

MEN AND MASCULINITY IN FILMER & LOCKE
TOWARD A CRITIQUE OF 'ENLIGHTENED' MANHOOD

by

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Abstract

From the perspective of the critical study of masculinities, this project seeks to look back in time at an example of just how the separation of affect from political life might have been effected in the pages of our intellectual history. Through the use of a single case study, that of John Locke's (1632-1704) refutation—located largely in his *First Treatise* (1688)—of the theories of Robert Filmer (1588-1653)—located in his *Patriarcha* (1680)—I illuminate how the anatomy of a particular contest in the history of political thought can be seen as contributing to the elaboration of what would become the dominant Anglo-American masculinity necessary for the modern/liberal social contract. I take a critical approach to the meaning of Enlightenment manhood, understanding it as a masculinity that unsustainably approaches political, social, and familial relations with a version of reason and rationality that is stripped of affect and care.

In memory of my mom, Pamela Helen Drouillard LeBlanc (1950-2004), and “in
praise” of Lauren—a fearless, graceful, and inspiring partner who I am humbled to call
my “vertuous wife.”

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Chapter One

Introduction: Gender, Affect, & Disorder in the History of Political Thought

“State is the name of the coldest of all cold monsters. It even lies coldly, and this lie crawls out of its mouth: ‘I, the state, am the people.’”

-Friedrich Nietzsche, *Thus Spoke Zarathustra*

“The ideal of the English gentleman is with us today, and in part it is Locke’s invention.”

-Peter Laslett, “Introduction,” *Two Treatises of Government*

In her *The Disorder of Women* Carole Pateman contemplates the pre-figured need that liberal political society has for positioning “love and justice [as] antagonistic virtues.”¹ In the liberal political model, the existence of an impartial and dispassionate notion of justice is a necessary condition for a well-ordered political society. Love, sentimentality, and partiality are seen as being at odds with the proper establishment of a just political realm. They are seen as disorder and Pateman is concerned about the challenge that this tension between affect and rationality presents for women’s full participation in a liberal political order.

Participation in the public sphere is governed by universal, impartial and conventional criteria of achievement, interests, rights, equality and property—liberal criteria, applicable only to men. An important consequence of this conception [...] is that the public world, or civil society, is conceptualized and discussed in liberal theory [...] in abstraction from, or as separate from, the private domestic sphere.²

¹ Carole Pateman, *The Disorder of Women: Democracy, Feminism, and Political Theory*, (Redwood City, CA: Stanford University Press, 1989): 21.

² *Ibid*, 121.

Pateman's critique is an important one, because it reveals liberal political thought, and the extension of the type democracy which it promises to women, as wanting. The question she asks is if a political society, which has a normative need to separate the private, emotive, realm from the public can ever truly be capable of creating ideal conditions for women. Her answer, of course, is that it cannot without a radical re-imagining that seems nearly impossible.

But what if Pateman's question were to be asked about men as well? What if it we subjected to critique the normative assumption that in receiving the Enlightenment donation of "liberal criteria, applicable only to men" modern men ought to be uncritically grateful? What if a (masculine) political realm which makes difficult or impossible the idea of basing itself on the bonds of togetherness, or the existence of ties of love and affection, has not been an altogether positive thing for men, and led to severe levels of dissonance and dangerous consequences, especially in men's relationships with women and children? In other words, what if the rewards of political, economic, and patriarchal power—the rewards of liberal-patriarchal male privilege—have not compensated for the elision, by liberal political theory and liberal politics, of men's affective selves, and the role that those selves can and should be playing in both the private and the public realms for the benefit of all? What if the political, economic, and social orders created out of the great revolutions of Enlightenment rationality lost track of, or never accounted for, a role for affection, emotion, and love in men's political lives?

In his *The World We Have Lost* (1965), Peter Laslett reflects on the fact that the transcendent ethos, or the expectation for change and revolution that is built into modern

politics—of both the liberal and Marxist varieties—has obscured the role that the affective realm had played in past political constructions, and might play in future ones as well. According to Laslett:

Every relationship in our world which can be seen to affect our economic life is open to change, is expected indeed to change of itself, or if it does not, to be changed, made better, by an omniscient authority [...]. All industrial societies, we may suppose, are far less stable than their predecessors. They lack the extraordinarily cohesive influence which familial relationships carry with them, that *power of reconciling the frustrated and the discontented by emotional means*. Social revolution, meaning an irreversible changing of the pattern of social relationships, never happened in traditional, patriarchal, pre-industrial human society. It was almost impossible to contemplate.³

Laslett is careful not to be perceived as romantic, and admits that modernity and the “coming of industry cannot be shown to have brought economic oppression and exploitation along with it [because] [i]t was there already.”⁴ “Patriarchal arrangements,” he goes on to observe “were not new in the England of Shakespeare and Elizabeth, [and] [...] it may well be that they abused and enslaved people quite as remorselessly as the economic arrangements which had replaced them in the England of Blake and Victoria.”⁵ For Laslett, inequality, oppression, and cruelty seem to exist as detectable elements in all epochs. The erasure of affect from the logic of political life, however, is a modern phenomenon creating a much larger problem not only for men, but also for the entire society. He clarifies this through borrowing the Marxist conception of alienation.

The word alienation is part of the cant of the mid-twentieth century and it began as an attempt to describe the separation of the worker from his world of work. We need not accept all that this expression has come to

³ Peter Laslett, *The World We Have Lost*, (New York: Charles Scribner’s Sons, 1965), 4. Emphasis added.

⁴ *Ibid*, 3.

⁵ *Ibid*.

convey in order to recognize that it does point to something vital to us all in relation to our past. Time was when the whole of life went forward in the family, in a circle of loved, familiar faces, known and fondled objects, all to human size. That time has gone for ever. It makes us very different from our ancestors.⁶

This research project seeks to look back in time from the perspective of the critical study of masculinities, at an example of just how the separation of affect from political life might have been achieved. Through the use of a single case study, that of John Locke's (1632-1704) refutation—located largely in his *First Treatise* (1688)—of the theories of Robert Filmer (1588-1653)—located in his *Patriarcha* (1680)—I hope to illuminate how the anatomy of a particular contest in the history of political thought can be seen as contributing to the elaboration of what would become the dominant Anglo-American masculinity necessary for the modern/liberal social contract. I take a critical approach to the meaning of Enlightenment manhood, understanding it as a masculinity that unsustainably approaches political relations with a version of reason and rationality that is stripped of affect and care.

