

**Locke's Bedtime Story:
Phantom Fatherhood, Vicious Brothers, the Law of the Father,
and Friendly Equal Brethren**

To know the reality of politics we have to believe the myth, to believe what we were told as children. ~ Norman O. Brown, *Love's Body*

Still today, circulating in scholarly and popular discourse of modern Western democracy, are images of family deployed to characterize the people. Fraternity especially remains as a common means by to characterize citizens. However, despite this discursive interplay between ideas of family and ideas of politics, a hallmark of modern liberal democratic political thought is its articulation of the separateness and distinctness of family and political rule. A sentinel at the gateway of this modern sensibility is John Locke who, in the face of seventeenth-century patriarchalist monarchalism, insisted that the "Person of a private Father, and a Title to Obedience, due to the Supreme Magistrate, are things inconsistent" (I, 66, p. 189), and that the "Powers" of "a Ruler of a Common-wealth, a Father of a Family, and a Captain of a Galley" are "distinct" (II, 2, p. 268).¹ Political theorists have largely accepted that this description by Locke reflects the content of his political theory. For instance, Charles Taylor argues that in England, Sir Robert Filmer's and Addison's treatises on governmental authority had leaned heavily upon the idea of the king as patriarchal absolutist father, and while the father idea had inspired American colonists royalists and republicans alike. Because pre-modern chains of social dependency had been, Taylor argues, defined in personal terms, family thinking proved most apt in popular and formal political discourse. But such particularist, personalist interpretation of power was jettisoned as the modern moral order alternatively invoked "a general and impersonal recognition of equal status". We can see this historical transition, Taylor argues, away from the conflation of family and politics, in Locke's rejection of Filmerite patriarchalism and his cultivation of the overarching view that paternal and political power are separate and different.²

Yet family terms persist in political thinking. Liberal, republican and socialist democrats alike repair to notions of fraternity; feminists invoked the women's movement as a sisterhood; unionists refer to themselves as brothers and sisters; black liberation movements call upon the brotherhood. Perhaps more distressingly, alongside the leadership in Russia and the party in China, for instance, prime ministers and presidents in contemporary liberal democracies are commonly invoked as fathers to the people: Pierre Trudeau was so cast following his death, as was George W. Bush in the wake of 9/11. How are we to understand this familial imagery in contemporary democratic politics?

A couple of decades ago, Carole Pateman in part with Teresa Brennan began a process of illuminating what they cast as modern patriarchalism in Western political thought and society with a particular eye to social contract theorists – a move that helped to reveal many connections between politics, political thinking and social life.³ Pateman's investigation into what she terms

¹ John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988).

² Charles Taylor, *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004), 145, 148, 147.

³ Carole Pateman, *The Sexual Contract* (Stanford: Stanford University Press, 1988); Teresa Brennan and Carole Pateman, "Mere Auxiliaries to the Commonwealth": Women and the Origins of Liberalism," *Political Studies* 27:2 (1979): 183-200.

the sexual contract focuses on the conjugal authority of husbands over wives, and on women themselves, as she locates a continuity with pre-modern patriarchy. She argues that the “contract theorists rejected paternal right, but they absorbed and simultaneously transformed conjugal, masculine patriarchal right.”⁴ This important focus on men’s power over women leaves other terrain yet under-charted and susceptible to deeper interpretation. In this paper I do some such mapping through an interest in fathers, sons and brothers. Through a study of Locke’s historically consequential *First and Second Treatises of Government*, part of what I do here is challenge Pateman’s claim that in modern Western political thinking, “The father is dead,” killed off by the fraternity, as “the participants in civil society have left kinship behind them, but as civil individuals they still share an ascriptive bond – a bond as *men*” (DW, 42). More generally, I illuminate some dimensions of the deep continuity, interrelation and mutuality between Locke’s conception of the androcentric “legitimate” family and “legitimate” political society, two figurations that, rather than being utterly distinguished by their types of power, foundations, ends and practical operation, instead together constitute one general mode of governmentality. My guiding claim is that, in the face of seventeenth-century patriarchalist political thought, Locke did not separate and distinguish family and political rule as he claims he did, and as we commonly reiterate on his behalf. Rather, he reimagined politics by simultaneously reimagining family in ways reflective of the glimmerings of socio-historical change afoot in England. I will investigate through a close textual analysis of Locke’s writings how he constructed a political theory in which the emergent liberal vision of politics and of family are utterly interconnected and mutually supportive.

To support this interpretation I refer to Norman O. Brown’s penetrating yet neglected aphorisms on Locke’s political theory.⁵ In *Love’s Body*, Brown writes: “Locke kills Filmer’s fatherhood,” vindicating liberty by vindicating “the children, *liberi*, the sons, against paternal despotism”. At the same time, however, “the equality of brotherhood is a leveling in the presence of a father . . . To make all men free and equal in the state of nature, Locke allows no man the status of father, and makes all men sons of the Heavenly Father. The phantom of fatherhood is banished from the earth, and elevated to the skies”.⁶ I will work to understand Brown’s pithy account which, I believe, presses to the heart of Locke’s theory, by engaging not only the *Second* but also the *First Treatise of Government*. Political theorists tend to brush past the *First Treatise* and to give two reasons for this choice. First, it is often said that Locke’s own theory is entirely encapsulated in the *Second Treatise* so reading the *First* is unnecessary; and second, that in the *First Treatise* Locke adopts Filmer’s language of Scripture to defeat Filmer and does not generate his own alternative theory, so to encounter the real Locke speaking in his own terms about his own theory, one reads the *Second Treatise*. However, while the relative pertinence of the two treatises depends upon one’s research question, I see in general no good reason to exclude any Lockean text as less relevant to an understanding of “Locke” than any other. Moreover, my analysis suggests that the first and second treatises are not only consistent, but that the first conveys some background thinking that is highly relevant to what is unfolding in the second treatise. That is, Locke’s analysis in the first treatise helps to highlight and illuminate dimensions of the second treatise that readers are otherwise prone to leave uninterrogated. Finally, I will extrapolate upon a recent study by Linda Zerilli of Locke’s

⁴ Carole Pateman, *The Disorder of Women* (Stanford: Stanford University Press, 1989), 37.

⁵ Pateman cites Brown’s book a couple of times but does not in fact engage it.

