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The uncomfortable question of urgency for liberal thought: A dialogue between John Locke's *Two Treatises of Government* and contemporary liberal theory

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> And thus much may suffice to shew, that as far as we have any light from History, we have reason to conclude, that all peaceful beginnings of *Government* have been *laid in the Consent of the People.*
>
> John Locke[2]

Amartya Sen and Thomas M. Scanlon confront liberal theories of primary goods by asking how they determine the appropriate political urgency for some goods over others. Their review of arguments of welfare optimization through impartial reasoning reveals a lack of discussion on why in a democracy some citizen views should be considered objective and some subjective and to be pursued with less urgency. The article traces this disjuncture to discussions in John Locke's *Two Treatises of Government* and argues that these contemporary difficulties are reflective of original irreconcilability between Locke's political anthropology and social contract accounts. The first of these recommends gradual care in transitioning from family-based authority to the larger community, shedding light on the status of individuals regardless of formal political constitution. The second instead centres on political legitimacy through means of social contract, relying on assumptions of universal rationality that work against the first account's deference to gradualism and parental authority. Here is where irreconcilability arises, for Locke's is a theory

that appreciates value in the slow and steady that is justified, in the end, in terms of uniform rational capacities. Whilst the conflicting emphases retain some sense of balance in Locke, contemporary liberal theories take only the second account forward, and so are incapable of debating appropriate political urgency.

I.

In a 1979 lecture, Amartya Sen explored the question of appropriate 'urgency' when implementing liberal or utilitarian accounts of optimum social welfare.[3] His concern was that '[t]he notion of urgency [...] is not fully captured by either utility or primary goods, or any combination of the two'.[4] Sen complains that primary goods in John Rawls's *A Theory of Justice* are 'the embodiment of advantage, rather than taking advantage to be a *relationship* between persons and goods'.[5] Theories of social welfare built along lines of fixed advantage tend to bypass discussion of the interaction effect between goods and how such goods are made worthwhile through their use (which is where their true value is realized). There is a distance, therefore, between decrees of what primary goods are deemed necessary and how citizens end up enjoying these goods socially. An unfair distribution can be made fair in its use, or a fair distribution made unfair.

Social welfare theories assume some common unit in citizens' appreciation of pleasure and pain, and then suggest which distribution point would expand total welfare or optimize equality of opportunity. And so this misses out discussion of the in-between stages of how citizens go about putting goods to use. For Rawls, the jump is made in terms of the 'maximin' principle, which seeks to balance principles of justice in a way that is appropriate for all types of society. 'The maximin rule tells us to rank alternatives by their worst possible outcomes: we are to adopt the alternative, the worst outcome of which is superior to the worst outcomes of the others'.[6] The principle assumes transferability of goods between citizens when thinking from the original position,[7] taking for granted that goods are as useful for me in the real world as they will be for you. This is, however, often not the case.

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[3] Amartya Sen, Equality of What?', *The Tanner Lecture on Human Values* (Cambridge: Cambridge University Press, 1980) I, 197-220.
[4] *Ibid.*, 218.
[5] *Ibid.*, 216.
[6] John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 152-3.
[7] *Ibid.*, 152.

Say, for instance, I am blind. Under Rawls' theory, the possibility that some people may be blind can be considered in the original position, suggesting that those people would draw less utility from the same goods as others. Sen demonstrates this 'conversion handicap' for persons with disabilities and shows that, all other things being equal, under the standard assumptions of welfarist models, resources cannot be put to as efficient a use by those with disabilities, meaning it would increase overall welfare if the resources were instead diverted to healthier individuals who put them to more efficient use.[8] Rawls' maximin principle is of no help here because paying attention to the specific needs of the blind person would only occur if they were outright the worst person to be in society. Assuming that being blind is not the outright worst situation, it is feasible to imagine that resources should be taken from him or her on the basis that more satisfaction would be derived from those resources by one who can see.

Our aversion to advancing this position exposes the way we implicitly acknowledge certain conditions to be objective and involuntary, as opposed to purely voluntary articulations of preferred utility.[9] Welfare setbacks not the fault of individuals themselves, we believe to be relatively more worthy of political commitment. But what in social welfare theory can justify us providing support to a placid blind man over an indulgent spendthrift? We seem reluctant to take resources from the blind man to give to another simply on the basis that the other happens to delight more in the maximization of pleasure through resource use. However, our willingness to adapt a theory of justice or equality according to objective categorization of some situations over others cannot be considered in tune with a welfarist stance:

> 'If such judgments take into account a person's pleasures and desire-fulfilments, but also certain objective factors, e.g., whether he or she is hungry, cold, or oppressed, the resulting calculus would still be non-welfarist. Welfarism is an extreme position, and its denial can take many different forms – pure and mixed – so long as totally ignoring non-utility information is avoided'.[10]

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[8] Amartya Sen, *The Idea of Justice* (London: Penguin Books, 2009), 258-262; T. M. Scanlon, 'Preference and Urgency', *The Journal of Philosophy*, 72/19 (1975), 659.
[9] Sen, 'Equality', 212.
[10] *Ibid.*, 212.

Objective categorization of preferences takes us away from welfarist calculations and into a realm of moral judgment. As Thomas M. Scanlon explains:

> 'An alleged benefit which we could not understand as falling under any familiar category […] and which was not regarded by the person as having the arbitrariness typical of something he 'just happened to take an interest in' would be totally opaque to us. But once we can understand the desirability of a benefit in this way we can begin to place it in a rough hierarchy of relative urgency. The urgency of a benefit will obviously not depend only on the category of the reason for which it is desirable. It will also be relevant how well off the person would be in respect to this category without the benefit, in particular what alternatives are available to him and what sacrifices would be involved in shifting to one of these alternatives'.[11]

Welfarist equilibria can be suggested once the categorization has been appropriately made and agreed upon. The point, however, is that welfarist models do not initially have the tools in themselves to categorize a preference articulation and work out its appropriate urgency.

This represents the uncomfortable question of urgency in liberal thought. Urgency can be defined as *political priority placed on achieving some outcomes over others*. To ask a political theory if it has sufficient regard for the question of urgency is to ask whether it can provide a legitimate basis for temporarily[12] prioritizing collective pursuit of some goods over others.[13] If a political theory cannot help identify which outcomes are more important than others, it will only survive through framing all unwanted outcomes as pure evils, rather than being able to identify some as merely lesser goods. Lack of an ability to formulate an urgency hierarchy resets the system of thought to the most primitive distinction between good and evil, whereby all evils are to be avoided and all goods pursued, with only one type of good understood.

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[11] Scanlon, 'Preference', 661.

