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### Richard Hooker and John Locke : political theory in perspective

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RICHARD HOOKER AND JOHN LOCKE:  
POLITICAL THEORY IN PERSPECTIVE

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January 14, 1969

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John Locke in his Second Treatise on Civil Government quoted extensively from Richard Hooker's Laws of Ecclesiastical Polity. It has often been taken for granted that Hooker was a precursor of the political theories of the origin of government, the consent of the governed, and sovereignty as developed and perfected by Locke. The historical and philosophical problem to be considered in this thesis is the relationship of Hooker to Locke: the purpose of the two works, the particular development of ideas in each, the concepts borrowed or shared, and the historical realities and philosophical outlooks which contribute to their distinctive worth.

The major contribution of John Locke to political thought is the Second Treatise of Government, An Essay Concerning the True Original, Extent, and End of Civil Government, wherein he develops his theories of the natural rights of man, the contractual basis of political society, private property, and the dissolution of government. After restating and concluding the basic arguments of the First Treatise, a refutation of divine right monarchy as presented in Robert Filmer's Patriarcha, Locke introduces his major work with a definition of political power.

Political Power then I take to be a Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property, and of employing the force of the Community, in the Execution of such Laws, and in the defence of the Common-wealth from Foreign Injury, and all this only for the Publick Good.<sup>1</sup>

The remainder of Locke's discourse is devoted to a full explication of the origin, nature, and extent of this power, so defined.

It is significant that Locke focused upon the State of Nature as the

springboard for his treatise, for the natural characteristics of man become the foundation of his political doctrine. Man in the natural state is both free and equal. His freedom allows him to act as he wishes without dependence upon or subjection to any other man. Equality refers to the condition that all men have access to the same advantages of nature without subordination to any other person.<sup>2</sup> Lest this "State of Liberty" among free and equal men be distorted to condone a "State of License," Locke reminds us of a law which governs the State of Nature. Natural Law he equates with reason which offers no justification for destroying the "Life, Health, Liberty or Possessions" of either a fellow human being or oneself. After all, Locke inquires, who are we but "the Workmanship of one Omnipotent and Infinitely wise Maker; All the Servants of one Sovereign Master..."<sup>3</sup> Human freedom and equality, therefore, even in the State of Nature, are not absolute; man is never free of God's superiority nor equal to God.<sup>4</sup>

If the State of Nature is governed by Natural Law, some authority necessarily must be invested with the power to execute the law, or else it would exist in vain. Locke proposes the "Strange Doctrine" that every man in his natural state has the right to punish a transgressor of the law. Punishment is defined as the only lawful means whereby one man comes to power over another for the purpose of doing him harm, and what one man is allowed to do in the prosecution of the law, everyone has the right to do.<sup>5</sup> The power to punish is not arbitrary but dictated by reason and restricted to two purposes derived from the natural rights of man. Any person may punish a crime for restraint by his right to preserve and protect all mankind. The right of self-protection also allows an injured party to exact punishment in the form of reparation.

The peace and preservation of a state where every man possesses the executive power of the law and where each man is his own judge is obviously dependent upon the degree to which each member exercises his responsibility judiciously. Locke realizes, however, that human weaknesses preclude justice in the State of Nature. Selfishness, partiality, violence, passion, and revenge on the part of those in power will lead to confusion and a breach of peace. In light of the reality of human nature, Locke proposes that "the proper Remedy for the Inconveniences of the State of Nature" is civil government.<sup>6</sup> Yet the formation of government in fulfillment of Locke's prescription is conditioned by an underlying prerequisite. All men will remain in their natural state and continue to suffer its injustices "till by their own Consents they make themselves members of some Politick Society."<sup>7</sup>

This statement marks the first appearance of the concept of contract government or authority based upon the consent of the governed. Consent, whether tacit or expressed, implies choice and approval by those involved. Locke supplies the motivation for such a willful decision by a description of the State of War which is a potential, if not prevailing, condition of man's natural environment. The State of War is generally characterized by enmity, violence, and destruction in opposition to the good will, peace, and preservation which exemplify the State of Nature.<sup>8</sup> Locke equates war with slavery, a violation of man's natural freedom.

...so that he who makes an attempt to enslave me, thereby puts himself into a State of War with me. He that in the State of Nature, would take away the Freedom, that belongs to any one in that State, must necessarily be supposed to have a design to take away every thing else, that Freedom being the Foundation of all the rest...

The one great reason why men choose to quit the State of Nature and commit themselves to a civil society is, according to Locke, to avoid this State of War. Government serves to exclude war among individuals by creating an

earthly authority to which an appeal for relief and justice can be made.

What then is the advantage of surrender to civil authority? Granted, government has the power to protect human freedom against the enslavement of war, but this remedy must be weighed against any forfeiture of man's liberty in the natural state where he is subject to no human authority, but to the Law of Nature. It is significant and somewhat paradoxical that Locke finds the preservation of liberty embodied in law. Liberty for the man who has entered into political society is the privilege of obedience only to common laws created by the legislature which was established with his consent. He is free under the law and guaranteed an appeal to civil authority if his freedom is violated. The law serves not to limit but to direct free and intelligent agents; it is a preserver and enlarger rather than a restraint upon the bounds of freedom.<sup>11</sup>

Once again, as in the State of Nature, this freedom is qualified by reason and responsibility. One operates within the jurisdiction of the law only after he has attained to a certain measure of reasonableness. Locke's point here is illustrated by the maturation process of a child. Children are born to but not in the State of Equality. A child remains dependent upon parental will until such time that he acquires the degree of understanding which made his father free. Upon reaching this age of reason, the bonds of the parents over their offspring are loosened, and the emerging adult becomes free, not to do whatever he please, but to dispose as he desire of his person, actions, and possessions within the law.<sup>12</sup>