⁶ Norman O. Brown, *Love’s Body* (Berkeley: University of California Press, 1966), 4, 5.

complex grapplings with language. As illuminated by Zerilli, Locke himself enables the sort of language analysis that I wish to undertake as part of the work of this paper. While political theorists often cast Locke as operating strictly on the terrain of empiricism plus rational deductionism, and inciting his fellow countrymen to do the same, Zerilli reveals how Locke points to the deep powers of rhetorical language in rational speech (Zerilli, 298).⁷

Language, Stories, and Changing the World

In *An Essay Concerning Human Understanding*, Locke is concerned that rhetoric, which he posits as “the Abuse of Words”, clouds rational thought and empirical analysis. He worries that people in England are stymied in their thinking and freedom alike because they accept the rhetorical association of patriarchal power and political power. This worry on Locke’s part reinforces our reception of him as a theorist devoted to unadorned, rational argumentation; his social contract theory, which reframes legitimacy as generated by the consent of equal political agents, exhibits what Jeremy Waldron and others cast as a “rational choice structure”.⁸ Yet, as Zerilli argues, “this account of the Lockean project tends to neglect those aspects of Locke’s thought that call into question the power of reason and rational language in the adjudication of political and philosophical debates”, and she proceeds to illuminate that in Locke’s thought, “rational thinking and speaking is parasitic” on the rhetorical, “exhibiting a fundamentally rhetorical structure” (Zerilli, 298, 299). Zerilli reorients the usual reading of Locke’s normative impact by locating in his political theory a rhetorical dimension. Indeed, she suggests, “the problem for Locke as a political thinker is not to eliminate the affective basis of political association but to bind affect to a form or figure . . . that symbolizes human freedom” – a figure that, for Zerilli, proves to be the social contract itself (Zerilli, 300).

Locke himself facilitates such a reading of his political theory when he rejects the notion of grounded, innate ideas. An empiricist driven to root out assumptions about “originals”, Locke describes how a person derives putative truths from early exposure to “the Superstition of a Nurse or the authority of an old Woman”; this exposure to prevailing cultural views precedes memory so they readily take on the patina of the natural or sacred and escape critical assessment (Zerilli, 301, on Locke’s *Essay*, 1.3.22). Since humans are constituted as speaking subjects, they easily draw confused relations between words and things: “it *often* happens that *Men*, even when they would apply themselves to an attentive Consideration, *do set their Thoughts more on Words than Things*. Nay, because Words are many of them learn’d, before the *Ideas* are known for which they stand: Therefore some, not only Children, but men, speak several Words, no otherwise than Parrots do” (Zerilli, 311, citing *Essay*, 3.2.7). For Zerilli Locke’s *Essay* is

⁷ Linda Zerilli, “‘Philosophy’s Gaudy Dress’: Rhetoric and Fantasy in the Lockean Social Contract,” in *Feminist Interpretations of John Locke*, eds. Nancy J. Hirschmann and Kirstie McClure (University Park, PA: The Pennsylvania State University Press, 2007), 298. Joshua Foa Dienstag likewise argues that Locke’s political theory operates as a narrative that challenges the usual account of his rationalism (*Dancing in Chains’: Narrative and Memory in Political Theory*, (Stanford: Stanford University Press, 1997), ch.1).

⁸ Jeremy Waldron, “John Locke: Social Contract versus Political Anthropology,” in *the Social Contract from Hobbes to Rawls*, ed. David Boucher and Paul Kelly (London: Routledge, 1994), 56; see also Ruth Grant, *John Locke’s Liberalism*, 7, and Dienstag’s critical response, 52.

“haunted by the woman as she comes to stand for the origin of error”; evidently, “to expose the woman at the origin of error and Idol worship, as Lockean empiricism tried to do, is to deprive her of the power that is rooted in a radical forgetting” (Zerilli, 201). The bedtime stories told to the child by the female caregiver must be exposed to rational thought and thus forgotten. Or, as James Tully has put it, “The intellectual weapon Locke advances to destroy these established bodies of knowledge and power in religion, politics, and science is ‘suspension and examination’”; in thus purging the past, “Locke reconstructs belief on the blank and indifferent *tabula rasa* that remains.”⁹

However, at the same time that Locke takes such forgetting as part of his method, encouraging his countrymen to forget the story of the king as their father, he does, Zerilli observes, sense the limits of this method, sensitive as he is to that “‘something that blinds their [men’s] Understandings’” (Zerilli, 302, quoting *Essay*, 2.33.18). Tully also sees Locke rejecting the classical Enlightenment faith in the powers of rational examination of belief. Locke, he says, was sensitive to the uneducated capacities of the majority of people to undertake critical examination, to the effectiveness of political repression, to human laziness, and so the fact that, “even when the probabilities ‘are plainly laid before them’”, prevailing custom, education and passion still shape belief (Tully, 30, 31). Locke’s solution is to “develop an educational practice that would form mental ‘inclinations’” oriented to breaking the mental habits of passion in favour of new mental habits infused with the new mode of reasoning (Tully, 32). But Zerilli argues that Locke’s own account of what he calls “association” challenges his rationalist solution. For Locke, associationism, a “madness” found ubiquitously in humans, operates not when a person “is under the power of an unruly Passion, but [rather] in the steady calm course of his Life” (Zerilli, 303, citing *Essay*, 2.33.1). While some ideas have a “natural Correspondence and Connexion one with another”, linkages that reason will locate, “there is another Connexion of *Ideas* wholly owing to Chance or Custom; Ideas that in themselves are not at all of kin, come to be so united in Mens Minds, that ‘tis very hard to separate them, they always keep company, and the one no sooner at any time comes into the Understanding but its Associate appears with it” (Zerilli, 303, quoting *Essay*, 2.33.5). Locke, it turns out, though aiming to break customary associations through displays of empirical causal relations, provides no adequate solution to purge these deep-seated dimensions of human thought processes. Indeed, Zerilli is struck by how Locke’s work, “even as it attempts to contain the threat it names,” recognizes how deeply humans are invested in their associations -- what she casts as fetishes produced by desire. These associations both enable “participation in the common discourse of social life” and are “resistant to playing by the rules” (Zerilli, 305).

Zerilli elaborates Locke’s suspicion of the “ineradiable passion or desire in language and the subject, precisely that part of signification and subjectivity that is inventive, imaginative. This noise both enables symbolic meaning . . . and keeps the subject from being fully inscribed in that grammar. Psychoanalysis would call it the space of fantasy, in which each subject organizes its pleasure” (Zerilli, 305). And so Locke himself undercuts the notion of an affect-free rational subject. Zerilli argues that in Locke’s thought, language itself is a form of association that features a “fundamentally inventive and creative dimension”. Though anxious,

⁹ James Tully, “Governing Conduct,” in *Conscience and Casuistry in Early Modern Europe*, ed. by Edmund Leites (Cambridge: Cambridge University Press, 1988), 12-71, p. 23, 25.

he understands language as the enabling social bond that refers “not to things in the world but to ideas in the mind” (Zerilli, 307 on Essay, 3.2.5).¹⁰

Zerilli concludes that Locke deploys the rhetorical powers of association as he works to make normatively impactful his counterclaim to Filmer’s. Locke, she says, tells two stories to make his case. He tells, first, a moral tale of free and equal individuals in a state of nature rationally choosing to consent to a limited government. Second, to locate a cause for the prevailing English association of kings and patriarchs to purge such habits of thought, Locke deploys his empiricism in a developmental narrative of how, far back in time, some men probably did extrapolate their fatherly powers into kingly powers. However, Zerilli argues, Locke’s second developmental-causal narrative of how the ideology of patriarchal monarchalism arose does not illuminate the “sheer force” with which this ideology had come to grip “men’s minds” (Zerilli, 314). The “fantasy” of the king as father is neither fully explainable nor vanquished by empirical evidence gleaned from a causal account of history since that history is always open to interpretation (it was also interpreted by Filmer, for instance) (Zerilli, 315). To purge Filmer’s standing interpretation of politics, his story must instead be forgotten rather than simply empirically disproved, and forgetting is best achieved by telling the same story differently through an innovative act of imagination (Zerilli, 216). Zerilli suggests that Locke’s tale of consent and the social contract is a new story that gains its power by mobilizing “the tenacious process of association (i.e. seeing connections between otherwise unrelated things) in facilitating the identification of oneself as a free subject.” (Zerilli, 313). The problem Locke faced was how to get the English to reject the naturalized association of two unrelated things, monarchs and patriarchal fathers, and supplant this with an association between political society and rational consent. He was inordinately successful, Zerilli argues, as these two ideas became associated in a rhetorical project in “a way that they now seem like the commonsense basis for any rational discourse on politics” (Zerilli, 314).

