the idea of a masculine society.

Locke saw the political ideas of patriarchy as founded on a flawed view of parental authority. Locke is essentially arguing that once the flawed view is corrected an exclusively male patriarchal society has no foundation. Additionally the idea of a monarchical succession through women, as in the case of queens, is a contradiction to the idea of Patriarchy. The Second Treatise on Government presents a view of society as being formed by and consisting of male individuals. This treatise presents a comprehensive theory of society through its critique and replacement of patriarchal society.

Logically Exclusive

As I have pointed out, the structure of an argument can impact the meaning of the words, and therefore is a very important aspect of the Second Treatise. To ignore the structure of Locke’s writing would almost certainly lead to misinterpretation. Essentially Locke’s argument is presented in a style akin to a geometric proof. The argument builds from one point to the next. In a mathematical proof, once a term is defined, limited, or qualified, that term carries those restrictions throughout the argument. To leave out one of these qualifiers or change the ordering of the points can render an argument incomplete, erroneous, or even absurd. By ignoring the fact that in Locke’s society, as well as in his Second Treatise, “man” is a specifically gendered term, one’s interpretation will necessarily be absurd, erroneous, or incomplete.
To avoid this problem, and to demonstrate what the text’s structure reveals about Locke’s society, I have chosen to address the material in the order that he presents it. Opening the *Second Treatise* by recapping what was shown in the previous discourse, we see not only the beginnings of the critique of patriarchy, but also, that Locke is carefully ordering his argument, giving the necessary premises.\(^9^4\) It is important to note that a critique of patriarchy is not the same as an attack on male authority; this is only the case if all male authority is defined as patriarchalism. While Locke asserts that “it is impossible that the rulers now on earth, should make any benefit, or derive any the least shadow of authority from that, which is held to be the fountain of all power. *Adam’s private domination and paternal jurisdiction*,”\(^9^5\) he is only attacking this argument for patriarchy; there is no mention of male authority at all. While some define patriarchy as male authority, it is the argument for male authority, as presented in the patriarchal theory of Filmer and others that Locke is attacking, not the reality of male authority.

**Two Spheres, One Lord**

Within this critique of patriarchy Locke makes distinctions between the public and personal spheres, that is, between political society and the family. These distinctions are important as the family or personal sphere will take on a very patriarchal model. Locke clearly states the presence of these distinctions saying “the power of a *magistrate* over a subject may be distinguished from that of a *father* over his children, a *master* over his servant, a *husband* over his *wife*, and a *lord* over his slave.”\(^9^6\) This passage also indicates that Locke views fathers and husbands as having an authority over children and wives in a way similar to the authority of a lord over his slave.

\(^9^4\) “It having been shewn in the foregoing discourse, 1. That Adam had not, either by natural right of fatherhood, or by positive donation from God, any such authority over his children, or dominion over the world, as is pretended: 2. That if he had, his heirs, yet, had no right to it: 3. That if his heirs, had there being no law of nature, nor positive law of God that determines, which is the right heir in all cases that may arise, the right of succession and consequently of bearing rule, could not have been certainly determined” John Locke, *Two Treatises of Government;* a critical edition with an introduction and apparatus criticus by Peter Laslett (Cambridge: University Press, 1960) and John Locke, *Treatise of Civil Government (1690) and A Letter Concerning Toleration (1689),* ed. Charles L. Sherman. (New York: D. Appleton-Century Company, Inc.1937). Locke, *Second Treatise of Government* Ch. I, 1.


By establishing political power as distinct from other power relationships, Locke is able to address political and familial structures independently and avoid what he perceives as one of the problems of the patriarchal society. Essentially, the problem arises from the origins of patriarchy as presented by Filmer. Filmer’s theory of patriarchy originates with Adam’s parental authority. However, as Locke observes, this argument has a significant flaw that I will address later while looking more closely at Locke’s treatise.

*Understanding Locke’s Man: The Public Sphere*

Locke begins his discussion of political power by stating that one needs to understand the natural state of “all men.” It is important to note that Locke has chosen to speak here in terms of “man” and “men” and not the more inclusive “mankind,” which he uses elsewhere in the text. Further, as has been discussed earlier, the term “all men,” as used by seventeenth century writers, is seen to limit the discussion to a specific category.