Locke's discussion of private property in Chapter Five of the Second Treatise is obviously an integral part of his polemic against Robert Filmer but also serves to establish this concept as the key to a definition of the

public good, in which interest all political power must be exercised. Filmer had raised the problem that the original communism ordained by God through Adam could not evolve into a system of private possession of land or goods without the universal consent of all mankind.<sup>13</sup> It was Locke's aim to reveal how men came to have property from part of that given them equally by God in the beginning without the express compact of society. He begins with an affirmation of truth that the earth was appropriated to mankind in common along with the facility of reason necessary to take advantage of the fruits of nature. Man is naturally endowed with the property of his person and, therefore, has a right to the results of the labor of his body and the work of his hands. What is bestowed in common is useless, Locke reasons, until man's labor removes it from common and assigns to it a practical value. Imbedded in this idea of private property is the labor theory of value. As the source of the right of property, "tis Labor indeed that puts the difference of value on every thing."<sup>14</sup>

In refutation of those who might seek to identify Locke as the great defender of unlimited accumulation of private property, it is important to note his emphasis on the doctrine that there is no right without use. The Law of Nature which grants man property also restricts its possession to the extent that man is capable of utilization. "As much as any one can make use of to any advantage of life before it spoils; so much he may by his labour fix a Property in. Whatever is beyond this, is more than his share, and<sup>15</sup> belongs to others. Nothing was made by God for Man to spoil or destroy."

The vague and theoretical notions of the natural rights of free and equal men in the State of Nature and the power to punish breaches of Natural Law, which both serve as basic elements in Locke's idea of the origin of

civil government, assume a distinct meaning in relationship to the more concrete concept of private property. To preserve the right to property, which in its broadest sense includes person, actions, and possessions, and the equally important right to punish anyone who infringes upon your property becomes for Locke both the extent and pursuit of civil government. "The great and chief end therefore, of Mens uniting into Commonwealths, and putting themselves under Government, is the Preservation of their Property. To which in the State of Nature there are many things wanting."<sup>16</sup>

It follows from an understanding of the principle of trust by the members of society in the agents of political authority for the purpose of preserving property, that any form of absolute government is unacceptable. An absolute monarchy, for example, is inconsistent with the very definition of civil government. It grants to one person the power to invade the property of another man without his consent and without means for appeal. It permits the monarch to retain the liberty and power of the State of Nature while all other men are subject to the restraint of the law and of his personal will, however arbitrary.<sup>17</sup>

Locke defines the independent community which comes into existence when a number of men leave the State of Nature and join together in the bonds of civil society by the term "commonwealth". Government within a commonwealth is grounded in adherence to the principle of majority rule. Individuals who consent to establish a community create one body politic. "...it being necessary to that which is one body to move one way; it is necessary the Body should move that way whither the greater force carries it, which is the consent of the majority."<sup>18</sup> Without accepting this application to political theory of a simple law of physics, Locke maintains that it would be impossible



for the government to exert any power whatsoever in fulfillment of the purposes for which it was established.

The acceptable forms of a commonwealth recognized by Locke are a democracy, an oligarchy, and an elective or hereditary monarchy depending upon the concentration of power in the hands of the majority, a few men, or one man respectively.<sup>19</sup> The organization and separation of powers within any commonwealth is designed to compensate for certain voids in the State of Nature. First, the legislature satisfies the demand for an established, known law to which the citizens consent and thereby provides a standard measure for solving all controversies that might arise among them. Secondly, the judicial system creates an indifferent judge with authority to settle differences according to the positive law. Lastly, the need for a power to support and carry out the law and the sentences of the judges is fulfilled by the executive.<sup>20</sup> A man surrenders his personal power of punishment in order to assist the executive authority in enforcing the laws instituted indirectly by his own consent.<sup>21</sup>

There is no doubt in Locke's mind that the supreme authority of the commonwealth must be the legislature, for it is the instrument of the people in establishing the laws necessary for the preservation of society. Yet in the final analysis, Locke concludes that ultimate sovereignty resides in the community which retains the power to dissolve the legislature when it violates the confidence reposed in it.

For all Power given with trust for the attaining an end, being limited by that end, whenever that end is manifestly neglected, or opposed, the trust must necessarily be forfeited, and the Power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security. And thus the Commonwealth perpetually retains a Supreme Power of saving themselves from the attempts and designs of any Body, even of their Legislators.<sup>22</sup>

Resistance to tyranny is not condoned for individual members of society. The authority which individuals surrendered to government can never revert back to them while society lasts, but will continue to reside in the community. The society as one body never forfeits the original right to preserve itself. In such cases of the dissolution of government, the people have the liberty to provide for themselves by instituting a new legislature.<sup>23</sup>

The acceptance of Locke's political axioms in the Second Treatise on Civil Government among his contemporaries was advanced by quotations from Richard Hooker's Laws of Ecclesiastical Polity. There are approximately ten specific references to Hooker employed by Locke in support of the following views: that human law must agree with natural law; that the foundations of public society are man's natural inclination to order and his agreement to form a government; that all laws are enacted by consent because the power to make them belongs to society; that no citizen is exempt from the law of society; and that the ruler must be bound by the law. All of these principles are expounded by Hooker in one chapter of the first Book which seeks to define the several kinds of law in general and deals with the problems of the origin of political society and the nature of political obligation. An examination and review of the essential ideas set forth in Book I will hopefully provide a basis for comparing the political theories of the origin, constitution and dissolution of the state in both Hooker and Locke.