Building on Zerilli’s insights, I want to argue that, in an astonishing and historically consequential act of imagination, Locke reconceived society in a manner that features complex interconnections both ideational and structural between family and politics. His reconceptualization of society’s structure is serviced to become normatively gripping by a narrative replete with rhetorical riches – a narrative so tantalizing that it was strong enough to inspire a forgetting of Filmer’s story of patriarchy. Where Filmer associated absolutist patriarchal fathers, primogeniture and kings, Locke associates, among other things, God as father, equal sons/brothers, their equal inheritance and limited government. This liberal counter-narrative has proved so compelling, and remains so unchallenged, that it continues to animate thinking about modern Western democratic citizenship.

Locke’s political theory does not transcend but rather reconfigures the familialism of pre-modern European political thinking. He himself argued that, “where Men in Society have already established a Language amongst them, the signification of Words are very warily and

¹⁰ Language reformers of his day seek a perfect correspondence between linguistic signifiers and things in the world, but Locke, linking liberty to semiotics, rejects such perfected transparency as inherently authoritarian (Zerilli, 309; see Essay 3.11.2). So, Zerilli concludes, Locke rejects “Filmer’s political semiotics” as “no man could possibly define for all posterity the absolute meaning of a word” (Zerilli, 309); yet “Locke’s semiotics is at odds not only with Adamicists, who long for the perfection of language before the Fall, then, but also with those reformers who would construct language anew” (Zerilli, 308).

sparingly to be alter'd" (*Essay*, 3.6.51). In this he evidently appreciated, with more recent scholars, that conceptual change "never occurs *de novo* or *ex nihilo*. Almost always occurring with reference to relatively settled and stable linguistic conventions, conceptual change tends to be piecemeal and gradual, sometimes proceeding at an almost glacial pace".¹¹ In his *Two Treatises*, in striving to transform the recently secured discourse of patriarchalist monarchalist absolutism in English politics, and in complaining of Filmer's "way of writing" which entails "hudling several Suppositions together" (I.20.4, p. 155), Locke works to disassociate kings and fathers, kings and Adam, kings and property, paternal power and property as blended together by Filmer as the two originals of political power, property and primogeniture, and government and primogeniture. Yet Locke's critical counter-vision for political society not only holds at its core a normative account of (il)legitimate modes of family, but reconstructs a web of associations among *ideas of political and family governance* as it organizes the *structural integration* of legitimate male family relations and legitimate government, altogether articulating *a common "frame"* (Locke's word) *or mode of governmentality* that encapsulates and fuses family and politics in one coherent liberal society. As much as it defeats patriarchalist monarchalism, Locke's act of imagination renews the continuity between and interpenetration of family and politics.

Reconceptualizing Governance by Reconceptualizing Politics and Family Together

Conceptually speaking, Locke does not draw the sharp distinction between paternal and political power that he claims that he does. In the course of his recurring insistence that paternal power is not political power, he defines these two terms. "'Tis true, the *Paternal* is a natural *Government*, but not at all extending it self to the Ends, and Jurisdictions of that which is Political" (II.170, p. 381). "*Paternal* or *Parental* Power is nothing but that, which Parents have over their Children, to govern them for the Childrens good, till they come to the use of Reason, or a state of Knowledge, wherein they may be supposed capable to understand that Rule, whether it be the Law of Nature, or the municipal Law". Expression of this legitimate, limited power features "Affection and Tenderness" as this is "not intended to be a severe Arbitrary Government, but only for the Help, Instruction, and Preservation" of the children (II.170, p. 381). Meanwhile, "*Political* Power is that Power which every Man, having in the state of Nature, has given up into the hands of the Society, and therein to the Governours, whom the Society hath set over it self, with this express or tacit Trust, That it shall be employed for their good, and the preservation of their Property". In the state of nature, before it has been transferred to a government, the power is "for the preserving of [one's] own Property, as he thinks good," and to "punish the Breach of the Law of Nature in others" to help preserve oneself and "the rest of Mankind". These ends are unaltered in the transfer of the powers to government so that the "*end of Government*" is the "*preservation of all*" (II.171, p. 381, 382; II.159, p. 375). Locke concludes that "these two Powers, *Political* and *Paternal*, are so perfectly distinct and separate; are built upon so different Foundations, and given to so different Ends" (II.71, p. 314).

In the remainder of the paper I will illustrate how paternal and political power in Locke's theory are not in fact so perfectly distinct, nor are they separate, nor are their foundations and ends so different. First of all, one is struck that the "Ends" of paternal and political government

¹¹ Terence Ball, James Farr and Russell L. Hanson, eds., *Political Innovation and Conceptual Change* (Cambridge: Cambridge University Press, 1989), 3.

as described are not perfectly distinct at all. Both are oriented toward the preservation of human life and/as property and in some manner to judgment/punishment designed to reorient a transgressor toward the law. Meanwhile, the “Foundations” of paternal and political power overlap notably as both are rooted in the universal law of nature that, by reason, dictates the principles of human self-preservation and preservation of others. Further, as Locke himself notes, the paternal and political are both forms of “power” and “Government”, and he suggests continuity between the two as he deploys political terminology to describe the paternal-child relations and, as we shall see, familial terminology to characterize political relations.