[12] I use the word *temporarily* in all three senses of *temporarily in time*; *temporally in space (terrestrial)*; and *temporal as worldly, secular*. The point is that the political prioritizing that takes place is one that can be assumed non-permanent, non-universal, and non-eschatological.

[13] This area of analysis should be distinguished from urgent task theory, which 'holds that some tasks are morally so important that there is a natural moral duty to obey the commands of a putative authority who is well positioned to achieve the task if only people will obey'. D. M. Estlund, *Democratic Authority: A Philosophical Framework* (Princeton: Princeton University Press, 2008), 132. I leave open the question of whether some members of society are better placed than others to decide, and focus instead on the slightly more general question of whether liberal thought enjoys the capacity to prioritize pursuit of some goods more urgently than others.

Whilst critics have taken to task the workings of Rawls' theory of justice on grounds of logical inconsistency [14] and difficulties of generalizability,[15] Sen's practical concern for how we actually go about resolving injustices ignites this less looked-at question of *appropriate political urgency*. What use is an optimization of the distribution of goods if some enjoy more adaptable preferences than others? How can we bridge the distance between goods and their use in the real world if we remain obsessed with organizing the original position? However right and true our theory of primary goods may be, if there is disagreement in categorizing objective versus subjective preferences, the question of appropriate urgency will nevertheless remain live. As Scanlon remarks in a passage worth quoting in full:

> 'Urgency is a two-faced notion. In moral arguments appeals to relative urgency seem to be appeals to a consensus about how much people care about certain benefits, protections, etc. The structure of such arguments is first to claim that everyone admits in his own case that, say, being protected against a certain consequence is more important than enjoying some other benefit. One then imposes some moral framework, e.g., Rawls's Original Position, requiring that institutions be justified on grounds that give equal weight to everyone's concerns. The conclusion is then drawn that a morally acceptable allocation of rights would have to provide the protection in question at the expense of not providing the competing benefit. But when this argument is considered from the perspective of individual preferences, the consensus appealed to is more doubtful. Relative urgency does not coincide either with the relative strength of expressed preferences or with that of preferences as they would be if rendered fully consistent, etc. From the point of view of individual preferences, then, 'urgency' […] appears already to be a moral notion.
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> The notion of relative urgency is appealed to in both utilitarian and contract arguments, and in both its moral aspect enters in a veiled form. In Rawls, urgency enters through appeals to a consensus about the ordering of bundles of primary social goods. In forms of utilitarianism in which 'utility' is left unspecified, urgency plays a large role in its interpretation. When 'utility' is explicitly defined in terms of strength of preference, these preferences are generally assumed to have a structure that coincides with urgency […]. But if urgency is an independent, morally significant notion that is neither a matter of literally unanimous

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agreement nor identical with the relative strength of subjective preferences, then this notion needs to be examined and the grounds of its moral relevance spelled out'.[16]

It seems that whenever liberal theory gets close to a coherent and generalizable theory of primary goods, it slips from its grasp. At base there appears an undoable trade-off between assuming human sameness and factoring in human difference, causing perennial discomfort to the question of urgency.

The article argues that the incapability of liberal theories of primary goods to exercise judgments of urgency stems in part from irreconcilability between the political anthropology and social contract accounts of John Locke. Whilst there is some balance held between the two aspects within Locke's thought, the notions are made distinct in a way that is hard, if not impossible, to bring to harmony, with contemporary liberal theory taking only the second forward. The two competing accounts in Locke's *Two Treatises of Government* each seek to describe the way in which government is legitimate. The first recommends gradual care in transitioning from family-based authority to the larger community, shedding light on the status of individuals regardless of formal political constitution. The second centres on political legitimacy through means of social contract, interpreted by some as Locke's most robust contribution to political theory. Evaluating political legitimacy through the lens of social contract depends on assumptions of universal rationality that work against the first account's deference to gradualism and parental authority. Here is where irreconcilability arises, for Locke's is a theory that appreciates value in the slow and steady, which is justified, in the end, in terms of uniform rational capacities. By taking only the second account forward, contemporary liberal theories lack any debate on appropriate political urgency.

Locke's attention to the slow and steady

In a surviving fragment from around 1693, Locke wrote:

'The original and foundation of all law is dependency. A dependent intelligent being is under the power and direction and dominion of him on whom he depends and must be for the ends appointed him by that superior being. If man were independent he could have no law but his

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[16] Scanlon, 'Preference', 667-8.

own will, no end but himself. He would be a god to himself, and the satisfaction of his own will the sole measure and end of all his actions'.[17]

This reference to the person as a 'dependent intelligent being' signals immediate philosophical commitment to social and interpersonal dynamics acting as building blocks to a community governed by law.[18] Such mixture of dependency and intelligence is not foreign to jurisprudential theorists, with MacCormick stating years later that law works when 'I act as I think it right to do, subject to thinking you also think it right and act reciprocally on your opinion, and so on'.[19] A coordination requirement accepts implicitly the social interdependence of persons as instrumental for the foundations of political life: a bottom-up approach to political legitimacy which recognizes the state as established in part through its ideals becoming synchronized with community norms and virtues.

The commitment displayed in that 1693 fragment chimes with one reading of *Two Treatises*, published by Locke four years earlier. *Two Treatises* evaluates the merit of considering political community an outgrowth of family life such that people, 'by their own consent either submitted to the Government of their Father, or united together, out of different Families to make a government'.[20] Locke discusses the natural leadership of parents, and the need for understanding the gradual development through which a society builds its leadership structure. In a passage reminiscent of contemporary debates over citizenship, Locke reflects on the foolishness of viewing the child as a member of a state prior to being a member of a family:

'If a subject of *England* have a Child by an *English* Woman in *France*, whose Subject is he? Not the King of *England*'s; for he must have leave to be admitted to the Priviledges of it. Nor the King of *France*'s; For how then has his Father a liberty to bring him away, and breed him as he pleases? And who ever was judged as a *Traytor* or *Deserter*, if he left, or warr'd against a Country, for being barely born in it of Parents that were Aliens there? 'Tis plain then, by the Practice of Governments themselves, as well as by the Law of right Reason, that a *Child is born a Subject of no Country or Government*. He is under his Fathers Tuition

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[17] Mark Goldie, ed., *Locke: Political Essays* (Cambridge: Cambridge University Press, 1997), 328-9. Quoted also in Jeremy Waldron, *God, Locke, and Equality: Christian Foundations in Locke's Political Thought* (Cambridge: Cambridge University Press, 2002), 163.

[18] A similar juxtaposition of 'dependence' and 'intelligence' is present in Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues* (London: Duckworth, 1999).

