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## Locke's Theory of Intolerance

## LOCKE'S THEORY OF INTOLERANCE

Jennifer Biess

Although John Locke is one of liberalism's founding theorists, his theory of toleration is not as liberal as one might expect. His philosophy is limited by the negative character of his argument and his allowance for the exclusion of certain groups, which render his version of toleration indefensible if the ultimate goal is to promote a truly liberal theory of toleration.

According to Jeremy Waldron, an argument for toleration is "an argument which gives a reason for not interfering with a person's beliefs or practices even when we have reason to hold that those beliefs or practices are mistaken."<sup>1</sup> Locke's argument for toleration is limited by its negative viewpoint, which only approaches toleration from the perspective of the persecutor, not the victim. Locke founds his argument on the irrationality of using coercion to change beliefs, claiming that coercion only acts on the will and that belief is not subject to the will. These beliefs should instead be swayed by education and argument. If beliefs are not subject to the will, the means, using coercion, do not suit the ends, changing beliefs.<sup>2</sup> Locke defines toleration as "nothing but the absence of force deployed for religious ends," which emphasizes the means versus ends nature of his theory<sup>3</sup>. This argument, which focuses on rationality, is a pragmatic argument rather than a principled one. Waldron comments, "What one misses... is a sense that there is anything morally wrong with intolerance, or a sense of deep concern for the victims of persecution."<sup>4</sup> Without this moral factor, Locke's theory only explains why using coercion does not make sense and fails to provide a principled argument for why it is wrong, which should be an essential component of any defensible theory of toleration.

However, Alex Tuckness argues that Locke's rationality approach implies a more principled argument than Waldron acknowledges. Locke allows for intolerance that is "necessary to the preservation of civil society."<sup>5</sup> For example, the toleration of crime and acts that harm others he argues are to the detriment of civil society. Although this seems open to abuse, Tuckness argues that Locke intends for magistrates to only act in ways that they would want other magistrates to act, since their actions could be used as a precedent. Considering that everyone is fallible, magistrates will be more stringent in when to be intolerant.<sup>6</sup> Thus, Tuckness extends Locke's characteristic appeal to reason to provide a more principled view of the extent of the magistrate's toleration.

But Locke's rationality argument is not against coercion in general; he is only against "coercion undertaken for certain reasons."<sup>7</sup> Locke uses the example of a magistrate prohibiting the slaughter of calves when discussing the magistrate's inability to restrict or impose religious rites.<sup>8</sup>

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<sup>1</sup> Jeremy Waldron, "Locke: Toleration, and the Rationality of Persecution," in *Justifying Toleration*, ed. Susan Mendus (Cambridge: Cambridge University Press, 1988): 63.

<sup>2</sup> *Ibid.*, 67.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, 85.

<sup>5</sup> John Locke, *The Second Treatise on Government and A Letter Concerning Toleration* (Mineola: Dover Publication, Inc., 2002): 144.

<sup>6</sup> Alex Tuckness, "Rethinking Intolerant Locke," *American Journal of Political Science* (2002): 293.

<sup>7</sup> Waldron, 76.

<sup>8</sup> Locke, 153.

It would be irrational for the magistrate to ban the slaughter of calves, if his intent was to impact religious belief; however, if he is motivated by economic concerns the ban would be rational, even if it discriminates against groups unequally.<sup>9</sup> Thus, Locke's view of toleration implicitly allows for discriminatory effects, which further limits Locke's concept of toleration.

Furthermore, Locke's theory of toleration is not defensible because it allows for exclusion of certain groups, which makes it inherently intolerant. When Locke says, "That church can have no right to be tolerated...that all those who enter into it...deliver themselves up to the protection and service of another prince," he is referencing the allegiance of Catholics to the Pope, which incorporates intolerance of Catholics into his theory.<sup>10</sup> Anthony Marx comments, "Locke's proclamation of tolerance thus implicitly excluded the one group arguably most needing tolerance."<sup>11</sup> Locke's toleration only really promoted tolerance between the various Protestant sects, while excluding those who, in a Protestant state, truly needed tolerance, the Catholics. Since Locke's theory accommodates this substantial intolerance, it cannot be viewed as a viable theory of toleration.

However, the exclusion of certain groups plays an important role: building national unity. According to Marx national unity is essential to the creation of democracy.<sup>12</sup> The Protestant English rallied around their joint exclusion of Catholics to create the national cohesion necessary for England to become a democracy. Marx comments, "Locke apparently justified an exception to the separation of church and state when it came to excluding Papists... in order to protect the state, preserve national unity and the social order, and make liberal democracy possible."<sup>13</sup> Thus, exclusion of certain groups, while intolerant, could be seen as applicable in terms of building new liberal democracies. Because of this caveat, Locke's theory could be seen as a more viable option in more traditional societies, but not a developed society such as the United States today.

Even if Locke's theory of toleration has some practical value in this respect, it is still inherently intolerant, which makes it indefensible. Its built-in intolerance goes against the core principle of liberalism as identified by Judith Shklar. Shklar states, "Every adult should be able to make as many effective decisions without fear or favor about as many aspects of her or his life as is compatible with the like freedom of every other adult. That belief is the original and only defensible meaning of liberalism."<sup>14</sup> The intolerance of Catholics as promoted by Locke's theory allows for unequal treatment of Catholics and Protestants. Marx outlines how anti-Catholic discrimination continued until relatively recently in England's history. The Catholic Emancipation Act was not passed until 1829 and even after that Catholics did not enjoy equal rights.<sup>15</sup> This historical evidence makes clear how the exclusion of certain groups for which Locke allows creates and perpetuates inequality, which is not only intolerant, but illiberal, and cannot be defensible.

<sup>9</sup> Waldron, 77.

<sup>10</sup> Locke, 145.

<sup>11</sup> Anthony Marx, "Superimposing Democratic Inclusion on Forgotten Exclusion," in *Faith in Nation: Exclusionary Origins of Nationalism* (New York:Oxford University Press, 2003): 77.

<sup>12</sup> *Ibid.*, 166.

<sup>13</sup> *Ibid.*, 177.

<sup>14</sup> Judith Shklar, "The Liberalism Fear," in *Politics Thought and Political Thinkers* (Chicago: University of Chicago Press, 1998): 3.

<sup>15</sup> Marx, 181.