The key difference between the two modes of power as Locke defines them is the state of maturity of the subjects in question -- children as compared to grown men -- and their relative capacity to consent to governance, which renders the governance either “natural” or “voluntary”. Yet this difference is more superficial than Locke seems willing to say. The ontogenetic story embedded within his portrait of legitimate family relations is one of a “child” or “son” receiving care and education to facilitate the development of reason which, in turn, constitutes a capacity to live according to the law of nature or of the commonwealth. When a son “has acquired that state, he is presumed to know how far that Law [of Nature or the Commonwealth] is to be his Guide, and how far he may make use of his *Freedom*, and so comes to have it; till then, some Body else must guide him” (II.59, p. 307). Then the temporary “Dominion” in the “Father” dissolves and “the Father and Son are equally *free*”, be they living in nature or under a civil government (II.59, p. 307). Locke emphasizes that children do not consent to paternal power because they are in a course of development toward a full-blown capacity to exercise reason and thereby consent. Political subjects, in contrast, are already thus developed and can rationally choose their government, which is what renders it legitimate. Yet Locke’s entire theory of contract hinges on the fact that grown men are led variously by “Reason, Mistake or Passion” (II.13, p. 276), including in the state of nature where they may cause one another great harm. Legitimacy may therefore be forthcoming or not in paternal expressions of power, and political tyranny is always a possibility. For one thing, as everyone in nature possesses an executive power to judge and punish, “Self-love will make Men partial to themselves and their Friends. And on the other side, that Ill Nature, Passion and Revenge will carry them too far in punishing others” (II.13, p. 275). Such problems of withholding and excess that inevitably arise between non-intimates can arise in families too, so Locke is at pains in the *First Treatise* as well as the *Second* to illustrate the difference between a legitimate father and a tyrannical one. Though subjected children may not be able to rebel, Locke argues that abusive or neglectful fathers forfeit their paternal power and rights, a point reminiscent of his theory of political revolution. Locke solidifies such an association between family abuse and abuse of non-biological kin when he uses the language of family to characterize the conflicts that arise among adults in the state of nature who abuse their executive power: “’tis easily to be imagined, that he who was so unjust as to do his Brother an Injury, will scarce be so just as to condemn himself for it” (II.13, p. 276). Indeed, then, just as child-brothers in a family require a firm but limited (male) hand to impose law, so too do the unreliable men – brethren -- in the state of nature. The advent of money and development of commerce only heighten this condition of needed authority. The limited, legitimate paternal power that guides to form/educate children in the Lockean family is echoed in political society in which the individual natural authority of men is reorganized as a collective power among adult “brothers” and then transferred to a limited, legitimate government. In that externalized but limited manifestation, this power governs to form/educate these men in their individual immaturity and unreliability. Just as paternal power is rooted in natural law and has

God's authority behind it, this collective brotherly power externalized in government is manifest in civil law behind which always looms the God's law of nature.

Forgetting Filmer's Bedtime Story called Absolutism; Learning Locke's Bedtime Story called *liberi*

Bound up in his conceptual-analytical account of paternal and political power, Locke's political theory features a counter-narrative to Filmer's. This counter-narrative entails not a radical differentiation of paternal and political power, of family and politics, but rather works to forget Filmer's story by reworking his familiar characters and plot. As Peter Laslett points out, while for Filmer "God had set some men above other men, fathers above sons and men above women, the older above the younger and kings above all others", Locke insists that "we are all free and we are all equal; free of each other, that is to say, and equal to each other, for we are not free of God's superiority and not equal to him" (Laslett, 93).¹² At the centre of Locke's rearticulation and revaluation of prevailing rhetorical terms is the notion of fatherhood which, immediately at the commencement of the *First Treatise*, he exposes as unstable and open to respecification. He reports that for Filmer, "*Men are born in subjection to their Parents, and therefore cannot be free. And this Authority of Parents, he calls Royal Authority, p. 12, 14 [57, 58]. Fatherly Authority, Right of Fatherhood, p. 12, 20 [57, 61]*" (I.6, p. 144). Filmer casts Adam as the "*Father of all Flesh*" who, as first father, was "*the first Government in the World*" as absolute monarch (I.21, p.156). Locke adds that, "One would have thought he would in the beginning of such a Work as this, on which was to depend the Authority of Princes, and the Obedience of Subjects, have told us expressly what that Fatherly Authority is, have defined it . . . that we might have had an entire Notion of this *Fatherhood, or Fatherly Authority*" (I.6, p. 144). Instead, Locke complains, Filmer

tells us the Story, as he thinks fit, of this strange kind of domineering Phantom, called the *Fatherhood*, which whoever could catch, presently got Empire, and unlimited absolute Power. He assures us how this *Fatherhood* began in *Adam*, continued its course, and kept the World in order all the time of the *Patriarchs* till the Flood, got out of the Ark with *Noah* and his Sons, made and supported all the Kings of the Earth till the Captivity of the *Israelites* in *Egypt*, and then the poor *Fatherhood* was under hatches, till *God* by giving the *Israelites* Kings, Re-established the ancient and prime Right of the Lineal Succession in Paternal Government. . . . Sir *Robert* should have told us, what his *Fatherhood* or *Fatherly Authority* is, before he had told us, in whom it was to be found, and talked so much of it. But perhaps Sir *Robert* found, that this *Fatherly Authority*, this Power of Fathers, and of Kings, for he makes them both the same, p. 24. [63] would make a very odd and frightful Figure, and very disagreeing, with what either Children imagine of their Parents, or Subjects of their Kings, if he should have given us the whole Draught together in that Gigantic Form, he had painted it in his own Phancy: and therefore, like a wary Physician, when he would have his Patient swallow some harsh or *Corrosive Liquor*, he mingles it with a large quantity of that, which may dilute it (I. 6, 7, pp. 145, 146).

¹² Laslett, "Introduction," *Two Treatises*, 93.

Locke knows that bedtime stories aggressively shape men's minds, and England's prevailing bedtime story is terrifying for its absolutist dimensions, one sure to cause nightmares if told in its fullness. He aims to popularize an alternative tale of freedom, one that proves to be a story of liberty, of *liberi*, the Latin word for children or sons. His Protestantism looms as he rejects the idea of a human ruler endowed with a privileged relationship with God and absolute authority over other men. This rejection, however, as Brown so pungently signals, entails not a purging of "Fatherhood" as an overarching "Figure" or "Phantom", but rather a crystallization of God as the one true and absolute father to earthly men who are mutually equal in their subordination to him. Adam is not the first father, God is. Against the divine right of kings that freakishly suspends select mortals at a halfway point between earth and heaven to justify an unbridgeable differentiation of kings and subjects, Locke clarifies an unbridgeable differentiation of God the heavenly father and equal mortal men.

So Locke relocates *Fatherhood* as he disassociates Adam and first fatherhood, kings and fatherhood, and political subjects and childhood. But so too does he generate a new association among God, fatherhood and absolute authority, a move that drives a disassociation of earthly paternity and absolutism. According to Locke, amid Filmer's many disorderly strands of thought, Filmer locates Adam's original absolutist patriarchal sovereignty in two key "originals" or "foundations" of power, "*Fatherhood and Property*". The first, described as natural, suggests that "*The Subjection of Children to their Parents is the Fountain of all Regal Authority*" and that "*all Power on Earth is either derived or usurped from the Fatherly Power, there being no other Original to be found of any Power whatsoever*". Then, to Locke's annoyance, Filmer names another original, namely, God's donation of the earth and its creatures to Adam and his heirs, so that "*the Grounds and Principles of Government depend upon the Original of Property*" (I.73, p. 195). Locke is frustrated that Filmer collapses together these distinct foundations, what with "*Property and Fatherhood being as far different as Lord of a Mannor and Father of Children*" (I.73, p. 195). Yet Locke himself maintains the association between these very same two sources of power – fatherhood and property -- as he links them to God whom he secures as both "Lord" and "heavenly Father", as both creator-owner-donor of the earth, and as creator-father of earthly sons. Moreover, as we shall see, despite his frustration at Filmer's jumbling together of fatherhood and property, Locke's legitimate political society is itself secured by a deep structural relationship between paternity and inheritance by sons.