When authors wanted to be inclusive in terms of class, the term “all,” but the term did not include women or boys; they belonged to separate divisions. (Girls were determined by sex and not age and fell under categories tied to gender definitions rather than those linked to age.)

Locke states,

> To understand political power right, and derive it from its original, we must consider what state all men are naturally in, and that is, a *state of perfect freedom* to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature; without asking leave, or depending upon the will of any other man.  

This passage indicates that this is a male political power that Locke is describing.

Locke continues by claiming that this state of freedom is also a state of equality. However, he qualifies this equality to “creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the

---

97 Filmer, *Patriarcha*
98 Smith, *All Men and Both Sexes*, 3.
99 Locke, *Second Treatise of Government* Ch. II, 4. Here again it is important to note that Locke is using language that is exclusively masculine.
same faculties.”

This qualification is important as it shows that the use of “men” and “man” earlier in the passage refers only to males, not to both males and females, and that the use of reason - a masculine faculty for Locke - further defines political society as a male society.

Within this state of freedom and equality in which all men are naturally found, there are some limitations. Locke claims that “though this be a state of liberty, yet it is not a state of license: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession.”

This state of nature is guided by a law of nature which obliges everyone: And reason [a capacity which Locke ascribes exclusively to males], which is that law, teaches all mankind [men, women and children], who will but consult it, that being all equal and independent [with respect to the law of nature], no one ought to harm another in his life, health, liberty, or possessions.

Here Locke introduces the idea of “mankind” as an inclusive category as well as the subordination of those members of “mankind” (i.e. all females and male children) to those capable of reason. It is in their use of reason that men in society relate to “mankind” and just as everyone (who is a member of society) is bound to preserve himself, and not to quit his station willfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice to an offender, take away or impair the life, or what tends to the preservation of life, the liberty, health, limb, or goods of another.

---

102 Locke, *Second Treatise of Government* Ch. II, 6. On the surface this passage would seem to contradict the idea that rationality is a masculine faculty. However, Locke has already qualified the state of nature as a state in which all men are in and the fact that reason teaches all mankind does not necessitate all mankind possessing the faculty of reason.
Power for Preservation

For Locke, reason obliges “man” for the sake of “mankind.” It is from this obligation that the political rights of man emerge. In these rights we see that they are rights of “man” not “mankind” as illustrated in the following passage:

...every man upon this score, by the right he hath to preserve mankind in general, may restrain, or, where it is necessary, destroy things noxious to them, and so may bring such evil on any one, who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief.104

Man has political authority by the obligation he has to preserve all mankind. This is the most consistent theme of Locke’s political society, and in it we see the clear distinction he was making between “man” and “mankind.” In critiquing patriarchy Locke has no interest in challenging male political society. The difference is that Locke does not depend on the parental authority of the father for male political authority, but rather on the relationship between men and mankind as compelled by the law of nature.

It would seem that guided by the same faculty of reason in a state of freedom and equality there would be no need for government. Yet it is not Locke’s intention with his views on the state of nature to abolish government but rather to explain the origins of political society. To this end Locke observes that self interest will be a corrupting force and he argues,

I doubt not but it will be objected, that it is unreasonable for men to be judges in their own cases, that self-love will make men partial to themselves and their friends: And on the other side, that ill nature, passion and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow and that therefore God hath certainly appointed government to restrain the partiality and violence of men.105

It is because of self-interest that government is needed to maintain order and avoid partiality, and the formation of political society and government puts an end to the state

104 Locke, Second Treatise of Government Ch. II, 8.
of nature. However, this does not make the individuals who make up government super-men: “Remember, that *absolute monarchs* are but men”.

Since government and society put an end to the state in which men naturally exist, it is likely for one to wonder how political society is formed and how the state of nature ends. For Locke this is done through a social compact between men. This is not to say that every contract ends the state of nature, “but only this one of agreeing together mutually to enter into one community, and make one body politic; other promises and compacts men may make one with another, and yet still be in the state of nature.” From this it would seem that for Locke women are excluded from being members of society. It is here that one could easily be misled by not paying careful attention to the argument’s structure.