In the Preface to the Laws of Ecclesiastical Polity, addressed "to them that seek (as they term it) the Reformation of the Laws and Orders Ecclesiastical in the Church of England," Hooker quotes Gregory Nazianzen in asserting that "God is not a God of sedition and confusion, but of order and peace."<sup>24</sup> A peace-loving God, Hooker reasons, wills that controversy should cease among

His people; He becomes the Author of a definite judgment to end strife. Hooker thus aims to minimize dissent within the Church of England by defending the reasonableness of the status quo within the universal order preordained by the Creator.

The fundamental assumption of Hooker in Book I is that all things work according to law.<sup>25</sup> Even God, the Supreme Being, operates under an eternal, immutable Law set down by Him in the beginning to do all things by. Reflections of God's Law are classified according to the different agents which are subject to it and the conditions under which it is revealed. Heavenly or Celestial Law is that order which angels observe, and is clearly known and understood by them. The part of Eternal Law which guides human agents is termed Natural Law. The Law of Nature is the instrument of the Divine for maintaining the world. The means through which man comes to ascertain Natural Law is reason. All human creatures are bound by the Law of Reason of which one is able to perceive rationally. Finally, Divine Law also binds man and is made known to him only through revelation.<sup>26</sup>

In determining the end and course of human action, Hooker postulates that man aspires to conformity with God. Basic impulses such as reproduction represent man's desire to imitate an eternal God by the continuance of his own being. The quest for perfection is realized in the pursuit of knowledge and the exercise of virtue.<sup>27</sup> In search of truth, man is distinguished from angels. He has no initial understanding, but begins as a blank book to be written as he grows into sensible knowledge and also attains a higher understanding of that beyond the senses. This is the tabula rasa idea later developed systematically in Locke's Essay Concerning Human Understanding. The exercise of virtue is closely related to the concept of man's will. To will

is to incline toward what seems good. It is differentiated from appetite in that the object of will is not only desired but reasonable and possible. "To will is to bend our souls to the having or doing of that which seems good. Goodness is seen with the eye of the understanding. And the light of that eye, is reason. So that two principal fountains there are of human action, knowledge and will."<sup>28</sup>

Reason, then, is the crucial factor influencing man's activity; it is the bounds of will and the means of attaining knowledge. Hooker offers three characteristics of the Law of Reason, whereby it may be comprehended. First, those who follow the Law of Reason resemble most closely the works of nature; they are beautiful and without defect. Secondly, the Law of Reason can be investigated without the aid of divine revelation, simply by employing reason. Lastly, the knowledge of these laws is general. Men have always been acquainted with the Law of Reason and have never rejected it as irrational or unjust.<sup>29</sup>

Hooker now explores the question of how reason leads mankind into forming fellowships and agreeing to make the human laws necessary to govern political societies. A man naturally enters into society because he is socially inclined, because practically he can obtain the necessities of life more easily by working with others, and because a civil authority can relieve mutual grievances existing in the State of Nature. Men consent to human laws because they realize the need to maintain peace and order and because reason tells them that government cannot fulfill this function without laws. Political power, unlike that of a father within the structure of family relationships, is not natural and, therefore, must either be granted or usurped. Since only one of these means is justifiable, it is evident that peace, tranquility, and happiness are best procured by consent of those to be governed. The people's assent

may be through representative bodies, such as Parliament, whose decisions are as binding as if the individual citizens were present. Although the people's assent is not always apparent, all positive laws ordained for the external order rest upon public approval. "Laws therefore human, of what kind soever, are available by consent."<sup>30</sup>

The Law of Nature, as Hooker perceives it, does not require a specific form of government.<sup>31</sup> Yet once a political authority has been established, its power is perpetual; that is to say, the laws of the past are binding on the present.

Wherefore as any man's deed past is good as long as himself continueth; so the act of a public society of men done five hundred years sithence standeth as theirs who presently are of the same societies, because corporations are immortal; we were then alive in our predecessors, and they in their successors do live still.<sup>32</sup>

The laws enacted by the government are of two main types. What Hooker classifies as "mixed law" is legislation concerned with matters dictated by the Law of Reason. It binds in man's society what has already been bound by his conscience. The other type is "human law" which deals with any matter that reason teaches to be proper and convenient, but which involves no transgression of the Law of Reason if violated. The inheritance and distribution of land is an example of a problem governed by human law.<sup>33</sup>

Upon first analysis, the preceding summaries of some of the fundamental ideas of Hooker and Locke may appear similar. Several concepts including the State of Nature, Natural Law, reason, the establishment of political authority by consent, and the nature of God are discussed by both authors. The differences are more subtle than apparent, yet it is only through a close examination and understanding of the distinctive elements in each that a valid interpretation of the relationship between the two men can be made.

The freedom of man in the State of Nature is an important axiom of Locke's theory of Natural Law, also acknowledged by Hooker. Hooker views this natural equality and freedom of man as both a moral and political principle which contributes to a foundation of mutual love, justice, and charity in the image of God.<sup>34</sup> By this assertion he refuses to support the Aristotelian doctrine that the origin of political authority is to be discovered in man's natural inequality.<sup>35</sup> The significant disparity between Hooker and Locke in regard to their impression of the State of Nature arises out of the former's complete failure to recognize the existence of the natural rights of individuals prior to and independent of the establishment of the civil state. This concept, as has been demonstrated, is actually the key to an understanding of Locke's entire political theory.