[19] Neil MacCormick, *Institutions of Law: An Essay in Legal Theory* (Oxford: Oxford University Press, 2007), 18. See also E. A. Posner, *Law and Social Norms* (Cambridge, MA: Harvard University Press, 2000), 34-5.

[20] Locke, *Two Treatises*, II, §112, 343.

and Authority, till he come to Age of Discretion; and then he is a Free-man, at liberty what Government he will put himself under; what Body Politick he will unite himself to'.[21]

The primacy of the family becomes immediately apparent when it is viewed in this way as the institution of transition from childhood to citizenship, much as the school is viewed in French republican discourse. Indeed, it can be insightful at this juncture to distinguish between Anglo-Saxon sentiments exhibited in Locke, and the republican tradition revealed in authors such as Jean-Jacques Rousseau. Republicanism puts analytical weight on the difference between slavery and citizenship, with the distinct self-sufficiency of the latter indicating the nature of statehood's authority.[22] And so, in contrast to Rousseau complaining famously at how '[m]an is born free, and everywhere he is in chains',[23] Locke takes a more gradualist and less alarmist approach, observing symmetry between family and government: 'If any body should ask me, When my Son is *of Age to be free*? I shall answer, Just when his Monarch is of Age to govern'.[24] It is the maturity of the person more than their legal status that matters for Locke; adulthood is a time of moral duties and negotiating freedoms, less about legal citizenship or rights.

Locke makes his own commentary on the use of parenthood as an analogy of government, but it is nevertheless necessary at this stage to note some similarities his position has with another tradition. Locke's acknowledgement that children are not mature reasoners per se[25] is also present in the thought of Aristotle; and both authors link commentary on community to that of political society. This is a too-often ignored connection in contemporary liberal theories of political legitimacy. As Hursthouse describes it, Aristotle, unlike most philosophers,

'never forgets the fact that we were all once children. To read almost any other famous moral philosopher is to receive the impression that we, the intelligent adult readers addressed, sprang fully formed from our father's brow. That children form part of the furniture of the world occasionally comes up in passing (about as often as the mention of non-

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[21] Locke, *Two Treatises*, II, §118, 346-7.
[22] For the distinctiveness of the republican position, see Jerome Huyler, *Locke in America* (Kansas: University Press of Kansas, 1995), 6-14; Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997); Quentin Skinner, *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998). Skinner distinguishes Locke from English republican trends at 27, n. 84.
[23] J.-J. Rousseau, *On the Social Contract*, trans. D. A. Cress (Indianapolis: Hackett, 1983), 17.
[24] Locke, *Two Treatises*, II, §61, 309.
[25] Geraint Parry, 'Individuality, Politics and the Critique of Paternalism in John Locke', *Political Studies*, 12/2 (1964), 173.

human animals), but the utterly basic fact that we were once as they are, and that whatever we are now is continuous with how we were then, is completely ignored'.[26]

The reality that all adults grow out of childhood invites reflection on the organization of human society as the ongoing nurturing of the young through parental leadership. This is a position that came easier to the practical, common-sense minds of 17th century English gentlemen, for whom philosophy was integrated into the general attempt to accumulate learning useful for conducting one's personal affairs. Anglim identifies Locke's sense of unity between practical means and political ideals by arguing that the rationality of labour forms a key part of Locke's account of how political society develops. Anglim explains:

'Labour has the potential to enhance its objects and to aggrandize its subject. The rational labourer understands this potential and seeks to realize it. The only terms from which expanded notions of desire, use, and value may be generated are these: rationality and labour. So far then, as it is possible to say what propels movements from the primitive to a more advanced condition, the answer lies in rational labour. For Locke, rational labour is the will of God as expressed in natural law'.[27]

Labour is not an exclusive privilege but something for which almost all enjoy a capacity. In the same way, when the first treatise debates parenthood, Locke rejects the view that some fathers are more suited to rulership than others. Locke's refutation is directed at Sir Robert Filmer, who held that the monarch could make a theological claim to the right to govern through his descent from Adam of the Garden of Eden. Adam's stewardship is a type of parenthood, and Locke argues against Filmer's position not by attacking how parenthood in general is an invalid conception of social authority but by demonstrating how Filmer's is a narrow interpretation that fails on counts of both scripture and common sense, mistakenly viewing one blood link as superior to others. Locke nevertheless accepts the importance of patriarchal authority by noting how it is applicable to all families.[28] Indeed, he pushes his point further by explaining how such authority is equally enjoyed by mother and father. As Locke states, the popular idea of '*Paternal Power*'

'seems so to place the Power of Parents over their Children wholly in the *Father*, as if the *Mother* had no share in it, whereas if we consult

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[26] Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 2001), 14.
[27] John Anglim, 'On Locke's State of Nature', *Political Studies*, 26/1 (1978), 86.
[28] Locke, *Two Treatises*, II, §56, 305.

Reason or Revelation, we shall find she hath an equal Title. This may give one reason to ask, Whether this might not be more properly called *Parental Power*? For whatever obligation Nature and the right of Generation lays on Children, it must certainly bind them equal to both the concurrent Causes of it'.[29]

Grant believes Locke thought 'the fact that men are born into pre-existing social and political groups does not mean that they have a pre-existing duty to obey the authorities within those groups'.[30] But this argument does not follow from Locke's descriptions of parenthood. Though it is true he did not believe mindless obedience provides any basis for political legitimacy, it is too much of a modern liberal stance to frame Locke as also rejecting the family as a realm of social authority. The argument does not hold at all for Locke's discussion of minors, for example, whom he believes lack the powers of reasoning to legitimately reject the authority of their parents. Locke's position on parental authority is more subtle and he works gradually from assumed social practices to arrive at a delicate distinction of the expressly political.

Locke's faith in parental discretion seems almost hazardous in our day and age, in part due to modern liberalism's interaction with deontological ethical accounts that take rules, laws, and rule of law as more stable and reliable coordinators of normative obligation. However, Locke's position cuts through this with the authority of practical experience. He took charge of educating his master's grandchildren,[31] and considered the nature of children's education meticulously in *Some Thoughts Concerning Education*, published in 1693.[32] He demands toleration, but is by no means neutral on what should be promoted as good.[33] Locke's preference for 'home truths' means his conceptions of family duty dodge modern trepidation over conditioning children. Contemporary commitments to *fairness through impartiality* as the ultimate principle of justice – culminating in the works of Rawls and the Western 21ˢᵗ century crusade against discrimination – implement rule-based ethics in terms of a rectification of parent-led moral diversity. This is a circumvention that Locke's appreciation of family and parenthood implicitly rejects. Indeed, the current move from liberalism-to-progressivism-to-identity politics would hardly be ventured by Locke

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[29] *Ibid.*, II, §52, 303.