At first glance it would appear that the marriage compact should qualify as an agreement that would end the state of nature. If so, this “sexual contract” would indicate a potential contradiction, as it would imply that women can partake in the formation of societies and therefore could have a political role. However, by describing the state of nature earlier in the thesis as a state in which all men (not men and women) are naturally in, Locke has restricted the state of nature to males. Additionally, he refers to the compacts which create societies as taking place between men. Therefore, as neither of these are in the inclusive sense, the fact that Locke chooses not to use “mankind,” and the distinction he draws between political and other relationships earlier in the treatise, all indicate that he does not intend marriage to be a compact capable of ending the state of nature.

*Man and the Inferior Creatures*

Society is seen to be formed by male individuals, and we see that in this society “the *natural liberty* of man is to be free from any superior power on earth, and not to be under the will or legislative authority of a man, but to have only the law of nature for his rule.” This however, does not fully address how or why women are subjugated to male

---

109 Locke, *Second Treatise of Government* Ch. IV, 22.
political society. It is through the explanation of the relationship of man to the common, that is women, male children, slaves, servants, and others, that this subjugation becomes apparent. Locke claims that:

The earth, and all that is therein, is given to men for the support and comfort of their being. And though all the fruits it naturally produces, and beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hand of nature; and no body has originally a private dominion, exclusive of the rest of mankind, in any of them, as they are thus in their natural state: yet being given for the use of men, there must of necessity be a means to appropriate them some way or other, before they can be of any use, or at all beneficial to any particular man.110

This passage is important to the establishment of two categories of relationships in Locke’s society. First we see the recognition of male supremacy in this society through the statement that “the earth, and all that is there in is given to men.”111 This statement establishes a hierarchy within the state of nature that recognizes the male individual as inherently superior despite the fact that the products of the earth belong to men and women in common. The question of where women fit into Locke's society is clarified further in this statement:

Though the earth, and all inferior creatures, be common to all men, yet every man has property in his own person: this no body has any right to but himself. The labors of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property.112

Women in Locke’s society fall into the category of “inferior creatures” as seen through the shift in discussion from man as part of mankind to a discussion of man and inferior creatures. These passages are significant in that first they assert male priority and control as seen by the phrases “given to men” and “labour of his body”. While those things produced spontaneously by nature belong to all mankind in common, it is only

112 Locke, Second Treatise of Government Ch. V, 27.
man’s labor that is seen to generate property. “That labour put a distinction between them and common: that added something to them more than nature, the common mother of all, had done; and so they became his private right.” It is interesting that women become excluded from this private ownership by Locke’s use of man whereas they are included in the right of common ownership of mankind in the state of nature. Locke is not saying that women do not labor, only that he does not include them as fixing property to their person through this labor.

Yet it is not just exclusion from ownership in property that shows the subjugation of women in political society. Women become seen as part of the collective of inferior possessions. This is seen in their exclusion from the above passage listing men alone as having property in their person, and by the fact that male labor adds something more than the feminine nature, this implies a progression of improvement toward a superior good. In political society as well as in the state of nature that Locke presents, while male descriptors become associated with superiority, ownership, control and possession, female descriptors become associated with inferiority, common, and something to hold as property.

Beyond the Public Sphere

Issues of relationships and participation in Locke’s society may seem muddled by unclear language in his discussion of the state of nature. Conceivably it could be interpreted differently than I have, and Locke really meant to include both sexes when he used the term man. However, the role of men, women and children in the family clarifies these relationships and supports the reading of “man” as an exclusively sexed category. Since Locke is using this discussion of the family to undermine the theory of patriarchy, if he had intended terms like man to imply mankind, it would seem that this material should be valuable for supporting a claim that Locke sees a natural equality among the sexes. Some of the questions that need to be explored in looking at issues of family are: What are the roles of the parents? What does Locke say about children and does this differ depending on the sex of the child? What does Locke’s discussion of family

113 Locke, Second Treatise of Government Ch. V, 28.
114 “And even amongst us, the hare that any one is hunting, is thought his who pursues her during the chase…whoever has employed so much labour about any of that kind, as to find and pursue her, has thereby removed her from the state of nature, wherein she was common, and hath begun a property.” Locke, Second Treatise of Government Ch. V, 30.
members reveal about gender, and why has this discussion been used to claim that Locke believed men and women to have some natural equality?