For Hooker it is possible to conceive of mankind living apart from society. It is the natural inclination of men toward social life, however, which is the primary, positive cause for the creation of government. Locke presents a much narrower definition of civil society. While admitting sociability, he maintains that this fundamental desire can be satisfied in the family or tribal unit.<sup>36</sup> No substantial differentiation between the State of Nature and the State of Society is implied by Locke,<sup>37</sup> and he thereby restricts the origin of political society to the compact among individuals for the express purpose of preserving property.

The executive power of Natural Law withing the State of Nature is another idea dissimilarly interpreted by Hooker and Locke.<sup>38</sup> In the first Book of Ecclesiastical Polity, Hooker expresses his belief that God alone possesses the authority to judge and exact punishment for transgressions against the Law of Nature.

Rewards and punishments are not received, but at the hands of such as being above us have power to examine and judge our deeds...from Him who discerneth and judgeth the very secrets of all hearts: therefore He is the only rewarder and revenger of all such actions; although not of such actions only, but of all whereby the Law of Nature is broken whereof Himself is author.<sup>39</sup>

This affirmation is clearly the antithesis of Locke's "Strange Doctrine" that each individual in his natural state has the right to punish violations of Natural Law. Once again, the absence in Hooker and emphasis by Locke of the concept of natural rights is evident and consequential.

The doctrine of government by consent of the governed is probably the one political theory developed by Locke which has most frequently and justifiably been attributed to Hooker's earlier work. In Ecclesiastical Polity Hooker clearly states without qualification that "Laws they are not therefore which public approbation hath not made so."<sup>40</sup> At the same time, the underlying variance of meaning inferred from the two philosophers must be acknowledged. "Consent" may broadly be defined as the act of granting permission to some agent to do something which it would otherwise have no right to do. The question involved in the application of this definition to political thought concerns the source of this right which is thus granted.

The contractual theory of the origin of civil society as Locke professes it pertains to the resignation by every individual to society of his natural power to exercise the Law of Nature and to protect his property. Consent is equated with the transfer of individual powers and expresses the conviction that no man can be compelled to do that which he does not assent.<sup>42</sup> Although he insists there is no political authority without public approval, Hooker does not actually formalize a contract theory of government. To him consent is an expression of the reality that power belongs naturally to

society, not to individuals. There is not only a natural impulse to enter into fellowship, but also a moral obligation under the Law of Nature to do so. As Dr. George Bull interprets Hooker, "consent actuates a moral obligation from the Natural Law, to live in a society whose prerogatives, rights and duties come not from individuals but from that same Law of Nature."<sup>43</sup>

Professor Alexander P. D'Entreves achieves a basis for comparison of the doctrine of consent by the governed by employing a definition of two forms of a contractual arrangement. The agreement among peoples with a sovereign power to obey its authority, or pactum subjectionis, is distinguished from the agreement among all men to unite, a pactum societatis or unionis. The former idea, suggested by Hooker, describes a contract between men for the common purpose of establishing, accepting, and yielding to some kind of government. The emphasis is placed on the community as a living organism which exhibits historical growth. In this sense, Hooker approaches the problem of consent from the standpoint of constitutional facts and democratic premises grounded in history and experience, not as an abstract principle. The second type of contract is derived from the vitally important doctrine of the natural rights of the individual human personality. This concept is not generally associated with political theory until the Seventeenth and Eighteenth Centuries and is certainly totally absent from Hooker's work. It best describes the individualistic rather than organic structure of society envisioned by Locke.<sup>44</sup>

Meaningful comprehension of the contractual theory of government is dependent upon recognition of the problems of past versus present, individualistic versus organic, initiative versus operative, and tacit versus genuine manifestations of consent. Hooker's statement that "corporations are immortal"



and its corollary that laws of the past bind future generations raise the question of whether societies should be regarded as separate entities, or whether any corporate personality affixed to society is fictitious, and only individuals are real.<sup>45</sup> Implied by Hooker's premise is the idea that the solidarity of a political community is the product of its history, traditions, and institutions, and that the people's consent is founded upon past commitments.

The distinction in Locke's writing between individual assent and the vague approval of the public is often confusing. He formulates an individualistic concept of the inauguration of a state by his doctrine of the willful agreement to leave the State of Nature and relinquish the natural right of punishment to an executive power. In grappling with the actual operation of government, however, Locke tends to substitute the idea of trust for consent. Government by consent remains an historical and constitutional reality not by means of personal contracts, but because the civil authority is sensitive to public opinion and fulfills the trust to govern by known, not arbitrary laws for the public good.<sup>46</sup> The role of the individual in the ongoing of the political community is explained by Locke in terms of citizenship. Upon reaching the age of reason, a child adopts adult status as a citizen and in so doing, consents to obey government and be bound by the decision of the majority.

Locke and Hooker both agree that political power has its source in the governed, that governmental authority must be subject to law, and that the law of the land must be in accordance with the higher Laws of Reason and Nature. What then are their respective interpretations of the limitations of political obligation? Hooker's premise is that consent creates the authority

to command obedience. He maintains that the only justification for disobedience to civil law is demonstrable evidence that the legislation is contrary to the Law of God and of Reason. If society refuses to recognize power over it, then that authority does not exist at all.<sup>47</sup> Supremacy of law and order seem to be Hooker's main concern. In Book VIII he states that there is "without order; no living in public society, because the want thereof is the mother of confusion."<sup>48</sup> It naturally follows that duties and not rights are stressed by Hooker.