A study which seeks to forward such a hypothesis must clearly establish its definitional parameters not only of masculinity, but also of the concepts of affect and care in political life. In this regard, I understand masculinity not as “a normative referent, but as a problematic gender construct,”⁷ requiring a critical dialectic approach that does not seek to establish one normative ideal of manhood for political society. To varying but important degrees, Filmer and Locke chose to drive either their positive or

⁶ *Ibid*, 21.

⁷ Michael Kimmell, *Theorizing Masculinities*, edited by Harry Brod and Michael Kaufman, (London: Sage, 1994): ii.

critical projects with the masculine metaphorical vehicle. Thus their respective “problematic gender construct[s]” are treated here with both the scrutiny and the openness to possibilities inherent in any dialectical inquiry. The concepts of political affect and care used herein rely for their definitions on what has been termed by Rebecca Kingston as “public passion.”⁸ This understanding argues “that a good normative theory of politics must take into account [...] that we are essentially (though not exclusively) both creatures who feel, and creatures who tend to share feelings.”⁹ This paper expands upon this and applies shared affection and care equally to the history of theorization on the ideal conduct not only of the governed, but also the government in the Anglo-American liberal tradition.

In attempting to trace a genealogy of competing masculinities in the work of Locke and Filmer, this comparative project asks its reader to inhabit an ambiguous position on one of the most important and entrenched normative assumptions in the history of modern political thought: that Locke’s refutation of Filmer and his theories was as ‘good’ as Filmer and his theories were ‘bad.’ To be ambiguous on this subject means stepping-away from the normative intellectual space that liberal political thought has reserved for an individual (Filmer) and his theories (patriarchalism). To be clear, in stepping away from this assumption one is not being asked to valorize Filmer or his theories. Nor is one being asked to dispose of the value of the Lockean contribution to modern life.

⁸ Rebecca Kingston, *Public Passion: Rethinking the Grounds for Political Justice*, (Montreal: McGill-Queen’s University Press, 2011): 7.

⁹ *Ibid*, 8.

Admittedly, this approach to these topics and individuals cannot help but to raise the legitimate concern that a truly critical approach to the history of liberal political theory seems unachievable with men and masculinity at its centre. To this suggestion I can only emphasize that this project seeks to undertake a critical case study of the social construction of men and masculinity in history. In re-reading the modern/liberal canon looking specifically for men as men, and by attempting to account for the contest of masculinities inscribed in modern history, we refuse the simplicity of adding gender and stirring, just as earlier important critics refused the simplicity of adding women and stirring.

New approaches to the critical study of men and masculinities, and their relationships to the problems of modern political life, are beginning to emerge. A recent example (albeit in Spanish) of a male-feminist political theorist determined to put men and masculinity at the centre of solutions to the problems of modernity, can be found in the work of the University of Córdoba's Octavio Salazar Benítez.¹⁰ In a 2013 opinion piece for the Spanish national daily *El País* the constitutional law theorist offers the following thoughts:

[D]emocratic parity necessarily involves the revision of patriarchal masculinity [...]. [This revision] should seek the harmonization between public and private, as well as redefine a public rationality that was constructed in the image and likeness of men. In these times of political and economic crisis it is timelier than ever to cultivate other ways of exercising power for organizing coexistence and conflict management. We need to find, as Virginia Woolf proposed in her *Three Guineas*, "new methods and new words." This is a challenge that requires the overcoming of patriarchal subjectivity through a commitment by heterogeneous and dissident masculinities, and [the] configuration of a

¹⁰ Octavio Salazar Benítez, *Masculinidades y ciudadanía: Los hombres también tenemos género* [*Masculinities and Citizenship: Men [we] are gendered too*], (Madrid: Dykinson, 2013).

citizenry capable of overcoming the binaries of public/private, reason/emotion, production/reproduction, culture/nature, [and] heterosexuality/diverse-sexuality that for centuries have served to keep women subordinate and provided a privileged position for men.¹¹

Salazar Benítez' invocations of Woolf and his call on "dissident masculinities" are important. Woolf not only asked for "new methods and new words," she also insisted that a more peaceful politics can be realized through the elaboration and elevation of an "Outsiders' Society,"¹² the members of which refused to be corrupted or influenced by dominant social and political forces. Here we look back in history at a 'dissident' or 'outsider' masculinity of an exceedingly uncomfortable and unlikely variety: that of the masculinity sketched by Robert Filmer.

The predominant perspective is that Filmer's views on authority accorded with the dominant assumptions of the patriarchal social structure of his time, but it is how he viewed the relationship of that authority to the realm of affect and care, and especially how this view contrasted with that of Locke's, that makes his views worth considering in this context. Accordingly, this essay questions the tradition in liberal and liberal-feminist political thought which fixes Lockean liberalism and Filmerean patriarchalism in history in a way which has the potential to obscure both the former's harm to, and latter's potential for, a more human politics in the modern era. It is an approach which embraces re-reading these foundational texts of the early modern while searching for indications which open scholarship to the possibility that a presumed enemy of liberty,

¹¹ Octavio Salazar Benítez, "Los hombres también tenemos género," *El País*, April 18, 2013, [Blogs.ElPais.com/mujeres/2013/04/los-hombres-tambi%C3%A9n-tenemos-g%C3%A9nero-1.html](https://blogs.elpais.com/mujeres/2013/04/los-hombres-tambi%C3%A9n-tenemos-g%C3%A9nero-1.html). Translation my own.

¹² Virginia Woolf, *Three Guineas*, (Peterborough, ON: Broadview, 2012), 193-194.

such as Filmer, might not have been a misogynist tyrannical caricature, but rather an early critic of the freedom-eliding potential of a concept of individual liberty that was pre-occupied with controlling individual creativity and autonomy and channelling them for economic and political life at the expense of all other forms of life.

In the pages that follow I build on the widely-established facts that it was the power of Filmer's rhetorical criticisms of the consent project of seventeenth-century England which spurred Locke on, and it is Locke's insightfulness that directed him to attack Filmer where he was weakest: on his convoluted story of the origins of political power nested in his bungled exegesis of the book of *Genesis* and his case for Adam's divine right. I take the position that in order to make his attack as effective as it was, Locke's argument relies on a hyperbolized version of Filmer's ideal political (patriarchal) power. Locke failed to recognize, and even deliberately ignored, what Filmer had to say on the question of the ethical comportment of that power, regardless of whether it was based on absolute or popular sovereignty. This is what potentially makes the dominant modern meaning of manhood in Anglo-American societies, constructed in the Lockean image, as much of an enemy to gender justice than even Filmer's patriarchalism was.