*Filmer’s Folly*

Locke’s discussions of relationships within the family are distinctly shaped by his attack on Filmer’s patriarchy. Locke rejects Filmer’s view of generation as leading to male authority as part of the male’s obligation to the child. As both the male and the female play an essential role in reproduction, Locke claims instead that “whatever obligation nature and the right of generation lays on children, it must certainly bind them equally to both concurrent causes of it.” This is an important point for understanding Locke’s rejection of patriarchy, not as a liberal act paving the way for feminism, but rather as a very conservative reaction. Based upon this premise of generation leading to equal obligation to both parents patriarchal authority becomes seen as parental authority, and on this point Filmer’s argument fails. Locke explains the function of this discussion of generation as important because:

…it might perhaps have kept men from running into those gross mistakes they have made, about this power of parents; which, however it might, without any great harshness, bear the name of absolute dominion, and regal authority, when under the title of paternal power it seemed appropriated to the father, would yet have sounded but oddly, and in the very name shewn the absurdity, if this supposed absolute power over children had to be called parental; and thereby have discovered, that it belonged to the mother too.

Locke continues, stating:

And it (patriarchy) would have but ill supported the monarchy they contended for, when by very name it appeared that the fundamental authority, from whence they would derive their government of a single person only, was not placed in one, but two persons jointly.

---

115 This point is well established in Mendelson and Crawford, 18-31. See also, Laqueur.
116 Locke, *Second Treatise of Government* Ch. VI, 52.
117 Locke, *Second Treatise of Government* Ch. VI, 53.
118 Locke, *Second Treatise of Government* Ch. VI, 53.
This discussion of parental power has been used\(^{119}\) (improperly) to argue that Locke views women and men as having a fundamental and natural equality, and plays a fundamental role in claims that Locke uses “man” as a universal term for both men and women. However, Locke is clear in the above passage that his attack on patriarchy is to prevent the “gross mistake” of accepting Filmer’s patriarchy, since by accepting Filmer’s theory one would also have to accept the equal authority of women or run into a logical absurdity.

This argument of equal parental authority is not seen to impact the relationship between men and women in Locke’s society, but instead only to impact the understanding of the relationship between parents and children. It would seem that Locke himself perceived the potential confusion here for he makes an effort to clarify his argument and the status of men, ascertaining:

…and yet all this consists with the equality, which all men are in, in respect of jurisdiction or dominion one over another; which was the equality I there spoke of, as proper to the business in hand, being that equal right, that every man hath, to his natural freedom, without being subjected to the will of authority of any other man.\(^{120}\)

The changes that Locke perceives revolve around the relationship with children where, for the first time, Locke makes a clear distinction among those he subordinates - that is, women and male children - within mankind.

*Forever a Child*

Of children Locke says: “Children, I confess, are not born in this state of equality…Age and reason, as they grow up, loosen them, till at length they drop quite off, and leave a man at his own free disposal.”\(^{121}\) This passage reveals several important aspects of Locke’s conceptions of maturation. First we see that both age and reason are essential distinctions between adulthood and youth. Also, the observant reader will notice the combination of two gendered words “man” and “his” to describe the transition from child to adult. Locke is being very specific here that the male child through the acquisition of age, a characteristic not limited by sex, and reason, a characteristic specific

\(^{119}\) See Pateman, Makus, and Butler.

\(^{120}\) Locke, *Second Treatise of Government* Ch. VI, 54.

\(^{121}\) Locke, *Second Treatise of Government* Ch. VI, 55.
to males, leaves the childhood state of inequality. It is essential to notice that Locke
makes no equivalent statement for female children, but rather reasserts his initial
statement by saying “when he comes to the estate that made his father a freeman, the son
is a freeman too.”\footnote{122}

Locke refers to children in general as being in a state of inequality, but only to the
male as making the transition into a state of equality. Additionally, this transition is seen
to occur through the acquisition of an exclusively male trait, reason. What then of female
children? Butler and Makus argue the use of the term “man” is to be inclusive of both the
male and female children. However, none of Locke’s statements give clear support to
their conclusions, while there are numerous instances, to which I have pointed,
throughout the treatise where Locke’s language is specifically sexed.

\textit{Honored, but not Equal}

Locke once again asserts the role of parents in relation to children before
proceeding to a discussion of fathers and children.