Locke also realizes that government is not an artificial device to be overthrown at pleasure and possesses the right to expect obedience. He emphasizes, however, the end whereto government was established, namely the guarantee of freedom through the protection of citizen's property. Government, to Locke, has no authority beyond its object of preserving the natural rights of property; it is entrusted with a responsibility and becomes liable when this trust is abused. Hooker insists that government takes away the prerogative of refusing obedience to a law unless it is immoral. Implicit in these statements by Hooker and Locke are two antagonistic viewpoints of the idea of sovereignty. To Locke's way of thinking, revolution is an inalienable right based not only upon the contractual theory but also upon the belief that God's Law is supreme over unjust human statutes. It is impossible for the community to surrender all its powers. Ultimate sovereignty to dissolve the government and create a new authority resides with the people. Hooker barely, if ever, refers to a right of resistance. Instead, he makes the power invested in the king or other executive authority irrevocable and provides no recourse in the event of tyranny, but to God.<sup>49</sup>

The underlying disparity in the implications of the political theories

presented by Hooker and Locke, causes one to seek a firmer basis for comparison and a valid explanation for irreconcilable presuppositions. A primary means of evaluating Hooker's Laws of Ecclesiastical Polity and Locke's Two Treatises on Civil Government is to identify each by its purpose within a particular historical context.

Richard Hooker wrote the eight books of his major work in England during the last decade of the reign of Queen Elizabeth I. The English Reformation had been brought about earlier through fundamental legal and constitutional changes enacted in royal interests and occurred before any doctrinal transformation took place. By the end of the Sixteenth Century, English society was caught up in religious controversy, and the Elizabethan Settlement of 1559, was strenuously being attacked by the Puritans. "The Puritan challenge to the Church of England was primarily and essentially the challenge of a narrow and intolerant scripturalism to every human authority and to all historical development."<sup>50</sup> The foundation of the position of the Puritan controversialists was the central tenets of the primacy of will over reason and the complete dependence of man on scriptural authority. Calvin and his followers contended that religion transcended the intellect and that every person through private revelation received authority to serve as the mouthpiece of divine law. Human laws were admitted, at best, to be derived from Natural Law but were considered potentially invalid and pernicious.<sup>51</sup> By insisting upon revelation only through Scripture, the Puritans denied the validity of the Law of Reason and emphasized the impotence of man for achieving good.

As an Anglican clergyman, Hooker's theological task was to prove that man's spiritual growth in the image of God was dependent upon a broader base than Scripture, namely on obedience through reason to Natural Law which is a

reflection of the Eternal Law and an instrument instituted by the Divine for the guidance of His creation.<sup>52</sup> In Book II of Ecclesiastical Polity, Hooker considers the Puritan appeal to Scripture as the rule of all things. He refers to the Old Testament passage in Proverbs 2:9, which says that "Wisdom doth teach men every good way."<sup>53</sup> This wisdom emanates from God, and humanity must allow for varied manifestations of its teaching. The Infinite can not be confined, nor is its revelation found only in the Scriptures but also in nature and worldly experience. Hooker does not attack the genuineness of the Bible itself, but the erroneous manipulation of its contents. He would never deny the doctrine that the Word of God is a true source of knowledge, but he insists that the Scriptures are neither self-illuminative nor self-authenticating. The credence required by Scripture is not created therein.<sup>54</sup> One is justified in concluding that knowledge of salvation is revealed through Scripture, but not that all truths are explicitly contained in the Scriptures, nor that of what is found all can be interpreted as law. The written Word of the Bible presupposes that man has been given the tool of reason to interpret Scripture and tradition provided by God. Hooker thus emerges as a Christian humanist. The biblical radicalism of his opponents is shown to be not only anti-intellectual and inconsistent, but a debasement of God and man. The Puritans are condemned for making God an arbitrary slave of His Word, and for insisting on the depravity and intellectual helplessness of man.<sup>55</sup>

The theme of the last Book of Ecclesiastical Polity is that in a Christian community, Church and State cannot be conceived of as separate and opposed societies, but as coincident, with the Crown supreme and ecclesiastical law ultimately the same as civil law.<sup>56</sup> The Church is defined in Book III as both visible and invisible.<sup>57</sup> The mystical, universal Church alone

is the true Church, founded upon interior faith. Its members are known only to God. The external manifestation, or visible Church, is concerned with duties toward God and is recognized by the three prerequisites of one Lord, one faith, one baptism.<sup>58</sup> Hooker seeks to show that the political community and the visible Church actually have the same origin. They work toward similar ends, for the State is responsible for both moral and material functions. The relationship between the civil and ecclesiastical communities are linked by Hooker in his analogy of a triangle.

We hold, that seeing there is not any man of the Church of England but the same man is also a member of the commonwealth; nor any man a member of the commonwealth, which is not also of the Church of England; therefore as in a figure triangular the base doth differ from the sides thereof, and yet one and the selfsame line is both a base and also a side.<sup>59</sup>

The political philosophy of Hooker is an integral part of his defense of the Erastian relationship of the Church of England and the Tudor monarchy. He was commissioned to supply the reasonable foundation for the existing establishment. Hooker writes from the standpoint of a conservative impelled by the exigency of the time to justify the status quo. In order to prove that the Puritan contentions were inconsistent with the political structure of England, he was obliged to examine the nature of the State and the sources of authority. He hoped to show that criticism of the Anglican Church and refusal to conform to the Elizabethan Settlement could not be rationally justified.<sup>60</sup> He had concluded in Book III that the Scriptures do not require a particular form of church polity, and thus, demonstrated that the Church of England was not contrary to either the Word of God or to reason.<sup>61</sup> His doctrine that resistance to authority can be vindicated only in the case of immoral law condemns the Puritan position as a denial of the fundamental nature

of political obedience.