[30] R. W. Grant, 'Locke's Political Anthropology and Lockean Individualism', *The Journal of Politics*, 50/1 (1988), 50. See also Parry, 'Individuality', 170.

[31] Peter Laslett, 'Introduction' in Locke, *Two Treatises*, 36-7.

[32] John Locke, *Some Thoughts Concerning Education* (London: Black Swan, 1693).

[33] David McCabe, 'John Locke and the Argument against Strict Separation', *The Review of Politics*, 59/2 (1997), 243-4.

himself. For one who values parents' social contribution, contradictions abound in arguing parental authority to be sufficiently substituted by laws that simply bar abuse, hatred, and discrimination.

Moving from liberalism to progressivism is indigestible for Locke because he observes something natural and convenient in parental structures, notwithstanding his attack on absolutist patriarchy. As Hursthouse aptly describes the 'common-sense' attitude,

> 'with respect to the continuance of the species and the good functioning of the social group, our natural tendency to bond to other human beings and our children seems to be serving us rather well. The onus is on those who recommend impersonal benevolence as a virtue to provide at least a speculation about how a species of rational animals who had brought themselves to care naught for their own children or each other's company might still be a species of *social* animals who, moreover, nurtured their young – and, indeed, went to the trouble of giving them a moral education and bringing them up to be impersonally benevolent in their turn'.[34]

Accepting the family at centre-stage, as Locke does, is relevant for discussions of political society. It invites exploration of how a notion of community as an outgrowth of nurturing helps shape a hierarchy of urgency for the state's pursuit of some goods over others. For example, if citizenship presupposes family life, a legislature made up of citizens may rightly emphasize pursuit of those goods that cannot already be provided by parents. The ultimate goal lies in providing an account of the interaction between social relationships and state authority – in Sen's terms, *how goods are likely to be put to use*, not just the yes or no of selecting what goods we want.

Grant discusses Locke's approach to 'how political societies develop from pre-political family groups' and notes that, for both political and epistemological questions,

> '[i]n neither case does Locke's anthropology depict isolated individuals whose behavior is governed by rational calculations of their interests. Instead, Locke's descriptions of primitive societies acknowledge the strength of traditional social bonds and of traditional social norms in our common life'.[35]

As with considering the human a 'dependent intelligent being', this gives Locke a beginning point that is 'a social, but pre-political stage'.[36] The

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[34] Hursthouse, *Virtue Ethics*, 226.
[35] Grant, 'Political Anthropology', 42.
[36] *Ibid.*, 46.

opposite was the case for Thomas Hobbes, whose understanding of a state of nature views persons as atomistic individuals whereby the pre-political stage is also pre-social.[37] By contrast, Locke sees family life as a necessary condition and embryonic of the civil life demanded at the level of political society. Within this process is the development of persons' capacity to reason, which becomes in turn the criterion for obeying and participating in the production of laws. Pfeffer explains how, for Locke, 'the attainment of the didactic end of the society of parents and children must precede entry into political society'.[38] This 'attainment' consists in the maturing of a person's capacity to reason:

> 'he may enter fully into political society, because his fellows may plausibly presume that he has the ability to be governed by reason and is thus acceptable to his fellows as a member of their society (at least until his actions prove otherwise). The education provided by the parents has proved to be a prerequisite for entry into political society, and so membership in the familial society of parents and children is a necessary prerequisite to membership in political society'.[39]

This constitutes for Waldron a 'story of the gradual and indiscernible growth of modern political institutions, modern political problems and modern political consciousness out of the simple tribal group'.[40]

Interestingly, Locke's account also suggests caution over a seemingly natural progression towards leadership in the form of a centralized monarchy. Locke believes that the understanding of families uniting together to create government has mistakenly been perceived as naturally pertaining to monarchical rule in its most complete phase.[41] The perceived problem is strikingly similar to how, in the Bible, the Israelites cried out for a king like other nations, whilst failing to reason over the unnatural demands such an absolutist leadership would make. As the Book of Samuel, quoted here from the first printing in 1611 of the King James Bible, has it:

> 'Then all the Elders of Israel gathered themselves together, and came to Samuel unto Ramah, and said unto him, Behold thou art olde, and thy

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[37] Y. C. Zarka, 'The Political Subject' in T. Sorell and L. Foisneau, eds, *Leviathan: After 350 Years* (Oxford: Oxford University Press, 2004).

[38] J. L. Pfeffer, 'The Family in John Locke's Political Thought', *Polity*, 33/4 (2001), 598.

[39] Pfeffer, 'Family', 600.

[40] Jeremy Waldron, 'John Locke: Social Contract versus Political Anthropology', *The Review of Politics*, 51/1 (1989), 5.

[41] Locke, *Two Treatises*, II, §112, 343-4.

sonnes walke not in thy wayes: now make us a King to iudge us, like all the nations.

But the thing displeased Samuel, when they said, Give us a King to iudge us: and Samuel prayed unto the LORD. And the LORD said unto Samuel, Hearken unto the voyce of the people in all that they say unto thee: for they have not rejected thee, but they have rejected mee, that I should not reigne over them. According to all the works which they have done since the day that I brought them out of Egypt even unto this day, wherewith they have forsaken me, and served other gods: so doe they also unto thee. Nowe therefore hearken unto their voyce: howbeit yet protest solemnly unto them, and shew them the manner of the King that shall reigne over them. [...]

Neverthelesse, the people refused to obey the voyce of Samuel; and they said, Nay, but we will have a King over us: That we also may be like all the nations, and that our King may iudge us, and goe out before us, and fight our battels'.[42]

Locke complains at how Filmer sees this as supporting kings to enjoy '*unlimited Jurisdiction*'[43] even though in most parts of scripture kings are in fact limited to the role of fighting wars.[44] Over time, this leadership in war-making exaggerated their status. And so, for subjects living under a kingdom, 'that Power which they having intrusted in another's hands only for their own good, they found was made use of to hurt them'.[45] Locke is committed to viewing divine authority as essential to a society's development; just as with the account of Samuel, he believes monarchical rule is therefore in danger of usurping God's authority.[46]

And so Locke commits to a further stance that protects what is good about the gradual nurturing of morals. Not only does he appreciate the value of family life and parental moral tuition for allowing society's members to mature, he also demands limits to the power of executives. A central complaint Locke makes against Filmer is how the latter praises the system of monarchy without ever indicating its limits.[47] Then, having established this lack of limit, Locke notes how Filmer seems to be happy with power being held arbitrarily:

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[42] *The Holy Bible* (London: Robert Barker, 1611), I Samuel 8: 4-7, 19-20.
[43] Locke, *Two Treatises*, I, §8, 146.
[44] *Ibid.*, II, §109, 340-1.
[45] Locke, *Two Treatises*, II, §111, 343.
[46] Locke writes with sarcasm at how Filmer only reluctantly mentions God as in charge of his people: ''Tis well that once in his Book, he will allow God to have any care of the People, for in other places he speaks of Mankind, as if God had no care of any part of them, but only of their Monarchs, and that the rest of the People, the Societies of Men, were made as so many Herds of Cattle, only for the Service, Use, and Pleasure of their Princes.' *Ibid.*, I, §156, 256.
[47] *Ibid.*, I, §70, 192-3.