The Cambridge approach to the history of political thought, and its most well-known spokesperson Quentin Skinner, argues that it is only by looking through the eyes of the authors of our intellectual history and committing to "see things their way,"¹³ can we hope to have the best understanding of the ideas which helped to shape modern

¹³ Quentin Skinner, *Visions of Politics Volume 1: Regarding Method* (Cambridge: Cambridge University Press, 2002), vii.

political and social realities. But it is not enough, claims Skinner, simply to see things their way, we must also hear things their way. A thinker's use of a word to describe a concept is a deliberate linguistic action worthy of being taken seriously. This is because the act of using language to signify concepts is, in itself, a deliberate intervention into the social and political world.

The study of what someone says can never be a sufficient guide to understanding what was meant. To understand any serious utterance we need to grasp not merely the meaning of what is said, but at the same time the intended force with which the utterance is issued. We need, that is, to grasp not merely what people are saying but also what they are *doing* in saying it.¹⁴

Through their specific textually-rendered speech acts, both Locke and Filmer were doing something deliberate, and we can confidently assign them agency for what they were doing. The task for the intellectual historian is to listen to them and bring to bear the discursive realm in which their words were uttered in order to figure out just what they were doing. Gendering Skinner's logic allows one to extend this type of inquiry beyond the obvious consideration of the political programmes inherent in both Locke and Filmer's texts. Understanding how Locke and Filmer 'saw' and 'heard' men's political power—how it was experienced—has the potential to open up critical questions about the dominant masculinity of modern/liberal Anglo-American political and social life in the hopes of uncovering better and more peaceable alternatives for the future.

Despite these promising possibilities, one may be sceptical and tempted to wonder why this all matters. What is at stake? I suggest that the answer is far more straightforward than one would expect. In a word, it is power. The study of political

¹⁴ *Ibid.*, 82.

thought is an investigation into the constitution of, and theoretical bases for, the legitimate (and illegitimate) use and distribution of power. Given this, the study of the history of political thought ought to be concerned with the fact that masculine gender identity is an under-considered component of that investigation. One may also be sceptical of what may look like an effort to once again rehash *history*, thereby displacing a continued need to focus on women. One cannot help but be sympathetic to this type of protest. There is a considerable risk in focusing on men and masculinity in this context and it lies in the potential for this focus to reinforce an androcentric understanding of modern history. But when one is committed to agonistic philosophical inquiry, sympathy to these claims can only go so far as their potential to place limits on inquires which may lead to realizing more emancipatory goals, which is one of the goals of this inquiry. As an undergraduate professor once reminded me after my initial rejection of some particularly provocative aphorisms from Friedrich Nietzsche, “sometimes you just have to get your skirt muddy.”¹⁵ In other words, to reach the other side of the swamp, or the solution to a question in political theory which has no obvious answer, it is crucial to wade into the muck. In this instance, the muck we are wading into is the political thought of Filmer.

¹⁵ The offending passage was (if I recall correctly) Nietzsche’s comments on what would become known as First Wave Feminism and its goal of seeking full citizenship in liberal society. At the time it seemed to me completely sexist for Nietzsche to say glibly that “so far enlightenment was fortunately man’s affair” and that women ought not to take part in it (see Friedrich Nietzsche, *Beyond Good and Evil: Prelude to a Philosophy of the Future*, edited and translated by Walter S. Kaufmann, (Toronto: Random House, 1989), 162-164). This response was sustained until my professor pointed out that Nietzsche believed “enlightenment” and “modernity” were dehumanizing and incapable of granting true freedom to anyone. In this light, his criticism of women took on a distinctly different tincture. This is not to say, of course, that Nietzsche can or should be saved from some of his other more sexist assessments of women’s political power.

Wendy Brown's 2001 *Politics Out of History* reinforces this line of thought. Brown's departure point is the paradox that while "certain crucial collective stories in modernity have been disturbed or undermined in recent decades, [political theorists] presume [...] that such stories remain those by which we live, even in their broken and less-than-legitimate-or-legitimizing form."¹⁶ Those who hold on to these presumptions of the undisturbed narrative of modernity tend to react negatively when unanticipated parts of the modern narrative, and the people and concepts which form its normative assumptions, are subjected to unexpected scrutiny and alternative interpretations. This anxiety, says Brown, takes the form of moralism and "tends to be intensely antagonistic toward a richly agonistic political or intellectual life."¹⁷

This "moralism as anti-politics,"¹⁸ results in the frustration and contortion of the 'muddy-skirted' because it "prohibits certain questions and mandates certain genuflections"¹⁹ which have the overall effects of first rendering intellectual questions subject to the epithets of 'obscure' or 'unfair,' and second indelibly colouring those questions with a politics not intended by the questioner. I raise these examples of my classroom experience and Brown's observations out of awareness that an argument which suggests that a re-examination of the theories of the most well-known codifier of patriarchal politics may offer something for those interested in a future of just and equal gender relations seems unorthodox. When we inhabit ambiguity, however, new possibilities can emerge. Nevertheless, one must consider when it becomes possible to

¹⁶ Wendy Brown, *Politics Out of History*, (Princeton: Princeton University Press, 2001), 3.

¹⁷ *Ibid.*, 30.

¹⁸ *Ibid.*, 18.

¹⁹ *Ibid.*, 35.

think and ask certain things. Brown's accusations of moralism have merit, and we should be on the lookout for uncritical elisions. But when placed next to the reality that there has been little interest amongst feminist theorists in a 'big study' of early modern masculinity in political thought, it is hardly fair or accurate to chide those theorists. The fact is that feminist political theory makes possible the study of masculinity in several important ways, and some important contributions have already been made.

The critical study of masculinity in international relations theory, for example, has led to a critique of the treatment of Thomas Hobbes (1588-1679) that commonly deploys the trope of anxious masculinity and the all-too familiar portrait of Hobbes as a nervous and timid man, eager for any type of personal security from a life that is 'nasty, poor, brutish and short.'²⁰ This criticism has revealed that in the most perverted instances, this image of anxious masculinity is deployed in the hyper-masculine, and hyper-violent arena of 'realist' international politics. The academic theories upon which this approach relies grafts the scared and timid Hobbes onto arguments for state security at any cost in the 'anarchic' international system. While advances such as these make an important contribution to the critical study of masculinity in the history of political thought, there remains more to be done.