The motivation for Hooker's conservative political theories, and indeed for the philosophical and theological work as a whole, was an intrinsic fear that a general acceptance of the doctrine of private revelation would lead to spiritual chaos and civil confusion. Hooker distrusted the extreme individualism of Puritanism, alarmed by the possibility that it might replace the corporate spirit of the English State. For the all-embracing cause of public order, Hooker was willing to submit private interpretation to public reason determined by the law of the legislature. He believed that a rational decision of Parliament or the Convocation was more likely to be in accordance with the will of God than the inspiration of a saintly individual.<sup>62</sup>

The significance of Richard Hooker is that he elevated the controversy of church polity beyond the bickerings of his time to a higher, philosophical plane. Unlike earlier apologists for Anglicanism, Hooker did not undertake a counterattack solely on the Puritan ground of scriptural authority, but operated from a detached, independent standpoint employing the weapon of reason.<sup>63</sup> He became the first systematic theologian of the English Church, and it is to this accomplishment that his greatness is attributed.

Writing almost a century later, John Locke was influenced indirectly and directly by major developments unknown to Hooker. The Seventeenth Century witnessed the convergence of three revolutionary movements. In religion, the critical genius of the Reformation came to full self-consciousness as a spirit of rationalism, individual judgment, and liberty of inquiry invaded all aspects of society. The birth of modern science was a significant outgrowth of the Copernican revolution. The heliocentric theory of the universe proposed by Copernicus removed man from his previously undisputed position

of central importance in the world order. A uniformity of nature was substituted for the medieval system of a hierarchy under the heavens. Finally, the application of Descartes's mathematical interpretation of the universe<sup>64</sup> unloosed a revolution in the philosophy of knowledge.

Locke stood in the main currents of the scientific thought and discovery of his century. He was a contemporary of Isaac Newton, whose coherent theory of the physical universe presented in 1687, in his Mathematical Principles of Natural Philosophy, provided the first modern scientific synthesis and greatly increased man's faith in the powers of human reason. The idea of applying new experimental methods in the natural sciences to the problems of human disease, drew Locke to the study of medicine. He devoted much time to medical research, although he never became a professional physician.<sup>65</sup>

Perhaps the most significant influence on Locke's basic thought process was Robert Boyle, one of the founders of the Royal Society in England. Boyle was an adherent of the "new philosophy" that stressed observation and the application of mathematics to the study of natural phenomena. The central thesis of Locke's environmental philosophy in the Essay Concerning Human Understanding, that no ideas are innately known to the human mind but are derived from experience, was foreshadowed in Boyle's acknowledgment of the limited extent of certain human knowledge.<sup>66</sup>

In moral philosophy and theology, two contemporary liberal movements in England are certain to have influenced Locke greatly. One was Cambridge Platonism, the term applied to the thought which emerged from a school of erudite theologians which flourished in Cambridge in the mid-Century. The Platonists criticized the materialism of Thomas Hobbes as well as the dogmatism of Protestant enthusiasts. Their basic outlook was rational, for

for they believed that reason could be wholly trusted within its own sphere of operation without coming into conflict with revelation. Reason was infallible and enabled man to distinguish between truth and falsehood. Each individual was believed to be a free agent with sufficient reason to order his own life. This confidence in man's mind made them broad-minded and tolerant.<sup>67</sup>

The second movement which helped foster a liberal spirit in Locke was Latitudinarianism. Theologians and ecclesiastics of the Anglican Church, the Latitudinarians wished to establish so wide a foundation for the Church that all believers in Christ could be accommodated in it. They distinguished between the very few essentials of the Christian faith, such as the affirmation that Christ is the Son of God, from the innumerable non-essentials. Because disagreement over non-essentials causes separation among men, conformity to them should not be demanded.<sup>68</sup>

The ideas of the Cambridge Platonists and the Latitudinarians are reflected in Locke's Letter Concerning Toleration which seeks to deal with the problem of the relationship between government and the individual conscience. He argues that the care of the soul is beyond the jurisdiction of the magistrate because true religion is an inward matter.<sup>69</sup> The end of civil laws is not conformity of religious opinion, but preservation of the commonwealth. Locke maintains that toleration of individuals is the mark of a true Church<sup>70</sup> and concludes his Letter with a "Golden Rule" of religious toleration.

This only I say--that however clearly we may think this or the other doctrine to be deduced from Scripture, we ought not therefore to impose it upon others as a necessary article of faith because we believe it to be agreeable to the rule of faith, unless we would be content also that other doctrines should be imposed upon us in the same manner...<sup>71</sup>



The traditional textbook explanation for the origin of Locke's Two Treatises of Civil Government is that he wrote this political document in 1690, primarily to justify the Glorious Revolution of 1688, which established William III on the English throne. The recent scholarship of Peter Laslett disclaims this assumption. He presents the thesis that the Treatises were written earlier, the product of an already perfected political theory of the nature of society, property, natural rights, and the ethical dictates upon government. Locke's work turned out "to be a demand for a revolution to be brought about, not the rationalization of a revolution in need of defence."<sup>72</sup> Whatever the immediate cause, the result and fundamental importance of Locke's Treatises was the reconciliation of the relationship of man in the universe of the Seventeenth Century to political society, in particular to the constitutional monarchy in England.