'this *New Nothing*, that is to carry with it all Power, Authority, and Government; This *Fatherhood* which is to design the Person, and Establish the Throne of Monarchs, whom the People are to obey, may, according to Sir *Robert*, come into any Hands, any how, and so by his Politicks give to Democracy Royal Authority, and make an Usurper a Lawful Prince. And if it will do all these fine Feats, much good do our Author and all his Followers with their Omnipotent *Fatherhood*, which can serve for nothing but to unsettle and destroy all the Lawful Governments in the World, and to Establish in their room Disorder, Tyranny, and Usurpation'.[48]

Locke provides both a rejection of the tendency of the centre to assume all responsibility for government, and an acknowledgement of the unique status of the family as ushering in reasoning citizens able to appreciate natural law and property rights. How is it that this appreciation of going slowly in the formation of a citizenry has been lost in favour of a liberalism of equal urgency for all preference articulations?

Locke's basis to political legitimacy

Laslett explains that Locke lived an individualistic lifestyle, free from commitment to 'family, church, community, locality'; 'an independent, free-moving intellectual, aware as others were not of the direction of social change'.[49] This, however, seems at first sight strange: that the man we have so far praised as appreciating family and local community should have made so few such investments himself. Whilst Robert D. Putnam, leading contemporary theorist of 'social capital', has wedded sociology to real-life community organizing,[50] we find no such desire in Locke. Perhaps precisely in tandem with his lifestyle, Locke posits how fruitful a role individualism can play in the question of determining state legitimacy.

Alongside the anthropological development of families and hierarchies, therefore, Locke gives an account of a 'state of nature' that frames discussion of the ultimate test of political organizations: whether or not there is a social contract at play in the relationship between governed and governing. Under this framing, the very identification of a political society depends on whether it is constituted by consent. As Locke affirms:

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[48] *Ibid.*, I, §72, 194.
[49] Laslett, 'Introduction', 44.
[50] R. D. Putnam, L. M. Feldstein, and Don Cohen, *Better Together: Restoring the American Community* (New York: Simon & Schuster, 2003).

'Where-ever therefore any number of Men are so united into one Society, as to quit every one his Executive Power of the Law of Nature, and to resign it to the publick, there and there only is a *Political* or *Civil Society*. And this is done where-ever any number of Men, in the state of Nature, enter into Society to make one People one Body Politick under one Supreme Government, or else when any one joyns himself to, and incorporates with any Government already made. For hereby he authorizes the Society, or which is all one, the Legislative thereof, to make Laws for him as the publick good of the Society shall require; to the Execution whereof, his own assistance (as to his own Decrees) is due'.[51]

The account emphasizes the operative force of the people as a larger group; it is by forming association as a wider collective that there materializes 'a Judge on Earth, with Authority to determine all the Controversies, and redress the Injuries, that may happen to any Member of the Commonwealth'.[52] No longer is there esteem granted parental authority, but instead authority placed in 'the Legislative, or Magistrates appointed by it.'[53]

There thus seems to be a contrast between Locke's anthropological and social contract accounts of how government forms, a contrast that is hard to reconcile according to commentators.[54] Grant explores the differences between the two and argues it means Locke 'recognized fully the extent to which human beings are social beings, but did not believe that that fact dictated any particular political conclusions'.[55] For her, the difference between the two accounts is therefore evidence for Locke preferring analytical individualism – seeing political authority independently of one's nurturing. This meets with describing aspects of Locke's persona as middle-class,[56] a social category which has, over the years, captured a sense of rationalism through independence from economic conditioning, culminating of course in Barrington Moore's argument: 'No bourgeoisie, no democracy'.[57]

Does analytical individualism spell the end of Locke's appreciation for community as an aspect of good government? Grant sees Locke as arguing not against community, but against hierarchy, and merely

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[51] Locke, *Two Treatises*, II, §89, 325.
[52] *Ibid.*, 325.
[53] *Ibid.*, 325.
[54] Waldron, 'John Locke', 6; Grant, 'Political Anthropology', 45.
[55] Grant, 'Political Anthropology', 43.
[56] Laslett, 'Introduction', 44.
[57] Barrington Moore, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World* (2nd edn, Boston, MA: Beacon Press, 1993), 418.

holding a position that 'only voluntary action can create political obligation for a free individual'.[58] This nuance is valuable insofar as community can be separated from the concept of hierarchy. Whilst on the one hand Grant affirms that 'Lockean individualism [...] is not incompatible with the recognition of the importance of communal ties, family associations, and social norms',[59] on the other she makes clear how, for Locke, 'natural sociality and family structure do not imply political authority, and that is the whole point of Locke's discussion of the historical origins of political life'.[60] Locke's liberalism is thus read as resting on a divorce of anthropology and social experience from how government should be; his is 'a political individualism at the level of normative theory'.[61] At first Locke seemed to affirm a social and interdependent basis to law and government. Now this position is rejected in favour of individual and independent judgement. In the end, Locke is read as suspicious of 'the strength of custom in leading men away from reason and nature'.[62]

Like Grant, Waldron also seeks to synthesize Locke's two accounts. To achieve this, he too rejects the view that Locke's description of the move from state of nature to social contract is historical. Waldron takes Locke's social contract account as a strictly normative review of political episodes, a 'moral tool for historical understanding'.[63] The question then arises, for whose hands is this reviewing tool intended? This is important, because it cannot be that Locke is singularly advancing a historiography. He has in mind a theory of politics and society, so there must be a kind of real-life actor who can put his advice into practice. Waldron's answer is ambiguous here on purpose because he regards Locke as at the same time believing that a complete normative review remains out of the reach of ordinary citizens. In Waldron's reading, 'moral categories of contract and consent apply to the incremental steps in the development of politics and not to the process as a whole'.[64] He takes this stance by way of synthesizing how Locke seems on the one hand committed to members of society being able to rationally evaluate their leadership, whilst on the other acknowledging they have been sleepily accepting the rise of absolutist monarchy.[65] As such, evaluation