Locke tracks various strands of Filmer's thought to amalgamate a "Description of his *Fatherly Authority*," which proves first vested in Adam and then inherited by right by all subsequent princes. "This *Fatherly Authority* then, or *Right of Fatherhood* . . . is a Divine unalterable Right of Sovereignty, whereby a Father or a Prince hath an Absolute, Arbitrary, Unlimited, and Unlimitable Power, over the Lives, Liberties, and Estates of his Children and Subjects; so that he may take or alienate their Estates, sell, castrate, or use their Persons as he pleases, they being all his Slaves, and he Lord or Proprietor of every Thing, and his unbounded Will their Law" (I.9, p. 148). Locke rejects the circulating idea that "*Fathers have a power over the Lives of their Children, because they give them Life and Being*", radically recasting the source of the powers of earthly fathers.

They who say the *Father* gives Life to his Children, are so dazled with the thoughts of Monarchy, that they do not, as they ought, remember God, who is *the Author and Giver of Life*: 'Tis in him alone we live, move, and have our Being. How can he be thought to give Life to another, that knows not wherein his own Life consists? . . . [I]s there any one so bold, that dares thus far Arrogate to himself the Incomprehensible Works of the

Almighty? Who alone did at first, and continues still to make a living Soul, He alone can breathe in the Breath of Life. . . . And therefore though our A. for the magnifying his *Fatherhood*, be pleased to say, O 159. [233] *That even the Power which God himself exerciseth over Mankind is by Right of Fatherhood*, yet this Fatherhood is such an one as utterly excludes all pretence of Title in Earthly Parents; for he is *King* because he is indeed Maker of us all, which no Parents can pretend to be of their Children. (I.52, 53, pp. 178, 179).

Locke hereby reconfigures without abandoning an association between absolutism and fatherhood: now God is the one true begetter. Moreover, this one true father is the one true king, evidently the final political authority as well: politics, begetting and fatherhood remain associated. Mere men, meanwhile, exhibit only diminutive powers of fatherhood as they are limited in knowledge of procreation and contribute to procreation only tangentially:

What Father of a Thousand, when he begets a Child, thinks farther than the satisfying his present Appetite? God in his infinite Wisdom has put strong desire of Copulation into the Constitution of Men, thereby to continue the race of Mankind, which he doth most commonly without the intention, and often against the Consent and Will of the Begetter. And indeed those who desire and design Children, are but the occasions of their being, and when they design and wish to beget them, do little more towards their making, than *Ducalion* and his Wife in the Fable did towards the making of Mankind, by throwing pebbles over their Heads. (I.54, pp. 179-80).

Mere earthly fatherhood is further limited by the joint dominion with the mother generated by the physiological conditions of begetting: “no body can deny but that the Woman hath an equal share, if not the greater, as nourishing the Child a long time in her own Body out of her own Substance (I.55, p. 180). Indeed, human paternity is grounded by Locke in social practices of care: he refers extensively to “the Office and Care of a Father” which generates, “by Paternal Care, a Title to proportionable Degrees of Paternal Power”. Thus a mortal father is a “Guardian” and “when he quits his Care” of his children, “he loses his power over them” (II.65, p. 310). In the *First Treatise*, he argues that a “Foster-Father” who “breeds up, cherishes and provides” for a child deserted by his father is the one to whom “the greatest part of filial Duty and Subjection” is owed (I.100, p. 214). On this point Locke refers his reader “to the Second Book” where we learn that legitimate earthly fathers are duty-bound caregivers who are like Adam and Eve “*under an obligation to preserve, nourish, and educate the Children*, they had begotten, not as their own Workmanship, but the Workmanship of their own Maker, the Almighty, to whom they were to be accountable for them” (II.56, p. 305). “The *Power*, then, *that Parents have* over their Children, arises from that Duty which is incumbent on them, to take care of their Off-spring, during the imperfect state of Childhood”, after which “the Father and Son are equally *free* as much as Tutor and Pupil after Nonage; equally Subjects of the same Law together,” in the state of nature or in political society (II.58, p. 306, II.59, p. 307). Strikingly, Locke extends this obligation to care beyond the limited domain of mortal fatherhood and dependent children to characterize, in similar terms, the duties among all men in community. While the dependency of children makes care necessary and involuntary for the child, Locke sees men in general as mutually dependent, and relations among them marked by a duty for not only self-preservation but also mutual preservation. All men are God’s children and thus obligated not only to preserve themselves and not to harm others but, as much as possible, “*to preserve the rest of Mankind*”

(II.6, p. 271). This principle informs legitimate political governance: when the brethren contract together to combine and externalize their executive powers in a government that can bring peace better than they can, this improvement in condition is driven by the government's duty to care for the interests of all of them. This parallel between paternal care and government's duty sits alongside a functional continuity that Locke crafts between family and politics in terms of subject formation: paternal care of children serves not only the preservation of children's young lives but educates them in the habits of social and political obligation as the children grow into law-abiding citizens.

So Norman O. Brown writes that in Locke's *Two Treatises*, Filmer's "phantom of fatherhood is banished from the earth, and elevated to the skies. . . . Procreative power itself is transferred from the earthly to the heavenly father. . . . Parents are only the guardians of their children: fathers are not even fathers of their children. Filmer's sons were subject to castration; Locke castrates the earthly fathers" (Brown, 5). Laslett and Richard Ashcraft, reflecting upon Locke's anthropological tale of patriarchal family and government in the "Golden Age" of human history, sense in their own ways that Locke does not purge the world of patriarchalism; but, they suggest, he thereby concedes ground to his monarchalist foes.¹³ Joshua Foa Dienstag, for his part, sees no concessions to Filmer but rather that Locke reworks the popular tale of the patriarchalist past to integrate it into a modern counter-narrative organized by economic terms of "labor and products, words and money, freedom and slavery" (53). My analysis is indicating so far that Locke sustains a narrative of fathers/sons yet does not capitulate to the Filmerite royalists. Located in history and thus framed by prevailing habits of association and modes of imagining, Locke's political thinking is deeply informed by circulating familialization of politics and by the ideological transformation of practices and understandings of family that were already underway in late-seventeenth-century England. These transformations featured a shift away from patriarchalism and principles of primogeniture and toward new principles of conjugality and fraternal equality, including in relation to inheritance. My analysis is indicating that the new ideas driving this socio-historical transformation flood Locke's political theory of legitimate political and familial power and governance.