Even more important than identifying historical influences, an awareness of the essential differences in philosophical outlook is necessary if the works of Hooker and Locke are to be understood and validly related. These distinctions are demonstrated most clearly in the two approaches to the concept of Natural Law. Hooker can be called the last great representative of the medieval school of Natural Law which was theologically conditioned and identified with the thought of Thomas Aquinas. The eternal mind of God is presupposed as the ultimate source of law in an ordered, hierarchical universe where the natural and supernatural exist in harmonious relationship. The content of Natural Law is determined by the particular view of human nature. To the medieval mind, man was created in the image of God and endowed with the divine impulse to seek communion with and knowledge of God. "Man's natural propensities were divine propensities which

God allowed man to exercise on his behalf."<sup>73</sup> The gulf between God's infinity and man's humanity is bridged by reason. Professor D'Entrevies provides the best description of the idea of Natural Law in the Thomistic tradition.

...a bridge thrown, as it were, across the gulf which divides man from his divine Creator. In natural law is expressed the dignity and power of man, and thus of his reason which allows him, alone of created beings, to participate intellectually and actively in the rational order of the universe.<sup>74</sup>

Locke belongs to a new chapter in the history of the natural law theory characterized in the Seventeenth Century by rationalism and empiricism. There is a narrowing of the field over which reason rules supreme. The universe could be understood rationally, but must be compared with the observed facts about human behavior and physical phenomena.<sup>75</sup> The Law of Nature is no longer conceived of as a set of concrete rules which could be determined and practically applied, but a moral system to which all men should conform. This interpretation correlates closely with Locke's theory of knowledge, that while no ideas are innately known, moral truths are certain and capable of demonstration.<sup>76</sup> The vast universe, a "Great Machine" created by the power and wisdom of God, is an impenetrable mystery for Locke. Man exists within this universe, endowed with a "little candle of reason" which enables him to discover something of the Law of Nature under which he must live. The possibility of determining details of conduct is precluded by human finiteness, but Locke believes general principles of existence are discoverable.<sup>77</sup>

Hooker must generally be classified as a medievalist; his approach is basically theological. Working with epistemological apparatus such as reason and revelation, he assumes the existence of God in an ordered universe. His thinking is deductive, beginning with God and a system of laws he created,

and concluding with specific justifications of a relationship of Church and State and various religious practices. Locke, on the other hand, employs an inductive process that begins by looking at man where he is or where he would be were the indifferent externals of society removed. From a theory of the natural state of man, Locke builds his concept of natural rights and the purpose and function of government. The existence of God and natural law, so overwhelmingly essential to Hooker's thinking, are not denied by Locke, but neither are they emphasized or analyzed. The basis of Locke's theoretical thought process is empirical rather than epistemological. He does not assume a philosophical rationale, but derives his ideas from empirical observation of man's basic nature.

What then can be said in conclusion of the relationship between Hooker and Locke? Locke was probably sincere in his integration of Hooker's words into the Second Treatise, but he was also undoubtedly aware that such reference to the Anglican defender would greatly benefit the reception of his political ideas by his Tory opponents. At the close of his work, Locke himself admits that

I could send my Reader to Bracton, Fortescue, and the Author of the Mirrour, and others; Writers, who cannot be suspected to be ignorant of our Government, or Enemies to it. But I thought Hooker alone might be enough to satisfy those Men, who relying on him for their Ecclesiastical Polity, are by strange fate carried to deny those principles upon which he builds it.<sup>78</sup>

The thesis of Dr. Bull is that all items borrowed from Hooker by Locke were transformed to meet the philosopher's needs. The result is that Hooker is ultimately made to sponsor an idea diametrically opposed to his own purpose of defending the English crown as the supreme seat of all civil authority.<sup>79</sup> Without totally accepting the severity of this judgment, it remains valid

to conclude that the resemblance between the political theories of Locke and Hooker is more nominal than real. Doctrines shared in common, such as the credence given to the concepts of reason, Natural Law, and the consent of the governed, are outweighed by the more fundamental differences in interpretation brought to light by an understanding of the purpose, historical influences, and philosophical perspective which distinguish the two men.

The significance of the "sane, noble, sincere, supremely civilized" theologian of the Anglican Church<sup>80</sup> and of the "first modern philosopher of science"<sup>81</sup> will endure as a result of the peculiar contributions of each to the development of thought within his own historical context, and not because of their relationship to each other. Richard Hooker may have failed<sup>82</sup> to pose all the fundamental questions necessary for a complete philosophy, but by relating his political ideas to a universal world order he gave expression to the subject of man's human experience in general and became an indispensable source for understanding English History of the Sixteenth Century. John Locke did not claim to be a comprehensive metaphysician, for he set forth philosophical questions realizing the limits of human understanding. His association with the modern, liberal mind rests upon his separation of philosophy from theology and its assignment to the proper realm of man's experience. Within the development of the Seventeenth Century, Locke's greatness lies in his achievement of a new scientific view of the relationship of man to an infinite universe.

## FOOTNOTES

<sup>1</sup> John Locke, The Second Treatise of Government, in John Locke: Two Treatises of Government by Peter Laslett (Cambridge, 1960), Chapter I, Paragraph 3, p. 286.

<sup>2</sup> Ibid., II, 4, p. 287.

<sup>3</sup> Ibid., II, 6, p. 289.

<sup>4</sup> Peter Laslett, John Locke: Two Treatises of Government (Cambridge, 1960), p. 92.

<sup>5</sup> Locke, Second Treatise, II, 7, p. 290.

<sup>6</sup> Ibid., II, 13, pp. 293-294.

<sup>7</sup> Ibid., II, 15, p. 296.

<sup>8</sup> Ibid., III, 19, p. 298.

<sup>9</sup> Ibid., III, 17, p. 297.