It should be stressed, however, that paying more and better attention to questions of men and masculinity in the feminist study of the history of political thought will not come easily. The challenge is not only one of the anti-intellectual moralism identified by Brown, but also seems to be rooted in a lack of vocabulary for having the

²⁰ See Charlotte Hooper, *Manly States: Masculinities, International Relations, and Gender Politics*, (New York: Columbia University Press, 2001).

conversations needed in order to open the conceptual space needed for the discussion. This lack of vocabulary, and its resulting lack of conceptual space, can not only lead to misunderstandings, but also to epistemic failure. Historian of German culture and literature, Amy E. Leonard, explains that

For the first decades of gender studies, men were often left out of the dialogue, as though their gender was static and universal and did not need to be deconstructed and understood in the same way that women's did. This elision did a disservice not only to any deeper analysis and understanding of men but also painted women as somehow the only ones controlled by gendered societal preconceptions and forces. When scholars define women by their gender but ignore men's, serious analysis loses its richness. By studying masculinity we gain a deeper understanding of the real power of gender over people's actions.²¹

We must account for the "real power of gender" over both sexes. Not to do so allows for masculinity to remain an untreated and invisible force in the formation of modern political theory. Leonard's perspective provides a hopeful contrast with Brown's position in that the former acknowledges the possibility that the line in the feminist academy which has "formed between those who praised [Michel] Foucault and Judith Butler and those who despised these new developments" is largely a result of a generational divide between a "younger generation [that] appears to be able to pick and choose what fits their own methods without it becoming a political decision,"²² and a dedicated group of feminist scholars who are and were understandably "outraged by being told their hard-fought battle to get women included in the first place was now

²¹Amy E. Leonard, "Introduction: Attending to Early Modern Women—and Men," in *Masculinities, Childhood, and Violence: Attending to Early Modern Women—and Men: Proceedings of the 2006 Symposium*, ed. by Amy E. Leonard and Karen L. Nelson, (Newark, DE: University of Delaware Press, 2011), 8

²² *Ibid.*, 6.

being used to once again make men the center of attention.”²³ It is a conflict in which Leonard can see a resolution. She is also not as convinced as Brown is of the insurmountable nature of disciplinary borders and barricades, and understands critical perspectives on masculinity as more than marginalized voices under siege. “The politicized (and besieged) nature of the development of Men’s Studies,” she notes “is reminiscent of the early days of Women’s Studies; in this we can see the growing pains of a new discipline.”²⁴

Pateman’s work, especially her concept of the “fraternal social contract,”²⁵ is one demonstration of how the consideration of the meanings of masculinity in Locke is not a new idea. Surprisingly, the same can be said of Filmer. The first contemporary historian of political thought to comment on Filmer and consolidate his political works was one of the founders of the Cambridge School, Peter Laslett.²⁶ In an article from 1948 we find Laslett making the surprising yet obvious contention that we should be interested in Filmer’s life as a man “because [...] he was the codifier of patriarchalism as a social and political doctrine, so that the details of his family life as a son, a husband and a father are important to the correct analysis of patriarchalism as a feature of Western culture.”²⁷ As will be discussed later, Laslett would also be the first to detect in Filmer

²³ *Ibid.*, 7.

²⁴ *Ibid.*, 8. Leonard’s use of ‘Men’s Studies’ might reveal a lack of awareness, among some cultural and literary historians engaged in questions about men and masculinity, of the debate in political and social theory circles over the term’s usage. For a thorough discussion of this issue see Jeff Hearn, “From Hegemonic Masculinity to the Hegemony of Men,” *Feminist Theory* 5 no. 1, (2004): 49-72 wherein the question of naming this emerging field “Critical Studies on Men (CSM) in which the centrality of power issues is recognized, rather than that of ‘Men’s Studies’, where it is frequently not” is debated.

²⁵ Pateman, *Ibid.*, 33-57.

²⁶ Sir Robert Filmer, *Patriarcha and Other Political Works*, edited by Peter Laslett (Oxford: Basil Blackwell, 1949).

²⁷ Peter Laslett, “Sir Robert Filmer: The Man versus the Whig Myth,” *The William and Mary Quarterly*, Third Series, 5, no. 4 (1948): 525.

a reliance on the “extraordinarily cohesive influence [of] familial relationships”²⁸ in the formation of his political thought.

Ironically, Laslett’s observations on Filmer reveal one of the primary limitations of the Cambridge approach to gender in intellectual history: the unfortunate tendency toward a non-approach. Joanne Wright explains that

The most obvious criticism that can be levelled at the Cambridge-Skinnerian approach is that it can, and often does, mean that critical analysis of issues such as gender relations are excluded from consideration on the basis that they could not have been relevant to the author in question [...]. The assumption seems to be that, since gender was not of primary concern to Hobbes or Locke, to discuss their interpretations of gender is to read our political concerns and problematics into the past.²⁹

Wright critiques the position that consideration of gender in history leads inevitably down the path of anachronism and produces less-than useful inquiries. “Gender is as relevant historically as it is in the present day,” she insists, and that because it was “less contested in ancient Greece or seventeenth-century England than in 1960s North America does not legitimate its exclusion from scholarly analysis.”³⁰ Although Wright does not have in mind the intra-sex gender relations of masculinity here, her observations have important relevance in this discussion. Excluding the frame of gender, and in particular multi-relational masculinities, from a consideration of Locke and Filmer can only lead to the somewhat illogical conclusion that both Filmer’s contest with the concept of original popular sovereignty, and Locke’s with royal absolutism,

²⁸ Laslett, *The World We Have Lost*, *Ibid.*

²⁹ Joanne H Wright, *Origin Stories in the History of Political Thought: Discourses on Gender, Power, and Citizenship*, (Toronto: University of Toronto Press, 2004), 14-15.

³⁰ *Ibid.*, 15.

have nothing to do with masculinity even though both use the masculine gender construction of husband/father as their primary pivot point and metaphorical prism.

To read gender into the history of political thought no doubt does have risks. On the one hand we should always be careful to avoid anachronism; on the other hand, to leave questions of gender aside has the same risks as leaving aside other relevant material questions. As both Wright and Leonard argue, gender is a “real power” in history. In order to detect it and trace it, we must listen for it. When pressed, even Skinner concedes the logic of this assertion:

Take the case of a historian interested in the emergence of the theory of natural rights. Surely it would be impossible nowadays—in a way that it would not have been impossible at the time when I was first studying such issues—to address that question without asking whether rights are gender differentiated. It seems to me, in other words, that feminist history produced what looks like a permanent change. Feminism *has* transformed my discipline, and it isn’t just a “contribution” like other contributions. Everybody now, whatever question they’re asking, finds themselves thinking about gender, and how it is confronted—or ignored or evaded—in the works they read.³¹

The real power of gender in history was experienced by both men and women. Feminist theorists like Pateman have critiqued Locke and others for their culpability in creating the unjust conditions of gender relations that we late moderns exist in. In assigning this culpability, however, they may not have taken seriously the project of illuminating exactly how this was done. In order to move toward accomplishing this goal, one ought

³¹ Quentin Skinner, “Hobbes, History, Politics, and Gender: A Conversation with Carole Pateman and Quentin Skinner,” in *Feminist Interpretations of Thomas Hobbes*, eds. Nancy J. Hirschmann and Joanne H. Wright, (University Park, PA: Penn State University Press, 2012), 35.

to be interested in discovering what and why Filmer or Locke wrote what they wrote about manhood.