\ldots to supply the defects of this imperfect state, till the improvement of growth and
age hath removed them, Adam and Eve, and after them all parents were, by the
law of nature, \textit{under an obligation to preserve, nourish, and educate the children},
they had begotten.\footnote{123} He continues: “The \textit{power}, then, \textit{that parents have} over their children, arises from that
duty which is incumbent on them, to take care of their offspring during the imperfect
state of childhood.”\footnote{124} From these points it would seem that Locke would continue with
discussing the relationship between parents and children. However, instead he shifts to
the relationships between father and child and once again women disappear form the
discussion. Locke asserts, “A child is free by his father’s title, by his father’s
understanding, which is to govern him till he hath it of his own.”\footnote{125} Additionally, Locke
argues that “The first part then of paternal power, or rather duty, which is education,
belongs so to the father, that it terminates at a certain season;”\footnote{126} Locke here places high
priority on the role of education in a child’s development seen through its description as

\begin{footnotes}
\item[122] Locke, \textit{Second Treatise of Government} Ch. VI, 58.
\item[123] Locke, \textit{Second Treatise of Government} Ch. VI, 56.
\item[124] Locke, \textit{Second Treatise of Government} Ch. VI, 58.
\item[125] Locke, \textit{Second Treatise of Government} Ch. VI, 61.
\item[126] Locke, \textit{Second Treatise of Government} Ch. VI, 69.
\end{footnotes}
the first duty of parental power. This first duty is placed in the father, showing the superiority of the father in the role of parents, which logically follows from the fact that education is meant to develop reason - a distinctly male trait.

**Retracing the Roots of Feminism**

“When Thomas Jefferson, who is often accused of plagiarizing the *Second Treatise* in his Declaration of Independence, copied the phrase ‘all men are created equal’ from Locke, he did not mean what Locke had meant—*all men*, male and female.”127 With such a confident statement on Locke’s meaning of “men” Agonito must be basing this assertion on clear convincing evidence. However, in the portion of the *Second Treatise* included in her text there is no statement by Locke that says “men” means male and female.128 Additionally, there is no reference given within her commentary on Locke’s treatise to indicate from where her assessment of Locke’s word usage comes. Melissa Butler’s *Early Liberal Roots of Feminism* is the only source I have found that claims to give direct support to this understanding of *men* from Locke’s writing. However, Butler’s use of erroneous miss-cited quotes from Locke’s correspondence certainly does not provide convincing support.

Perhaps Agonito is relying on a general acceptance that *men* is a universal term meaning male and female, or that a person of Locke’s education and status in post-Restoration England would typically have used *men* to refer to males and females. Further investigation shows that neither of these positions gives support to Agonito’s assertion. As Hilda Smith’s book on “Gender, Politics, and the False Universal in England”129 indicates, it is not generally accepted that “all men” means all males and females. Additionally, by examining the conceptions of the two sexes in relation to what we know about Locke’s life, interests, etc. we can attempt to reconstruct what his views most likely would have been (or at least those of someone of his class, education, occupation and circumstances). As has been thoroughly demonstrated throughout this thesis it would have been extremely uncharacteristic for Locke or someone like him to use “man” to refer to both sexes.

128 Ibid., 105-113.
129 Smith, *All Men and Both Sexes*.
Locke’s views of education have been a key point used by other scholars addressing questions of gender to argue that Locke meant “man” to refer to both males and females. Within this discussion Hilda Smith, Ingrid Makus and Melissa Butler all point to Locke’s statements in his essay *Concerning Human Understanding*. In Locke’s *Some Thoughts Concerning Education* he claims that while this tract is primarily intended for the education of young gentlemen it may also be used for the education of daughters. He also points out the differences of sex will require some differences in education. Yet, he asserts that “though where differences of sex requires different treatment ‘twill be no hard matter to distinguish.”\textsuperscript{130} While this statement does not clearly indicate the differences that Locke views between males and females, it does indicate that his views are consistent with the ‘norm’ of his society; otherwise these different treatments would necessarily be hard to distinguish. Additionally, while Locke is largely silent on what these differences will be, he is very conscientious to point out when his views on education of women deviate from social norms such as the importance of physical activity. Butler and Makus are the most ardent supporters of the view that, because these differences are not hard to distinguish, Locke sees no fundamental difference between men and women.

Butler in particular gives a thorough discussion of this view adding discussion of Locke’s personal correspondence with the Clarke family.