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[58] Grant, 'Political Anthropology', 51.
[59] Grant, 'Political Anthropology', 51.
[60] *Ibid.*, 50.
[61] *Ibid.*, 50.
[62] *Ibid.*, 58.
[63] Waldron, 'John Locke', 17.
[64] Waldron, 'John Locke', 21.
[65] Locke, *Two Treatises*, II, §112, 343-4.

of political legitimacy in terms of a social contract cannot be one-off or absolute. '[T]he process I have described is doubly inexplicit: the particular events involve tacit rather than explicit consent; and the development of the whole series of events, considered as a single process, may not have been explicitly in anybody's mind'.[66] As such it is a process able to be 'both conventional and at the same time mystifying to those who were involved in it'.[67]

It is still not clear, therefore, in whose hands the reviewing tool resides. Waldron's position is, on this point, open to a critique from philosopher Alasdair MacIntyre. MacIntyre distinguishes between 'political agents' and 'political scientists' as a way of attempting to understand the very same dynamic: how it is possible for an academic to understand the process of change whilst participants themselves follow it only incrementally. MacIntyre problematizes the distinction by noting how political agents in fact share the same deliberative capacities as political scientists, and are as such able to change their decisions based on reflection.[68] How is it, for example, that Locke is able to think at this level of abstraction whilst ordinary citizens cannot? How can Waldron write *explicitly* of events which, 'considered as a single process, may not have been explicit in anybody's mind'? The position conveniently sidesteps the epistemological question of how we can see clearly, what we argue cannot be seen clearly by our peers. The accusation is equally directed at Hobbes, who, in his introduction to *Leviathan*, attracts the new reader on the basis that a ruler, in order 'to govern a whole Nation, must read in himselfe, not this, or that particular man; but Man-kind'.[69] Then – no doubt after a prince has now bought the book – Hobbes proceeds to contravene his advertisement by stating that 'in all times, Kings, and Persons of Soveraigne authority, because of their Independency, are in continuall jealousies, and in the state and posture of Gladiators; having their weapons pointing, and their eyes fixed on one another'.[70] If they are so permanently fixated on killing each other, on what basis do they buy his book? The same contradiction holds for Marxist theorists who, acknowledging all human behaviour as determined by the means of production, are at a loss as to what contribution an academic can make.

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[66] Waldron, 'John Locke', 22.

[67] *Ibid.*, 21.

[68] Alasdair MacIntyre, 'Is a Science of Comparative Politics Possible?' in Alan Ryan, ed., *The Philosophy of Social Explanation* (Oxford: Oxford University Press, 1973), 184.

[69] Thomas Hobbes, *Leviathan*, ed. R. Tuck (Cambridge: Cambridge University Press, 1991), 90.

[70] *Ibid.*, 90.

Note, as an example, the circular justification of Pierre Bourdieu, who uses a Latin phrase written by Marx (and taken from the preface to *Das Kapital*):

> 'There is no way out of the game of culture; and one's only chance of objectifying the true nature of the game is to objectify as fully as possible the very operations which one is obliged to use in order to achieve that objectification. *De te fabular narrator* [*It is of you that the story is told*]'.[71]

If, as Locke has it, we are each able to engage in social contracts, surely social contract as a 'moral tool for historical understanding' is available to academics and citizens alike? After all, does not willing a social contract presuppose knowledge of them? The easy solution to MacIntyre's challenge is to say that the same capacity for knowledge is exercised to varying degrees, with some knowing enough to do things, and others knowing enough to consider them in abstract. The reluctance of Waldron to take this step is accurate, however, for it would contravene Locke's commitment to equality.

It may be forgiven Hobbes who, almost throughout his writing, remains committed to a science of viewing the person as self-serving by nature. But in studying Locke there is something unnerving about his recognizing so thoroughly the social dynamics that support a community's development before distinguishing these dynamics from notions of political legitimacy through consent. Consent is required for legitimate government, with no clear suggestion of how partial deviation can be exercised by small groups,[72] or what to do with someone 'having and telling wrong intentions'.[73] The options for opposing government are limited to either self-banishment or majority action:

> 'Whosoever therefore out of a state of Nature unite into a *Community*, must be understood to give up all the power, necessary to the ends for which they unite into Society to the *majority* of the Community, unless they expressly agreed in any number greater than the majority'.[74]

All the more does knowledge of the social contract matter, and all the more is the social contract critical for determining the appropriate urgency with which politics pursues some goods over others in the name of the people.

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[71] Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (Cambridge, MA: Harvard University Press, 1984), 12.

[72] Grant, 'Political Anthropology', 59.

[73] Anglim, 'State of Nature', 87.

[74] Locke, *Two Treatises*, II, §99, 333. See also II, §149, 366-7.

Locke's problematic assumption of universal rationality

On what is an individualistic approach to political legitimacy based? After all, though we may not like what it means for minority deviation or community diversity, understanding the social contract in individualistic terms may nevertheless be an accurate representation of the human condition and therefore a necessary step for understanding when government acts with legitimacy.

The grounds for Locke's thesis of social contract and legal obligation lie in his commitment to universal rationality. Locke bore profound trust in each person's capacity to reason, something in tune with the Age of Enlightenment, for which he was a central proponent. In response to a tale of cannibalism in Peru, for instance, Locke remarks: 'Thus far can the busie mind of Man carry him to a Brutality below the level of Beasts, when he quits his reason, *which places him almost equal to Angels*'.[75] Reason is the unimpeachable light, leading individuals out of the darkness of custom and tradition. Locke disagrees that man's mind holds innate understandings, and argues instead in *An Essay Concerning Human Understanding* that the mind is 'white paper, void of all characters, without any ideas' (*tabula rasa*).[76] In this way, Grant takes him as holding that '[c]ustoms, prejudices, and religious dogmas are instruments of political authority, used to give a false legitimacy to the claims of absolute monarchs'; in this reading Locke seeks 'to destroy the authority of custom and tradition as sources of knowledge or standards of truth'.[77] Committed to the view of God as λόγος (reason), the great English philosopher believes knowledge of God's existence is 'readily attainable' by all.[78]

MacIntyre's unease with exactly *who is able to know and who is not* raises its head again here, however: Locke's emphasis on the need for children to be well educated implicitly assumes persons' exercise of reason is, in reality, heterogeneous. But if Locke is interpreted as a proponent of the Enlightenment, his role as philosopher takes the form of 'the studier who consults his reason and supplies *what nature has not*'.[79] This is a difficult position because it involves on the one hand

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[75] Locke, *Two Treatises*, I, §58, 182 (my emphasis).