When it comes to Filmer, it seems we have failed to listen, or at least to take him seriously on some important aspects. In most cases, this failure is down to omission. One cannot listen to a voice whose opinion is not invited. In other cases, the failure is simply because one cannot hear him over other voices. Certainly liberal-democratic voices particularly that of Locke, resonate more loudly than that of the arch-patriarchalist. Still in other cases, Filmer is heard but not listened to because the listener is distracted by Filmer himself. R.S. Downie's entry in the latest edition of the *Oxford Companion to Philosophy* laments that readers of Filmer are so distracted by his ridiculous theories of the origins of political authority in Adam's divine right that this "obscure[s] the fact that (borrowing from Hobbes) he launched a plausible attack on conceptions such as contract and consent as explanations of political obligation."³² In many ways, the most difficult voice to overcome in order to listen to Filmer is that of Filmer himself.

The result of all of this tends to be the replacement of Filmer's voice by what Laslett called a "monstrously sycophantic and stupid personality."³³ The most well-known of this last phenomenon is Locke's refutation of Filmer's *Patriarcha* and other works, found largely in the former's *First Treatise of Government*. This famous intellectual battle took place thirty years after one of its contestants was buried, and will be the subject of an extended analysis later. The next chapter will review some of the

³² R.S. Downie, "Filmer, Robert," in *The Oxford Companion to Philosophy* (Toronto: Oxford University Press, 2005), 302.

³³ Laslett, *Ibid.*

literature both on masculinities in political thought, and on Filmer since Laslett's 1949 compilation and commentary. This literature will help further obviate the reasons for this project and situate it in theoretical debates in critical masculinity theory and in the history of modern political thought.

Chapter Two: Literature Review

This chapter seeks to situate this project both within the literature on the critical study of masculinity and political thought and within debates in the history of modern political thought as they pertain to Filmer and Locke. To those ends we will first proceed through a survey of how literary and cultural theorists have encountered the *man question* in history, contrasting these findings with advances made in the critical study of masculinity in political thought. Such inquiry reveals that there remains fruitful intellectual space for a thorough examination and critique of modern, liberal politics' conflation and intertwining of ideal citizenship and ideal manhood. Next we will move on to consider where this project stands in relation to the literature on Filmer and his patriarchalism, focusing primarily on works published after Laslett's compilation of Filmer's work (1949). Finally this chapter concludes by intersecting some recent scholarship on Filmer with literature on the place of emotion and affection in political life.

Manhood, Politics, and Modernity's Gendered Legacy

From some perspectives, the willingness on the part of feminist cultural and literary historians to consider unusual questions about men and masculinity in history significantly contrasts with their counterparts in the history of political thought. Alexandra Shepard has urged that "[a]ttending to the intra-sexual as well as inter-sexual construction of gender identities [...] allows an appreciation of the extent to which gender was a multi-relational rather than simply dichotomous category."³⁴ Shepard's

³⁴ Alexandra Shepherd, "Manhood, Patriarchy, and Gender in Early Modern History (Keynote)," in Leonard and Nelson, eds., 88.

work, and that of others in the fields of literary and cultural history, suggests that scholars of early modern political thought might have some catching up to do. The posing of new questions about men and masculinity in the early modern is well underway in cultural and literary history. Since the early 1990s, when John Tosh advised that a historical “consideration of masculinity (like femininity) enlarges the range of factors relevant to the historian,”³⁵ scholars in these fields have voraciously taken on an exploration of early modern men and manhood. This burgeoning field of scholarship has even reached somewhat of a paradigm shift.

Earlier work focused on the men of early modern England and France as anxious patriarchs battling a crisis in masculinity brought on by the impossible dictates of patriarchal imperatives.³⁶ This inquiry has since given way, however, to a new approach which is suspicious of outlooks that seem, at least on the surface, to take pity and extend pathos to early modern men who, even though they were ‘anxious,’ nevertheless derived great benefits from patriarchal social relations. Shepard has deepened this subject by suggesting that an undue focus on the anxiety of patriarchy in the early modern equates “manhood with patriarchy, rendering it impossible to appreciate the full range of male responses to patriarchal imperatives.”³⁷ For those seeking a critical historical understanding of gender in the early modern period, the work among cultural and literary

³⁵ John Tosh, “What Should Historians Do with Masculinity? Reflections on Nineteenth-Century Britain,” *History Workshop*, 38 (1994): 190.

³⁶ See Mark Breitenberg, *Anxious Masculinity in Early Modern England*, (Cambridge: Cambridge University Press, 1996).

³⁷ Alexandra Shepherd, *Meanings of Manhood in Early Modern England*, (Toronto: Oxford University Press, 2003): 6.

historians such as Shepherd and Leonard has shown how approaching questions of men and masculinity can reveal new avenues of research and critique.

This is not to say that political theorists have failed to make attempts to grapple with manhood in the history of political thought. Anyone interested in a critical approach to masculinity in the history of modern political thought will encounter Pateman's *The Disorder of Women*, but also, and in particular, *The Sexual Contract*.³⁸ In building on her concept of the "fraternal social contract,"³⁹ Pateman's targeting of contract theory gleaned important insights into early modern masculinity. From the perspective of critical masculinity study, her analysis can be read as a problematization of Locke's refutation of Filmer because the liberty and equality promised by the Lockean social contract were only achievable through a Freudian fraternal pact to stand "over the dead political body of the [Filmerean] father."⁴⁰ As a distant echo of R.W. Connell's "hegemonic masculinity" thesis,⁴¹ Pateman's work posited that the success of fraternal masculinity, or brotherhood, was linked inextricably to the exercise and distribution of power through its re-creation as a newly-dominant meaning of manhood.

Her contention was that it was through the bonds of brotherhood and fraternal political obligation that patriarchy was not defeated by Locke and others, but was

³⁸ Carole Pateman, *The Sexual Contract*, (Cambridge: Polity, 1988).

³⁹ Carole Pateman, *Op. cit.*

⁴⁰ Pateman, *Sexual Contract*, 88.