In the published version of his advice on education, Locke mentioned that the work had been originally intended for the education of boys; but he added that it could be used as a guide for raising children of either sex. He noted that “where differences of sex requires different Treatment, “twill be no hard Matter to distinguish.” (Locke to Mrs. Clarke Jan. 7, 1683/4)\textsuperscript{131}

There are a number of problems with Butler’s use of the correspondence here, which I will address after presenting more of her argument. She continues, drawing on another letter written by Locke:

On the whole, Locke believed that except for “making a little allowance for beauty and some few other considerations of the s[ex], the manner of breading of

\textsuperscript{130} Locke, *Some Thoughts Concerning Education*, 117.
\textsuperscript{131} Butler, 90.
boys and girls, especially in the younger years, I imagine, should be the same.”
(Locke to Mrs. Clarke Jan 1, 1685)\textsuperscript{132}

Casting what she sees as the final blow to any doubts as to whether Locke perceives a fundamental equality between males and females Butler claims:

Locke introduced far fewer restrictions in his plan for a lady’s mental development. In a letter to Mrs. Clarke he wrote: “Since, therefore I acknowledge no difference in your mind … to truth, virtue, and obedience, I think well to have no thing altered in it from what is [writ for the son].” (Locke to Mrs. Clarke Jan 7, 1683/4)\textsuperscript{133}

Butler concludes from this evidence that

Taken as a whole, Locke’s thoughts on education clearly suggest a belief that men and women could be schooled in the use of reason. The minds of both men and women were blank slates to be written on by experience. Women had intellectual potential which could be developed to a high level.\textsuperscript{134}

Her conclusions take and even bigger intellectual leap claiming,

Locke’s educational process was designed to equip young men for lives as gentlemen. Since the gentleman’s life certainly included political activity, a young man’s education had to prepare him for political life. If a young lady were to receive the same education, it should be expected that she too, would be capable of political activity.\textsuperscript{135}

Butler’s conclusions, despite being drawn from Locke’s personal correspondence, require the reader to be very generous in accepting conclusions that Butler appears to be basing on a careful study of Locke. However, in looking over the collection of letters between Locke and the Clarkes, some significant inconsistencies appear. It is interesting to note that Butler has cited a passage from this letter that includes a gap in the text due to the poor quality of the original document. “This letter is in very bad condition, being discolored and very much faded, even since 1877, when a copy which accompanies it was made. It is here printed from the copy of 1877, as a greater part of the original letter

\textsuperscript{132} Ibid
\textsuperscript{133} Ibid, 91.
\textsuperscript{134} Ibid
\textsuperscript{135} Ibid
is now hopelessly illegible.” (Note 1, Locke to Mrs. Clarke 7 [Jan] 1683[4])136 This editorial note is specifically directed to the ellipses in the letter, which appear in the middle of a passage Butler uses as essential support for her conclusions. Also, it is worth noting that Locke indicates in these same letters that his instructions for educating the Clarkes’ daughter are intended to make her a desirable wife and give no indication that through this education she is meant to be rational or capable of the same goals of a boy’s education.137 If these were the only problems with Butler’s argument they would be enough to take her views with caution. However, the problems don’t stop there. Butler has mis cited both of the principle letters by inverting the dates of the letters and further has misattributed a letter written to Mr. Clarke as being written to Mrs. Clarke. Within this letter Locke writes to Mr. Clarke that,

“If your Lady approve of it, when she sees it I will then obey her commands in reference to her daughters, wherein there will be some though no great difference, for making a little allowance for beauty and some other few considerations of the s[ex], the manner of breading of boys and girls, especially in their younger years, I imagine should be the same…But pray let me hear from you concerning this matter, as soon as you can.138

I point out these problems because when looking at questions of sexed language in Locke’s Second Treatise, it is essential to pay close attention to subtleties. Locke is not very direct in his views on women’s participation in society. This may either be taken to indicate that he is implicitly including them in his use of “man,” or that he may have intentionally left women out and meant “man” to refer specifically to males. It is in the nuances of language, structure, and context that one can hope to access Locke’s views of gender and his use of “man.” While the inaccuracies of Butler’s presentation may seem subtle to some, they are extremely significant as only a close careful study of Locke’s Treatise can hope to draw a meaningful conclusion on these points.