[76] John Locke, *An Essay Concerning Human Understanding* (London: Tegg and Son, 1836), 51; see also Andreas Kinneging, *The Geography of Good and Evil: Philosophical Investigations*, trans. Ineke Hardy (Wilmington, DE: ISI Books, 2009), 28.

[77] Grant, 'Political Anthropology', 59.

[78] Waldron, *Christian Foundations*, 79.

[79] Robert Faulkner, 'The First Liberal Democrat: Locke's Popular Government', *The Review of Politics*, 63/1 (2001), 20 (my emphasis). Faulkner continues: 'Liberal rationalism was not chiefly democratic, for it prided itself chiefly on an age of reason'. As Waldron also notes, '[t]he course of human political

claiming that all members of a community can come to know the natural law and what counts as legitimate use of state power, and on the other hand maintaining that we start in complete *tabula rasa* and need to foster our intellect in order to understand effectively.

To square this circle it is important to recognize the extent to which Locke's view of reason maintains a Christian, and not a solely scientific, sense of wisdom. His commitment to acknowledging 'the Wisdom of the great Creatour'[80] means Locke trusts that a deity who judges on the basis of faith also ensures faith remains accessible to all. In the Christian account, God comes to the lowliness of man through his Son so that all may be saved, regardless of a person's intelligence. As Waldron notes, this is a key difference between Locke's thinking and the thinking of liberal atheists, a difference which presents a serious problem for the logic of the latter only: 'The atheist may pretend to ground our equality in our rationality, but he will be at a loss to explain why we should ignore the evident differences in people's rationality'.[81] Or, as Dunn tactfully puts it, 'the political conclusions of the *Two Treatises* seem appreciably bleaker to those of us who cannot discern the Hand of the Almighty than they did to Locke himself'.[82] For Locke, equality through equal potency for acknowledging the λόγος means reason remains useful for popular moral evaluations. Trust in God's providence allows Locke to remain committed to a view of rationality that is at once both as reliable as scientific logic and accessible to all 'who will but consult it'.[83] Christianity advances something of an interdependence between knowledge of what is good and willingness to strive for it, such that it becomes hard to think there is anyone out there who is choosing the good whilst also gaining no awareness that it is good. For the Christian, therefore, some form of natural law is approachable by all, regardless of intellect;[84] for the Enlightenment, reason as logic is the singular route.

It is interesting at this juncture to note the illustration of the Age of Enlightenment belief in the closing sections of *Gulliver's Travels*,

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development [...] has left men bewildered and mystified and it is now the task of true philosophy – the task Locke takes upon himself – to dispel some of that mystification.' Waldron, 'John Locke', 6.

[80] Locke, *Two Treatises*, II, §80, 320.

[81] Waldron, *Christian Foundations*, 81.

[82] John Dunn, 'The concept of "trust" in the politics of John Locke' in R. Rorty, J. B. Schneewind, and Q. Skinner, eds, *Philosophy in History: Essays in the Historiography of Philosophy* (Cambridge: Cambridge University Press, 1984), 294.

[83] Locke, *Two Treatises*, II, §6, 271.

[84] John Finnis, 'Ruptura, Transformación y Continuidad en la Tradición de la Razón y la Justicia' ['Rupture, Transformation and Continuity in the Tradition of Reason and Justice']. Charla Magistral, Inauguración del Año Académico 2013 de la Facultad de Derecho (22 Apr 2013), translated by Cristóbal Orrego, 54.

published 37 years after Locke's *Two Treatises* by the Anglo-Irish writer Jonathan Swift. In the satirical novel, Gulliver's last voyage takes him to the land of the Houyhnhnms, a race of speaking horses who are gifted with such a fullness of reason that their whole society is able to run on this basis. When Gulliver's host hears about human societies, the horse complains that our 'institutions of government and law were plainly owing to our gross defects in reason, and by consequence in virtue; because reason alone is sufficient to govern a rational creature'.[85] In a similar way Locke links the objectivity of human reason to the ideal objectivity of law, the legislative process and the state's protection of property rights. The assumption is that a full appeal to reason forms the basis to unanimity. Indeed, in describing the society of those profoundly rational horses, Swift explains,

> 'a decree of the general assembly in this country, is expressed by the word *hnhloayn*, which signifies an exhortation, as near as I can render it: for they have no conception how a rational creature can be compelled, but only advised, or exhorted; because no person can disobey reason, without giving up his claim to be a rational creature'.[86]

That fidelity in the keeping of promises constitutes the fundamental fabric of society is, for Locke's analysis, decipherable by all. As Dunn explains, '[h]e had no doubt that under the divine law of nature all human agents had a clear obligation to keep their promises. Faith and the keeping of faith belong to men as men and not as members of society. Promises and oaths "tye the infinite Deity" himself'.[87] Just as the duty to fulfil an oath is obvious to all who take them, so too can we as individuals accept and participate in the principles of legislative government.

It is Locke's sense of the definitiveness and impartiality of human reason that is most difficult to align with a theory of political legitimacy inclusive of gradual implementation. If the truth of what counts as an ideal political decision is objective, universal, and available to all, minority deviation is a disagreement that must either be brought in line with the consensus or exiled. And here is where Locke's political philosophy, despite valuing community and family in the first instance, contains irreconcilability. Though a method of impartial human reason may hold for scientific concern with material causation, and even

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[85] Jonathan Swift, *Gulliver's Travels* (London: Jones & Company, 1826), 153.
[86] Swift, *Gulliver's Travels*, 185.
[87] Dunn, 'John Locke', 289, quoting Locke, *Two Treatises*, I, §6, 144.

theological questions of the yes or no of God's existence, it is unable to dictate appropriate urgency in the pursuit of some goods over others.