⁴¹ Or not so distant, Connell's work was published within the same year as Pateman's, and by the same press. See R.W. Connell, *Gender and Power: Society, the Person, and Sexual Politics* (Cambridge: Polity, 1987): 183-187 for the earliest succinct iteration of the concept of hegemonic masculinity. The concept of hegemonic masculinity is expanded up on in *Masculinities* (Cambridge: Polity, 1995, 2nd edition 2005), and is given a critical treatment and possible (re)direction for the future in R.W. Connell and J.W. Messerschmidt, "Hegemonic Masculinity: Rethinking the Concept," *Gender and Society*, 19, no. 6, (2005): 829-859.

deliberately replaced with a newer version. Viewed this way, the equality and liberty on offer from the likes of Locke obscured the fact that the social contract, through which these rewards were realized, needed permanent subordinated political subjects of both the male and female varieties. Accordingly, the rhetorical assault Locke launched on Filmer can be seen as eponymous of this collective “parricide,” which achieves its goal “[o]nce the father is politically dead and his patriarchal power has been universalized, that is, distributed to all men”⁴² becoming an obscured form of patriarchy that nevertheless retains social, sexual, and political control over women (and subordinated men).

In an attempt to trace the origins of modern patriarchy, Pateman offers a radical critique of the origins of political obligation in the social contract tradition. The narrative of fraternity’s victory over patriarchy is effective because it borrows from Freudian psychology for its metaphoric power. For some, however, its explanatory power is quite limited, because in her attempt to assign culpability to individual contract thinkers like Hobbes and Locke, Pateman “[supplements] the hypothetical story of the social contract with further conjecture.”⁴³ The result is confusion and, according to Wright, “Pateman develops the concept of the sexual contract [...] in the abstract drawing on a variety of sources, including Freud’s primal scene narrative, and subsequently applies it, unsuccessfully [...], to the individual social contract theorists.”⁴⁴ Wright is particularly concerned with Pateman’s treatment of Hobbes in this context:

I rehearse the litany of apprehensions about Pateman’s reading of Hobbes to expose the internal tensions in the sexual contract as her reading bears

⁴² Pateman, *Ibid*, 113.

⁴³ Wright, *Ibid*, 106.

⁴⁴ *Ibid*.

only a tangential relationship to Hobbes's text. Pateman's analysis of Hobbes begs too many questions precisely because Hobbes's theory itself is ambiguous. Hobbes does not explain thoroughly his transition from the state of nature to civil society and too much is left unsaid for us to make any reasonable conjecture.⁴⁵

Wright is correct to assign blame to Pateman for getting lost in her own abstraction and rendering her sexual contract just as much of a thought experiment as the social contract was. Where Pateman can be defended, however, is in her refusal to deny the role that social contract thinkers played in creating the conditions for the durability of modern/liberal patriarchy. Charges of anachronism ought not to obscure the strong possibility that modern (liberal, social contract) patriarchy's reliance on a public realm stripped of affect, and the demarcation of reason and emotion may be the result of a deliberate discursive intervention on the part of at least one contract theorist, John Locke. It is the position of this research project that a critical masculinist reading of Locke's refutation of Filmer reveals it is as potentially one of the most successful examples in modern history of an explicit effort to overcome a competing masculinity in favour of a newly dominant ideal of manhood needed for a newly-dominant politics. Nevertheless, because of the legitimate problems elucidated by Wright, Pateman's sexual contract remains largely "an origin story of her own."⁴⁶

In contrast to Pateman, however, Wendy Brown's 1988 *Manhood and Politics*⁴⁷ has a far more concrete program. Brown's book traces the role that masculinity plays in the thought of Aristotle, Machiavelli, and Weber; she calls on theorists of the history

⁴⁵ *Ibid*, 116.

⁴⁶ *Ibid*, 121.

⁴⁷ Wendy Brown, *Manhood and Politics: A Feminist Reading in Political Theory*, (Totowa, NJ: Rowman & Littlefield, 1988).

of political thought to accept “the challenge that strikes at the heart of all past political constructions [...], that the politics men have made by and for themselves is saturated with highly problematic, often dangerous, ideals and practices of manhood.”⁴⁸ She insists that there is a “radical possibility” inherent in the man question in political thought and that it “lies in constructing a politics that is divorced from its historical identification with manhood.”⁴⁹

In concrete terms, this politics could be constructed by both men and women first through recognizing the limitations that modernity, through its tradition of political thought, has placed on both genders (including the very idea of gender itself), and second through working toward a future society constructed around a “post-masculinist” politics.⁵⁰

Imagine bringing the desire for love and recognition to [a] relationship without striving to institutionalize or routinize the connection, without seeking control, without spinning sets of conventions upon which one can depend and is also ensnared. In this condition, we are extraordinarily vulnerable [...]. But we are also extraordinarily free [...]. In this condition we can experience power rather than dependence through connection because we freely act rather than conform or behave; we consciously make the relationship rather than letting it make and limit us.⁵¹

This radical and hopeful re-imagining of politics seems to hold the modern/liberal ideal directly responsible for its freedom-eliding tendencies that are primarily realized through its problematic construction of a dominant masculine gender identity designed to enforce them. Unfortunately, the power of Pateman’s metaphor

⁴⁸ *Ibid*, 12.

⁴⁹ *Ibid*, 13.

⁵⁰ *Ibid*, 179.

⁵¹ *Ibid*, 201-202.

meant that Brown's "post-masculinist politics" was not to enjoy the same amount of notoriety as the "sexual contract." Brown would later leave behind this "radical possibility" in favour of a critique of modern power relations which broadened beyond the scope of gender.

A consideration of how patriarchal power may have structured intra-sex as well as inter-sex gender relations is also evident in the work of political theorist Mark E. Kann. In *A Republic of Men*, Kann points to what he calls a "grammar of manhood"⁵² used by the founders of the United States, and the elite and powerful patriarchs of eighteenth-century America, in their attempt to construct ideal citizenship. In an approach which contrasts greatly with the historical-contextualism of the Cambridge School, Kann borrows the concept of "hegemonic masculinity" and Pateman's dichotomy of order versus disorder to argue that the construction of a hegemonic meaning of citizenship in early America necessitated the construction of a hegemonic meaning of manhood.

By controlling the criteria for male elevation and degradation, elites who join hegemony to manhood significantly strengthen their ability to secure men's consent and quiescence. This is what the American founders did. They promoted hegemonic masculinity as part of their effort to restrain disorderly male passions, temper men's democratic desires, restore fraternal order, and reconstitute political authority.⁵³

Kann believes that the negative effects of this construction of a hegemonic masculinity can still be seen today because of the patriarchal foundation it was based on.

From the founders' time to our time, American leaders have viewed mature manhood as a remedy for [...] disorder in the ranks of men.