<sup>10</sup> Ibid., III, 21, p. 300.

<sup>11</sup> Ibid., VI, 57, pp. 323-324.

<sup>12</sup> Ibid., VI, 59, p. 325.

<sup>13</sup> Laslett, pp. 303-304.

<sup>14</sup> Locke, V, 40, p. 314.

<sup>15</sup> Ibid., V, 31, p. 308.

<sup>16</sup> Ibid., IX, 124, pp. 368-369.

<sup>17</sup> Ibid., VII, 90, p. 344.

<sup>18</sup> Ibid., VIII, 96, p. 350.

<sup>19</sup> Ibid., X, 132, p. 372.

<sup>20</sup> Ibid., IX, 124-126, p. 369.

<sup>21</sup> Ibid., IX, 130, p. 371.

<sup>22</sup> Ibid., XIII, 149, p. 385.

<sup>23</sup> Ibid., XIX, 243, p. 429.

<sup>24</sup> Richard Hooker, Of the Laws of Ecclesiastical Polity, in The Works of That Learned and Judicious Divine, Mr. Richard Hooker, ed. John Keble (New York, 1845), I, Preface, Chapter iii, Section 2, p. 130.

<sup>25</sup> Ibid., Book I, ii, 2, p. 156.

<sup>26</sup> Ibid., I, iii, 1, p. 158.

<sup>27</sup> Ibid., I, v, 3, p. 163.

<sup>28</sup> Ibid., I, vii, 2, p. 165.

<sup>29</sup> Ibid., I, viii, 9, p. 171.

<sup>30</sup> Ibid., I, x, 8, p. 177.

<sup>31</sup> Ibid., I, x, 5, p. 176.

<sup>32</sup> Ibid., I, x, 8, p. 177.

<sup>33</sup> Ibid., I, x, 10, p. 178.

<sup>34</sup> Ibid., I, viii, 7, p. 170.

<sup>35</sup> Alexander P. D'Entreves, The Medieval Contribution to Political Thought; Thomas Aquinas, Marsilius of Padua, Richard Hooker (Oxford, 1939), p. 128.

<sup>36</sup> Locke, II, 14, pp. 294-295.

<sup>37</sup> Laslett, p. 99.

<sup>38</sup> George Bull, "What Did Locke Borrow from Hooker?" Thought, VII (1932), 124.

<sup>39</sup> Hooker, I, ix, 2, p. 173.

<sup>40</sup> Ibid., I, x, 8, p. 177.

<sup>41</sup> J. W. Gough, John Locke's Political Philosophy: Eight Studies (Oxford, 1957), p. 47.

<sup>42</sup> Peter Munz, The Place of Hooker in the History of Thought (London, 1952), p. 205.

<sup>43</sup> Bull, pp. 126, 134.

<sup>44</sup> D'Entreves, pp. 129-131.

<sup>45</sup> Gough, p. 51.

<sup>46</sup> Ibid., p. 59.

<sup>47</sup>J. W. Allen, A History of Political Thought in the Sixteenth Century (New York, 1960), pp. 192, 194.

<sup>48</sup>Hooker, II, VIII, ii, 2, p. 226.

<sup>49</sup>Bull, pp. 128-129.

<sup>50</sup>D'Entreves, p. 104.

<sup>51</sup>Munz, pp. 25-26.

<sup>52</sup>E. T. Davies, The Political Ideas of Richard Hooker (London, 1948), p. 51.

<sup>53</sup>Hooker, I, II, 1, 4, p. 196.

<sup>54</sup>Arthur Pollard, Richard Hooker (London, 1966), p. 16.

<sup>55</sup>Ibid., p. 37.

<sup>56</sup>Allen, p. 185.

<sup>57</sup>Hooker, III, i, 2, p. 219.

<sup>58</sup>Ibid., III, i, 3, p. 220.

<sup>59</sup>Ibid., II, VIII, i, 2, p. 221.

<sup>60</sup>W. K. Jordan, The Development of Religious Toleration in England (Cambridge, 1932), I, p. 222.

<sup>61</sup>Davies, p. 37.

<sup>62</sup>Jordan, pp. 225-226, 231.

<sup>63</sup>Davies, p. 44.

<sup>64</sup>C. H. Driver, "John Locke," in The Social and Political Ideas of Some English Thinkers of the Augustan Age. (1650-1750), ed. F. J. Hearnshaw (New York, 1950), V, p. 70.

<sup>65</sup>R. I. Aaron, John Locke (Oxford, 1937), p. 6.

<sup>66</sup>Ibid., pp. 13-15.

<sup>67</sup>Ibid., pp. 27-28.

<sup>68</sup>Ibid., p. 31.

<sup>69</sup>John Locke, A Letter Concerning Toleration, ed. Charles L. Sherman (New York, 1937), p. 172.

<sup>70</sup>Ibid., p. 167.

- <sup>71</sup> Ibid., p. 223.
- <sup>72</sup> Laslett, p. 47.
- <sup>73</sup> Munz, 207-208.
- <sup>74</sup> D'Entreves, p. 21.
- <sup>75</sup> Laslett, p. 87.
- <sup>76</sup> Gough, pp. 3, 5.
- <sup>77</sup> Driver, pp. 79-80.
- <sup>78</sup> Locke, Second Treatise, XIX, 239, p. 444.
- <sup>79</sup> Bull, pp. 134-135.
- <sup>80</sup> Pollard, p. 3.
- <sup>81</sup> Maurice Cranston, John Locke (London, 1961), p. 23.
- <sup>82</sup> Allen, p. 186.



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