In his account of family, Locke is concerned not only to redefine fatherhood but also to abandon the principle of primogeniture which had been structuring England's social, economic and political life. That is, Locke also works to rearticulate the circulating meaning of brotherhood and its relation to inheritance. For the same reason that a son comes to be the equal of his father once he comes of age, brothers are also equal. It is in the *First Treatise* that we most fully encounter Locke's preoccupation with the equality of sons and brothers. He critiques Filmer's patriarchalism by arguing against the right of the eldest son in favour of the equal right of all sons/brothers to inherit. Locke asks how "children of men", to whom the Bible says God donated the earth and its creatures, could rightly be read, as it is by Filmer, to posit Adam as sole recipient of God's donation (I. 31, p. 162; see I.40, p. 168, 169). Locke retells the family story: Adam and subsequent kings are not fathers who own the earth; God is the one true father as well as "lord" of the earth, and all men his children; thus to the earth and its resources all "Men had a right in common, *Adams* children in common with him" (I.87, p. 206). He develops the case against primogeniture in relation to the universal right to preservation. All children are born

¹³ See Laslett's footnote about stephanus 74-76, and his reference there to stephanus 105-12 and 162, of the *Second Treatise*; and see Richard Ashcraft, "Locke's State of Nature, Historical Fact or Moral Fiction?" *American Political Science Review* LXII (1968): pp. 908-115.

weak and, second to the drive in men to self-preserve, the strongest human drive is a desire to propagate. Parents are duty-bound to care for their offspring and “this gives Children a Title, to share in the *Property* of their Parents, and a Right to Inherit their Possessions” (I.88, p. 206-07). Thus the “First Born has not a sole or peculiar Right by any Law of God and Nature, the younger Children having an equal Title with him founded on that Right they all have to maintenance, support and comfort from their Parents” (I.93, p. 210). This rejection of the rule of primogeniture alters what can count as legitimate family relations and legitimate political power alike (I.97, p. 212). To say that sons become their fathers’ equals is the same for Locke as saying that brothers are equal which is the same as saying that all men are equal. It is also the same to say that primogeniture is not a legitimate structure for family governance and to say that God, the creator of the earth, gave it, “furnished . . . with things fit for Food and Rayment and other Necessaries of Life,” to all men in common (I.86, p. 205; II.25, p. 286). Indeed, in the *First Treatise*, Locke secures the theme of a general human obligation to care as he posits all men, the children of God, as caring brothers: “God the Lord and Father of all, has given no one of his Children such a Property in his peculiar Portion of the things of this World, but that he has given his needy Brother a Right to the Surplusage of his Goods; so that it cannot justly be denied him, when his pressing Wants call for it. . . . ‘twould always be a Sin in any Man of Estate, to let his Brother perish for want of affording him Relief out of his Plenty”. Just as God requires earthly fathers to care for their needy offspring, “God requires [a Man of Estate] to afford to the wants of his [needy] Brother” (I.42, p. 170). This Lockean revision of the meaning of fathers/sons/brothers is generative of a new model of political power. Conceptually, analytically with reference to function and structure, and linguistically, Locke seals again and again the association between family and political governance. He could be speaking of either a conjugal family or a political community when he writes: “God or Nature has not any where, that I know, placed such Jurisdiction in the First-born, nor can Reason find any such Natural Superiority amongst Brethren” (I.111, p. 222). Central to his political theory, then, is the articulation of a legitimate mode of brotherhood which, for Locke, is structured by “Friendship and Equality” (I.118, p. 226, see I.135, p.239). Since the trajectory of brotherhood proves, however, to be troubled by violence and injustice, political governance must, like paternal power, organize men to yield a legitimate brotherhood of just and equal inheritance of freedom.

The Story in Three

There are *three developmental narratives* at work in Locke’s political thought. The first is the story of the legitimate family in which legitimate paternal power fosters the rational development of dependent children. The second is the phylogenetic tale of the “early Ages” or “Golden Age” of humanity in which patriarchal fathers readily became kings. In the third, an initially peaceful and abundant state of nature is abandoned by free men once they experience the inconveniences of conflict, violence and injustice in favour of codified law in institutionalized political society. In all three developmental narratives Locke is, as a core feature of his political theory, working to resignify fatherhood and brotherhood. In critiquing absolutism as illegitimate, *Locke deploys his reconceptualized family terms to characterize threats to and possibilities for freedom*. This legitimate family features fathers with no true procreative powers but rather limited, temporary yet crucial powers of governance linked to duties to care; and equal sons who are free because they inherit equally and are destined by nature to be their father’s political equals. The Lockean legitimate family thus embodies a **first** story of

development – a masculinist tale of ontogenesis as the infant son is transformed through paternal care into a property inheriting adult son who is equal to his brothers (his father’s other sons) and to his brethren (all of God-the-father’s sons). The legitimacy of the father-son-brother relations in the family is related to the legitimacy of the political society in which the family is situated as a building block (II.77, p. 319).

The legitimate family and its ontogenetic narrative is nestled within the **second** developmental narrative upon which Locke further relies to chart his political theory. This is the phylogenetic, anthropological tale of sparse past populations in which either “several Families, or the Descendants of several Families” united “into Society”, or where “*a Family* by degrees *grew up into a Commonwealth*, and the Fatherly Authority being continued on to the elder Son, every one in his turn growing up under it, tacitly submitted to it, and the easiness and equality of it not offending any one, every one acquiesced, till time seemed to have confirmed it, and settled a right of Succession by Prescription” (II.110, p. 341). In the latter case, family seamlessly morphed into patriarchal monarchies, a fact of the past that confuses Locke’s contemporaries, he says, into wrongly naturalizing and legitimizing absolutist patriarchal monarchy. But rather than sticking with an anthropological perspective strictly to chart what happened to have happened to explain the inculcation in history of certain mental habits of association (of fatherhood and kingship), Locke also uses this occasion to characterize these early patriarchal governments as legitimate. He argues that they were not absolutist of the sort described by Filmer, wherein fathers wield unlimited power to enslave and perhaps castrate, even eat, their children. Rather, these early societies featured legitimate expressions of paternal care that were directly implicated in and productive of legitimate political rule. I want to emphasize this point: Locke himself shows in this phylogenetic tale an easy continuity and affinity between legitimate paternal and legitimate political power.

In this part of his work Locke commingles an argument about legitimate paternal power with a description of historical events, producing a narrative in which those early patriarchs were not absolutists but rather guided by the limiting concern to express “Paternal affection [that] secured their [children’s] Property, and Interest under his Care” (II.105, . 337). Under the less populated and commercialized conditions of this lost “Golden Age”, Locke argues, “’Tis obvious to conceive how easie it was . . . for the *Father of the Family* to become the Prince of it; he had been a Ruler from the beginning of the Infancy of his Children: and since without some Government it would be hard for them to live together, it was likeliest it should, by the express or tacit Consent of the Children, when they were grown up, be in the Father, where it seemed without any change barely to continue; when indeed nothing more was required to it, than the permitting the *Father* to exercise alone in his Family that executive Power of the Law of Nature” (II.74, pp. 316-17). *Where it seemed without any change barely to continue*. Locke argues that the executive power to judge/punish exercised by the father-king is distinct from paternal power. However, particularly since Locke has abandoned physiological begetting in favour of care as the hallmark of legitimate fatherhood, it would appear that the Golden Age father-king is concerned with a social practice of human preservation as *both* father and king. This is facilitated by the fact that the paternal power and the political power perform in similar ways to achieve similar ends: “the Father having, by the Law of Nature, the same Power with every Man else to punish, as he thought fit, any Offences against that Law, might thereby punish his transgressing Children even when they were Men, and out of their Pupilage”. This continuity from paternal to political power was readily endorsed by the children’s social “Custom of obeying” him in his figuration as father (II.105, p. 336, 337); in their childhood they had been