⁵² Mark E. Kann, *A Republic of Men: The American Founders, Gendered Language, and Patriarchal Politics*, (New York: New York University Press, 1998), 31.

⁵³ *Ibid.*, 28.

Manly merit still centers on individuals' ability to discipline their passions, elevate family interests above personal pleasures, and achieve social fit if not social fame in the service of the public good and posterity. Although the founder's rhetoric of liberty and equality fortified a Lockean individualism that gave rise to an ethic of self-made manhood, their devotion to consensual norms of manhood persists into the present to counteract both male individualism and women's claims to liberty.⁵⁴

Like many aspects of its founding years, early liberal America's "devotion to consensual norms of manhood" was inherited from the English Enlightenment. The ideals of individual sovereignty which flourished in late sixteenth-century and early seventeenth-century England did so against a political and social backdrop of durable patriarchal structures. The new political ideals and institutions born of this era, and later built on in the United States, contained mechanisms to ensure that the power of patriarchal elites remained intact regardless of the change in how society was to be governed. Like the insistence on women's political inferiority the "main motivation for deploying the grammar of manhood was to encourage men to discipline democratic desire."⁵⁵

Sheltered in the shadows of traditional misogyny was (and is) a preoccupation with controlling men's fickle nature and foolish struggles, restless passions and acquisitive impulses, self-delusions and sustained brutality [...]. Ultimately, the darker side of seventeenth century optimism was a deep scepticism of men and a heavy investment in a version of political prerogative that has been parlayed into twentieth century hegemony.⁵⁶

⁵⁴ *Ibid*, 158.

⁵⁵ *Ibid*, 31.

⁵⁶ Mark E. Kann, "John Locke's Political Economy of Masculinity," *International Journal of Social Economics*, 19 nos. 10-12 (1992): 108.

Kann's problematic tendency to read back through history and make sweeping generalizations about how a modern conceptual framework such as hegemonic masculinities can be applied to the history of political thought distracts one from what can be usefully extracted from his thesis. The problem according to Kann is that, along with femininity, a great number of masculinities in history were also rendered disorderly through a patriarchal need to control access to political and social power. This "gendered legacy"⁵⁷ has resulted in a situation which "tends to perpetuate patriarchal politics"⁵⁸ because both the problems of and solutions to political and social issues have been and continue to be masculinized. Kann continues:

Today's leaders associate the nation's major political problems with domestic crime and international politics. The main perpetrators of public disorder and violence in both arenas are males [...]. To the extent American politics centers on protecting citizens [...] from male threats of disorder and violence, American elites give top priority to controlling male misconduct at home and resisting it abroad.⁵⁹

Kann wonders about the possibility of the emergence of a "new man' [...] who strives for authenticity, seeks out strong women, and joins them in opposition to patriarchy."⁶⁰ Curiously, he seems to believe that the route to this new meaning of manhood is through not only greater equality in the institutions of liberal political society, but also through women's willingness to "become political problems."⁶¹ "For worse or better," he says, "when women become fifty percent of the problem and fifty

⁵⁷ Mark E. Kann, *The Gendering of American Politics: Founding Mothers, Founding Fathers, and Political Patriarchy*, (Westport, CT: Praeger, 1999), 161.

⁵⁸ *Ibid*, 162.

⁵⁹ *Ibid*, 161-162.

⁶⁰ *Ibid*, 161.

⁶¹ *Ibid*, 162.

percent of the problem-solvers, we will have made significant progress toward greater gender equality.”⁶² This ironic formulation seems to rely on women to solve a problem which men created for themselves. As Brown observes, the modern “politics men have made by and for themselves is saturated with highly problematic, often dangerous, ideals and practices of manhood.” If a broken politics was made by and for men, it hardly seems productive, or appropriate, to rely on women’s help to fix it.

Nevertheless, Kann’s tracing and critique of the construction of modern liberal American hegemonic masculinity provides an interesting context for the goal of this project. Just as Pateman has suggested that the ideal femininity for liberal politics means that true democracy for women will remain elusive, Kann’s criticisms suggest the same for men. All of the above thinkers share in common a belief that until we are willing to question the normative value of the dominant meanings of good manhood and good citizenship, and their relationships to one another, we remain inheritors of a gendered legacy. This project asks that we subject this legacy to scrutiny, in search of better conditions for both men and women.

Finding Filmer and his *Patriarcha* in History

Patriarcha: The Naturall Power of Kinges Defended against the Unnatural Liberty of the People By Arguments Theological, Rational, Historical, Legall was composed between 1628 and 1630 but not published until 1680. The work’s full title is quite useful for understanding its author’s intentions. Drawing largely on his belief that the ability to hold and wield power in political society descended from God’s grant of original sovereignty to Adam in the book of *Genesis*, *Patriarcha* can be understood as

⁶² *Ibid.*

Filmer's attempt to forward both a positive program of elaborating a legal, rational, historical, and theological case for the absolute sovereignty of kings, and a critique of arguments for the original popular sovereignty of the people. Its posthumous publication was spurred-on and taken-up by the Tory cause at the height of the protracted *Exclusion Crisis* (1679-1681) because its foci on both rational-legal and theological-historical arguments was seen to have made the strongest case for the reigning Charles II's actions in the face of the 1679 *Exclusion Bill*: an attempt to exclude the king's Catholic brother from succession. It is within this context that Locke, and others such as Algernon Sidney (1623-1683) and James Tyrell (1642-1718), wrote their refutations of Filmer.

Filmer could not have predicted, and was certainly not responding to, the political climate in which *Patriarcha* would eventually be published and enjoy such notoriety. Nevertheless, later scholars of the history of political thought would join Locke, Sidney, and Tyrell in grappling with contemplating the work outside of its original context. The result has been somewhat of a contortion of its historicity. As Laslett wrote in 1949 that “[n]one, or almost none, of the thinkers or historians who have examined Filmerism, refuted it, anatomized it or simply dismissed it as stupidity have known exactly who Sir Robert Filmer is, when he lived, what he did and what he wrote.”⁶³ This problematic has persisted in more contemporary treatments of Filmer and his texts, and the balance of this chapter will contemplate those as well as highlight some compelling new directions in Filmerean scholarship.

⁶³ Peter Laslett, “Introduction,” in Sir Robert Filmer, *Patriarcha and Other Political Works*, edited by Peter Laslett (Oxford: Basil Blackwell, 1949), 1.