Discussion

Sen's challenge to recent welfare and primary goods theories applies with equal force to Locke's assumption of the rational capacities of individuals. Under contemporary welfarist theories, preference articulations by rational actors bear equal and equivalent urgency, with the models unable to distinguish between objective and subjective preferences. If we run with assumptions of uniform, honest rationality (for example in the original position), we are forced to abandon the gradualism of Locke's former account of the formation of citizens through local community and family. Instead, the account of primary goods takes centre-stage, with all of its dictates equally and overwhelmingly urgent. In this way, the 18th and 19th century considerations of Jeremy Bentham, James Mill, and John Stuart Mill represent a progression-through-simplification in British philosophy from Locke's view of human reason as an objective moral tool for settling questions of governance. Thus, Sen's demonstration of the fallibility of utilitarian logic's summing of pleasure against pain reveals inconsistency at the core of Locke's thought too. Sen's is an Aristotelian commitment to the diverse functions of human persons leading to an understanding of diverse goods, goods that are intransitive and enjoyed differently by different people.[88] In contrast, Locke – like Rawls[89] – sees rationality best manifested as an impartial understanding of right action, on a par with the indiscriminate nature of legal obligation:

> 'for though it would be besides my present purpose, to enter here into the particulars of the Law of Nature, or its *measures of punishment*; yet, it is certain there is such a Law, and that too, as intelligible and plain to a rational Creature, and a Studier of that Law as the positive Laws or Common-wealths, nay possibly plainer; As much as Reason is easier to be understood, than the Phansies and intricate Contrivances of Men...'[90]

If reason provides an impartial position to think from, it certainly follows that questioning whether a government conforms to the reasoned evaluations of its citizens acts as an excellent criterion for political legitimacy. Indeed, under the very same simplifications of

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[88] Amartya Sen, *Development as Freedom* (Oxford: Oxford University Press, 1999), 24, 68-9.

[89] Waldron astutely points out the parallels between Rawls' concept of 'moral personality' and Locke's understanding of God, and notes the greater work Rawls' concept has to do to compensate for the lack of an assumed equal status 'in the eyes of God'. Waldron, *Christian Foundations*, 239-40.

[90] Locke, *Two Treatises*, II, §12, 275.

rationality, the economist Paul Samuelson demonstrates how optimum provision of public services can be arrived at by aggregating each individual's true preferences on the ratio of how much tax they would be willing to pay for how many public services.[91] Real-life challenges come, however, with citizens' dishonest stating of preferences so as to free-ride, or with diversity in citizens' moral views on what goods should count as good for others. Sen and Scanlon's insistence on the difficulty between saying what preferences are objectively settled and what are subjectively adaptable hits directly at this self-reporting and moral diversity conundrum. It seems humans are far too 'clever' for basing their society on impartial reasoning.

Exclusive reliance on Locke's assumption of universal rationality has, for liberal thought, worked against considerations of appropriate urgency. To emphasize, I am not reinterpreting Locke to prove a contemporary point (as thoughtfully warned against by Teresa M. Bejan[92]), but rather pointing out a difficult juncture between Locke and contemporary liberal theory that means the corpus, as a whole, fails. Because of its failure to establish how political priority can be legitimately placed on achieving some outcomes over others, those who argue for gradualism or greater respect for local conceptions of the good from within the liberal tradition are both pitted and pitied as anti-reason, as if they cherish community traditions merely in a reactive attempt to forestall human rights, primary goods, equality, or rights to non-discrimination. From a liberal perspective, such anti-reason may busy itself in decrying the ascendancy of liberal normative entrenchment or the Newspeak that comes as part and parcel,[93] but it is unable to provide better terms of rationality which the liberal can idealize. The debate is thus framed as between liberal individualism and backward parochialism. There is nothing more complicated than that in Grant's conclusion on the difficulty of reconciling Locke's competing accounts. She sets the bar for arguing against Locke's vision of political legitimacy thus:

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[91] P. A. Samuelson, 'The pure theory of public expenditure', *Review of Economics and Statistics*, 36 (1954), 387-389; 'Diagrammatic exposition of a theory of public expenditure', *Review of Economics and Statistics*, 37 (1955), 350-356; 'Pure Theory of Public Expenditure and Taxation', in J. Margolis and H. Guitton, eds, *Public Economics: An Analysis of Public Production and Consumption and their Relations to the Private Sectors* (London: MacMillan, 1969).

[92] T. M. Bejan, *Mere Civility: Disagreement and the Limits of Toleration* (Cambridge, MA: Harvard University Press, 2017), 18.

[93] Alasdair MacIntyre, *After Virtue: a study in moral theory* (2nd edn, London: Duckworth, 1985); John Gaventa, *Power and Powerlessness: Quiescence and Rebellion in an Appalachian Valley* (Urbana: University of Illinois Press, 1980).

'A convincing attack on liberal individualism of this Lockean sort would have to do at least one of the following. It would have to attack the true individualistic premise of Locke's thought, which is the normative proposition that men are by nature free and equal. It might go on to demonstrate how political obligations can be grounded in involuntary social relationships. Lastly, the heart of the argument would be a case for choosing politics based on communal attachments and traditions over a politics that emphasizes voluntary political action based on reflection and choice. [...] The challenge to the communitarians is to show either that a communitarianism that attacks liberal individualism can nonetheless produce non-authoritarian communities, or that, if it can't, community is worth the price'.[94]

This false dichotomy follows directly from the assumption of reason's ability to unitize political choices such that all individuals face the same type of political decision. Those in favour of community are framed as arguing, by contrast, that reliance on critical reasoning – however good – is not worth the cost of the 'egoism and loneliness' of a free society.[95] Grant's polarization of these options is a damaging caricature that nevertheless stems appropriately from the inconsistency of Locke's own position. It has become the staple diet of modern liberal thought, and to the straightjacket we must all fit.

The answer lies in deepening our understanding of human reason towards permanent acceptance of moral debate in the way primary goods are used. If there is a community dimension – involving deliberation that is interpersonal and social – debate on the relative urgency of some goods over others naturally returns as a basis for organizing political leadership. Good examples are Finnis' distinction of what goods can be thought of as 'basic',[96] or Sen's discussion of the need to *rank preference rankings*.[97] Faulkner reflects that 'Locke puts the focus on lawmaking, not, as Aristotle had, on deliberation'.[98] Indeed, an understanding of the community dimension of reason through deliberation seems to be what is missed out when discussion of appropriate urgency becomes too uncomfortable.

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[94] Grant, 'Political Anthropology', 61.

[95] *Ibid.*, 61.

[96] By disclosing a horizon of attractive possibilities for us, our grasp of the basic values thus creates, not answers, the problem for intelligent decision: What is to be done? What may be left undone? What is not to be done? We have, in the abstract, no reason to leave any of the basic goods out of account. But we do have good reason to choose commitments, projects, and actions.' John Finnis, *Natural Law & Natural Rights* (2nd edn, Oxford: Oxford University Press, 2011b), 100.

[97] Amartya Sen, 'Rational Fools: A Critique of the Behavioral Foundations of Economic Theory', *Philosophy & Public Affairs*, 6/4 (1977), 337.

[98] Faulkner, 'Popular Government', 21. For insightful focus on Aristotle and deliberation, see Daniela Cammack, 'Aristotle's Denial of Deliberation about Ends', *Polis*, 30/2 (2013), 228-250.

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