“accustomed” to the “*Rule of one Man*” and there learned the political lesson that if power is “exercised with Care and Skill, with Affection and Love to those under it, it was sufficient to procure and preserve to Men all the Political Happiness they sought for, in Society. It was no wonder, that they should pitch upon, and naturally run into that Form of Government, which from heir Infancy they had been all accustomed to” (II.107, p. 338). In other words, their childhood had taught them a particular mode of governmentality or what Locke calls a “*Frame of Government*”, one replicated in political life (II.107, p. 338). Registering the continuity between these two moments of governmentality, paternal and political, Locke adds, “’twas easy and almost natural for Children by a tacit, and scarce avoidable consent to make way for the *Father’s Authority and Government*. They had been accustomed in their Childhood to follow his Direction, and to refer their little differences to him, and when they were Men, who fitter to rule them?” (II.75, p. 317). Legitimate paternal power suggests legitimate political power. At the same time that Locke sees the consent given by subjects to the early legitimate patriarchal kings as what differentiates it from paternal power, he simultaneously describes the ease and naturalness with which legitimate paternal became legitimate political power, and how, especially in light of inculcation of habits of thinking and feeling or what we might call practices of subject formation, in fact, the choice to consent was almost no choice at all. Further, although children may not consent to parental power, their needs and interests must, as in politics, be properly served for that power to be counted as legitimate. While immature children may neither register nor withhold consent, Locke is clear that the law of nature and/or the law of the political community invalidates parental power if need be on behalf of the child. Just as rebel political governments lose their legitimacy and authority, so too do uncaring fathers.

Further, Locke’s account of the phylogenetic transformation that humanity has undergone from the “Golden Age” of the past to his contemporary moment strongly coheres with his portrait of the ontogenetic story of a male child’s development into a free adult, further elaborating an intersection of family and politics in his theory. Locke characterizes these early political communities of the Golden Age as “young Societies” in which “Nursing Fathers” who were “tender and carefull of the publick weale” were needed to protect their commonwealths amid the “Weakness and Infirmities of their Infancy” (II.110, p. 342). These early kings, whose rule Locke deems legitimate for its refusal to overstep legitimate limits and for providing care for human preservation, are reverberations of legitimate fathers and foster-fathers who do not overstep the limits of their powers and who provide care. Moreover, in Locke’s ontogenetic story, children need care from legitimate fathers during the weakness of childhood, yet will grow in time to be equals to their fathers. Similarly, in the phylogenetic tale, the child-like adult offspring, who had not “felt the Oppression of Tyrannical Dominion” (II.107, p. 338), embraced as desirable a paternalistic government. But because of the subsequent experience in human history of the “oppression of tyrannical dominion”, Locke seems to be suggesting that men must grow up and adjust the terms of paternalistic governance. In seventeenth-century England, given the experience of corruption and tyranny, Locke knows that kings will not necessarily be tender fathers; indeed, they are not even proper brothers: “when Ambition and Luxury, in future Ages would retain and increase the Power, without doing the Business, for which it was given, and aided by Flattery, taught Princes to have distinct and separate Interests from their People, Men found it necessary to examine more carefully *the Original and Rights of Government*; and to find out ways to *restrain the Exorbitances, and prevent the Abuses* of that Power which they have intrusted in another’s hands only for their own good” (II.111, p. 343). At the same time that fathers may be abusive, legitimate paternal power is not necessarily secured in the form of

political power. Rather than relying upon the self-imposed limitation of “nursing fathers” to win caring paternalistic politics, then, men need institutionalized restraints on government to ensure that governments are more like legitimate fathers than they are like abusive fathers. Since legitimate fathers are those to whom sons are destined to be equal, grown human brethren must through themselves generate this legitimate political power. Yet these brethren are individually no more reliably than are absolutist fathers as kings. In the earlier times there was “*no stretching Prerogative* on the one side to oppress the People; *nor* consequently on the other any *Dispute about Priviledge*, to lessen or restrain the Power of the Magistrate; and so no contest betwixt Rulers and People about Governours or Government” (II.111, p. 342-43). But as princes have grown corrupt over time so too, Locke observes, have subjects grown more “vicious”. The challenge, then, is to mobilize and externalize the collective natural powers of the brethren to secure a limited authority that will, so long as it remains within bounds, provide a concretized expression of God-the-father’s law. Such a political society would be mature, relative to those “young societies” that appear in Locke’s phylogenetic tale, but not fatherless, since imperfect, unreliable adult men always require an external legal authority to which to refer obedience. To understand how the contract-based political society proposed by Locke both secures the reliable law of the one true father, and signals the brethren’s freedom, let us turn to Locke’s third developmental narrative.

Here is the inner contradiction in liberty, equality, and fraternity. Sonship and brotherhood are espoused against fatherhood: but without a father there can be no sons or brothers. Locke’s sons, like Freud’s, cannot free themselves from the father psychology . . . ~ Norman O. Brown, *Love’s Body*, p. 5.

The legitimate Lockean family is also nestled within Locke’s **third** developmental narrative, that of the transition from the state of nature to political society. Here humans initially live by the law of nature, which is God’s law, the law of the absolute father in relation to which all men are, as equal sons of God and brothers among one another, judges and executioners. By this “Law common to them all” these equal men form “*one Community*” (II.128, p. 352). In other words, the universal brethren who collectively inherit the earth -- such that “*Cain* might take as much Ground as he could till, and make it his own Land, and yet leave enough to *Abel’s* Sheep to feed on” (II.38, p. 295) -- live freely and peaceably by respecting the law of the absolute father. But men are imperfect and often fall short of equal and friendly (legitimate) brotherhood. For instance, “though the Law of Nature be plain and intelligible to all rational Creatures; yet Men being biased by their Interest, as well as ignorant for want of study of it, are not apt to allow of it as a Law binding to them in the application of it to their particular Cases” (II.124, p. 351). With the adoption of money, with rising population, expanding commerce and emergent problems of scarcity, men’s respect for the law of nature becomes even less reliable (see Dienstag, 58-9); between brothers rather than friendship there is often violence and danger. Brown says that “all fraternity is fratricidal” (Brown, 26). For Locke, the “corruption, and vitiousness of degenerate Men” requires that “Men should separate from this great and natural Community, and by positive agreements combine into smaller and divided associations” (II. 128, p. 352). In these distinct and particular political societies, God’s law of nature must be revitalized and better secured. Locke points to a voluntary agreement through which a segment of the universal brethren, to cope with corruption in their midst and manage their own individual human limitations, publicly, deliberately and collectively take natural law as the guiding agency

of their individual choices as well as of their public institutions. They agree each to obey the father's law, now institutionally codified and materially fortified as the collective brothers' law. Put another way, Locke's anthropological tale of a golden patriarchal past reveals that, under non-corrupt worldly conditions (before the fall), legitimate paternal power and political power both observed the law of nature and merged one into the other. In every other moment in history, corrupt worldly conditions (after the fall) demand a modified form of political governance in which imperfect brethren supplant the imperfect father, first improving themselves by constituting themselves as a collective power that they in turn externalize, and second by remaining under the final authority of the one absolute father, God.