Butler’s work, which is criticized by both Pateman in her The Sexual Contract, as well as by Makus in Women, Politics, & Reproduction, represents just one example of the

137 Ibid
problems with the existing gender-based approaches to Locke’s Second Treatise on Government. Pateman’s work focuses on adult males and females and the marriage contract as demonstrating Locke’s acceptance of women’s participation in society. While her work makes a valuable contribution to discussion on the sexual contract, it is at the expense of focusing on marriage and not addressing Locke’s response to Filmer or the parent-child relationship. This focus ignores material, especially from the parent-child relationship, which undermines her conclusion that Locke’s contract theory is inclusive of both males and females. Makus makes a big leap in her assessment of Locke, addressing the points where Pateman and Butler’s arguments fail. However, her work, like all the others, fails to consider the historical context of women in Locke’s society and therefore largely accepts without question the idea that Locke implicitly included women in his discussion of his “man.”

All of these approaches see Locke as promoting a liberal view and as an early root of feminism. However, a careful gendered analysis of Locke’s treatise within the appropriate historical context reveals that this text presents an extremely conservative (not liberal) view of women.

There has been a wide-ranging debate among feminists about the meaning of “patriarchy” and such questions as whether, in our own society, the term should be used in its literal meaning of rule by fathers; whether patriarchy is a universal feature of human society or is historically and culturally variable; whether matriarchy or sexual equality has ever existed and, if so, how the “world historical defeat of the female sex.”

But women are not born free; women have no natural freedom. The classic pictures of the state of nature also contain an order of subjugation – between men and women. With the exception of Hobbes, the classic theorists argue that women naturally lack the attributes and capacities of “individuals.”

In Locke’s society, as well as in his Second Treatise, women are born into subjugation to men. Locke’s attack on patriarchy is seen to be a staunchly conservative effort to reinforce the subordinate role of women rather than an attempt to liberalize the role of women.

---

139 Pateman, 19.
140 Ibid, 6.
women in society as some would argue. Based on this examination of Locke’s writing, the historical context of gender in the sixteenth and seventeenth centuries, and the existing scholarship on gender in Locke, it becomes apparent that Locke’s treatise is not an early liberal root of feminism. Instead I would argue that it is the early commentaries and interpretations of Locke that form the early liberal roots of feminism. It is how thinkers such as Astell, Wolstonecraft, and Mill used Locke that should be addressed as these early liberal roots, not Locke’s treatise itself. Examining Locke within the appropriate historical context reveals his gendered language and clarifies the ambiguities of “man” in an important way. Additionally by showing the conservative nature of Locke’s approach to gender, we can now focus on early feminist commentaries as the true roots of feminism.
Bibliography

Primary Sources

Bourne, Fox *The Life of John Locke* vol.1-2 (1876)

Chamberlayne, T., *The Complete Midwifes Practice Enlarg’d* (1659)

Filmer, Robert, Sir., *Patriarcha* (1680) and other political works. Ed. from the original sources and with an introduction by Peter Laslett. (Oxford: B. Blackwell, 1949)


Walker, Obadiah, 1616-1699 *Of education: especially of young gentlemen* (1673)

Secondary Sources


Hall, Roland, *80 years of Locke scholarship: a bibliographical guide*. (Edinburgh:
University Press, 1983)
(Lawrence: University Press of Kansas, 1992)
(Lawrence, Kansas: University Press of Kansas, 1995)
Kline, Joan Larsen, *Daughters, Wives, and Widows.* (University of Illinois Press 1992.)
Laqueur, Thomas, *Making Sex: Body and Gender From the Greeks to Freud.*
Lloyd, Genevieve, *The Man of Reason: “Male” and “Female” in Western Philosophy.*

Mahowald, Mary Briody, *Philosophy of woman : an anthology of classic to current concepts.* (Indianapolis: Hackett, 1994)

Makus, Ingrid, *Women, politics, and reproduction : the liberal legacy.* (Toronto and Buffalo: University of Toronto Press, 1996)


O'Donnell “Mr Locke and the Ladies” *Studies in Eighteenth Century Culture* 8 (1979)


Thomas, Janice “On a supposed inconsistency in Locke’s Account of Personal Identity” *The Locke Newsletter* 10 (1979)