Though the particular laws of particular commonwealths may be distinct, the social contract is grounded in the enduring principles of the law of nature, which requires the preservation of humanity and property. Although the particular conditions (rise of money and scarcity) that fuel the fall of the brethren into a state of war are historically specific, the trajectory of corruption/decline and resurrection proves cyclical, as human resurrection on earth is never permanent. Governments are constituted by human members of the brethren and are therefore fallible and cannot exceed the authority of the collective brethren. So Locke complains: "As if those who had the greatest Priviledges and Advantages by the Law, had thereby a Power to break those Laws, by which alone they were set in a better place than their Brethren: Whereas their Offence is thereby the greater, both as being ungrateful for the greater share they have by the Law, and breaking also that Trust, which is put into their hands by their Brethren" (II.231, p. 419). In the course of the cycle of contract, corruption and revolution, as governments in time fail to respect the brothers' law, the brethren's institutionalized collective authority collapses. Political subjects then repair to God's permanent law of nature for an enduring defense of their freedom and for guidance in passing judgment. In conflicts between an executive and legislature, for instance, Locke says "the People have no other remedy in this, as in all other cases where they have no Judge on Earth, but to *appeal to Heaven*. . . . they have, by a Law antecedent and paramount to all positive Laws of men, reserv'd that ultimate Determination to themselves, which belongs to all Mankind, where there lies no Appeal on Earth, *viz.* to judge whether they have just Cause to make their Appeal to Heaven" (II.168, pp. 379-80).

This vivid story of paternal/fraternal politics is only deepened by Locke's account of ongoing consent within a commonwealth. Dienstag highlights how for Locke, a political society continues beyond the first generation by way of two modes of inheritance. First, government protects property and to inherit property from a father, a son must accept the terms of the political society in which that property is situated (Dienstag, 60-1). Indeed, Locke is clear that while fathers cannot make political choices for their sons, a political brethren secures its strength through solidarity which is sustained through time in part through father-son inheritance: "because Commonwealths are not permitting any part of their Dominions to be dismembred, nor to be enjoyed by any but those of their Community, the Son cannot ordinarily enjoy the Possessions of the Father, but under the same terms his Father did; by becoming a Member of the Society . . . And thus *the Consent of Free-Men, born under Government*, which only *makes them Members of it*, being given separately in their turns, as each comes to be of Age, and not in a multitude together; People take no notice of it" (II.117, p. 346). Locke repeats the point in a number of places: "if they will enjoy the *Inheritance* of their Ancestors, they must take it on the same terms their Ancestors had it, and submit to all the Conditions annex'd to such a Possession. By this Power indeed Fathers oblige their Children to Obedience to themselves, even when they are past Minority, and most commonly too subject them to this or that Political Power." Surely

Locke confuses his own insight when he adds that “neither of these by any peculiar right of *Fatherhood*, but by the Reward they have in their hands to enforce and recompence such a Compliance; and is no more Power than what a *French-man* has over an *English-man*, who by the hopes of an Estate he will leave him, will certainly have a strong Tye on his Obedience”. After all, Locke has theorized father-son relations as the site and mode of inheritance, which continually reproduces the political society, that is condoned by nature itself (II.73, pp. 315-16). So father-to-son inheritance is a crucial structural link between familial governance and the sustenance of the political society.

Second, as Dienstag notes, Locke elaborates the object of intergenerational inheritance beyond that of material possession to include the “form of government that secures” inherited property (Dienstag, 61-2). In inheriting property and accepting the form of government into which one has been born, one simultaneously inherits the social contract drawn by ancestors. This inheritance from the first generation of social contractors is also a source of legitimation that empowers the brethren as they face a rebel government. As Dienstag puts it, “*the people do not simply claim their own rights* – they redeem the earlier pledge of their ancestors” (Dienstag, 69). Thus armed with the law of God the Father and also by their own earthly fathers, political subjects take action against a rebel government/rebel brethren. Yet despite his insightful study of the relation between family inheritance and political continuity, Dienstag echoes Locke’s own assertion about the separateness of paternal and political power (Dienstag, 64). To the contrary, utterly implicating both domains of governance, Locke develops a new model of legitimacy rooted in notions of father-son relations and inheritance, and equal relations among brothers. The model as it performs in each domain secures the workings of legitimate power in the other. The patriarchal familialism of the golden age that suggested and informed legitimate benevolent patriarchal monarchy is supplanted by a new fatherly/brotherly law that suggests modern Western liberalism.

Conclusion

In sum, while Locke claims that parental and political power are perfectly distinct, separate, grounded in distinct foundations and oriented toward utterly different ends, his broader analysis suggests something very different. Rather than abandoning an association between family and politics, Locke supplants the prevailing visions of family and politics with an alternative in which family and politics, in their revised forms, share principles and exhibit continuity both ideational and structural. Over all, Locke does not abandon or transcend Filmer’s claim that governing authority is rooted in two “originals”, that of fatherhood and property. Rather, he reworks these themes for a modernizing world. And so today, liberal democracy must contend with this inheritance. Tentatively in conclusion I suggest that this Lockean complex of paternal, religious, rationalist, property-informed political governance, to which ideas and practices of family are utterly central, constitutes an overarching modern liberal mode of governmentality. This claim shares affinities with an argument made by Tully about Locke and the emergence of modern modes of governmentality. Tully highlights Locke’s insight that the “process of habit formation”, which structures modes of thinking, is governed by, above all, what Tully calls a humanist juridical apparatus. Here,

a human being, in virtue of his or her sociability, takes pleasure in company and in the approval of peers. The means to this pleasure, and to avoid the pain of disrepute, is to think and act in what are taken to be virtuous and praiseworthy ways. Habits are

gradually formed and so the customs of various societies reproduced. Thus, the humanist juridical apparatus is, by ‘tacit consent’, invested in and constitutive of our most basic social practices. . . . Once these habits are settled we cannot bear the reproach with which we are punished for our unconventional opinions. By this means, authorities secure their domination. (Tully, 56)

Tully sees Locke not only diagnosing how this juridical apparatus had been operating in Europe to govern conduct; Locke’s theory is a design for how to rework it for “a new mode of domination and subjection” (Tully, 56). The standing providential apparatus as a practice of governing had to be reorganized into a focus on reason as “the *rule* and not merely the *instrument* of belief”, as the “‘foundation of all certitude”” (Tully, 57); a second practice of governing for Locke is the humanist apparatus sketched above through which elites are educated to embrace habits focused on probabilistic reasoning (Tully, 62); and the third practice of governing “is the legal apparatus of the early modern state”, one devoted, as Locke says, to “‘true politics”” which forms “‘a part of moral philosophy, which is nothing but the art of conducting men right in society and supporting a community among its neighbours”” (Tully, 69). Tully is ultimately concerned to illuminate the modern self yielded by subjection to these practices of governance (Tully, 70). My analysis insists upon the question of how modern fatherhood and brotherhood are part and parcel of Lockean political thought, ideationally and materially, and thus of this modern mode of governance. Insofar as liberal political actors inherit the legacy of their ancestors, we have inherited this peculiar Christian thinking about politics and society.

Laura JANARA