Laslett's collection of Filmer's works was his post-doctoral research project.⁶⁴ Since the middle of the twentieth century when he published it, his work has sparked somewhat renewed interest in this comparatively minor player in the history of modern political thought. In 1975, Laslett's student Gordon Schochet published his *Patriarchalism and Political Thought*.⁶⁵ Later, James Daly would turn his attention to Filmer and seventeenth-century English patriarchalism with *Sir Robert Filmer and English Political Thought* (1979).⁶⁶ Then in 1991, Johann P. Sommerville's collection *Patriarcha and Other Writings*⁶⁷ would make a significant contribution to the historical and cultural context of Filmer's writings and theories, and it remains the authoritative critical source. Finally, in recent years, the University of Paris 8's Cesare Cuttica has made significant strides toward a reconsideration of Filmer, particularly as it relates to the historical cultural and political milieu surrounding Filmer's writing of *Patriarcha*. The following pages review these scholarly treatments of Filmer's work in an attempt to gain a deeper understanding of how scholars have listened to Filmer and, as a result, have determined his place in intellectual history.

Schochet sets out with a tripartite goal to "get patriarchalism straight [and] rescue it from Locke's distortions and from its exclusive association with Filmer."⁶⁸ On

⁶⁴ Quentin Skinner and Tony Wrigley (and Michael Young), "Obituary: Peter Laslett," *The Guardian*, November 17, 2001, TheGuardian.com/news/2001/nov/17/guardianobituaries.highereducation.

⁶⁵ Gordon Schochet, *Patriarchalism and Political Thought: The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-Century England*, (New York: Basic Books, 1975).

⁶⁶ James Daly, *Sir Robert Filmer and English Political Thought*, (Toronto: University of Toronto Press, 1979).

⁶⁷ Sir Robert Filmer, *Patriarcha and Other Writings*, ed. Johann.P. Sommerville, (New York: Cambridge University Press, 1991). Sommerville's text will serve as the primary source of Filmer's work herein, and will be cited by referring to the title of the Filmer work and the page number in Sommerville's collection where the quotation can be found (i.e. Filmer, *Patriarcha*, 5).

⁶⁸ Schochet, *Ibid*, xi.

the first and last of these goals there is no doubt that Schochet succeeds. One comes away from reading his assessment of patriarchal political theory in seventeenth-century England with a firm grasp on the fact that patriarchal familial and social relations formed what Foucault would later term the “episteme,”⁶⁹ or durable discursive framework, of that society. To understand that patriarchalism, or the theory of the rule of fathers, was used as a metaphorical vehicle for the ideas of the time, and a common language of intellectuals, provides a helpful context for understanding not only Filmer, but perhaps more importantly, Locke. The authority of fathers was not the exclusive province of Sir Robert.

The fact that Filmer used the concepts and vocabulary of patriarchalism, however, seems to lead Schochet to become somewhat distracted by Filmer’s brand of patriarchalism and its problematic reliance on the bungled biblical case for divine right. This distraction seems to cause Schochet to give credit to Locke and condemn Filmer for their respective treatments of what has become one of the most important critiques of modern politics—that is, of course, its unstated, yet undeniable, reliance on the separation of the public and the private. Schochet points out the emerging consensus in seventeenth-century political thought “that social and political matters were not identical and the corresponding claim that politics could be comprehended in its own terms [...] [were] a direct challenge to European culture’s own self-image.”⁷⁰

Schochet fails, however, to peer over the shoulder and into the mirror to consider what exactly this self-image looked like, and how the challenge it faced might have

⁶⁹ Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences*, (New York: Routledge, 1989): 183.

⁷⁰ Schochet, *Ibid*, 54-55.

changed its appearance. The changing attitudes and expectations made possible by Enlightenment thought were perhaps most clearly seen in the debate over the origins of political obligation. The seventeenth-century political community began to see itself as less cohesive and more atomized, and the individual's relationship with the nation began to change. For Locke, writing in 1679, the transition was nearly complete, but as the title of his 1648 work suggests, Filmer feared what he saw as "the anarchy of limited or mixed monarchy" and was suspicious of the growing populism. Over this period of roughly 70 years, the theoretical basis of political power ceased to find its ontology in familial and the social relations. Accordingly, this new politics came to be constituted without those elements and this is generally understood, as can be seen in Schochet's normative position, as an altogether positive development. When we unpack this normative position, however, it becomes possible to consider that it was not only arbitrary authority that was being subjected to this challenge, but also the possibility of basing political life on social and familial values. Arbitrary political authority based on genetic patriarchy was deserving of the challenge it faced. But Schochet forgets that no social and political revolution is without its unintended casualties.

Schochet provides an extraordinarily thorough exposition and explication of Filmer's critical project. He devotes an entire chapter and most of his introduction to giving a full airing to Filmer's elucidation of the "logical gulf between natural freedom and government."⁷¹ He tells us that "[Filmer's] chief point was the moral and logical impossibility of deriving government, private property, and the hierarchal arrangements that exist in society from the conditions of original freedom and equality predicated by

⁷¹ *Ibid*, 123.

contractual thinkers.”⁷² With this observation Schochet lands on an important similarity between Filmer and Locke. There is more than sufficient evidence that Locke held beliefs that in no objective way could be viewed as supporting a normative (liberal) notion of ‘equality.’

Recent work by David Armitage, for example, has revealed that Locke is almost certain to have written Chapter V Of Property of the *Second Treatise* while he was simultaneously working on a new draft of the *Fundamental Constitutions of Carolina* (1669). This is important, Armitage says, because of Locke’s refusal to remove the defense of slavery from the Carolina document even though he was in a position to do so. Armitage accuses Locke of a “tacit consent to [the] brutal provision [for slavery]”⁷³ and claims that this is demonstrative of Locke’s illiberal frame of mind during the time in which he wrote his famous thoughts on property. In another example, one of Locke’s earliest and most affectionate biographers, Maurice Cranston, tells us that an “appalling document”⁷⁴ Locke prepared for the Board of Trade in 1697 on the problems of unemployment and poverty “throws a great deal of light on the workings of the writer’s mind.”⁷⁵ In this document, Locke’s position on the poor, working class, and women shows him to be unconcerned with the idea of the natural equality of all the people, and reveals him as hostile to egalitarianism. For Locke it seems that wealth and political power were not to be shared; rather, they were to be protected.

⁷² *Ibid*, 122.

⁷³ David Armitage, “John Locke, Carolina, and the Two Treatises of Government,” *Political Theory* 32, no. 5 (2004): 619.

⁷⁴ Maurice Cranston, *John Locke: A Biography*, (Toronto: Longmans, Green and Company, 1957), 424.

⁷⁵ *Ibid*, 423.

In fact, at least in the case of Filmer and Locke, both royalist and contract theorists did not conceptualize equality at all, and even regarded inequality as part of the natural and necessary order of things. As Schochet suggests, looking at the decidedly un-egalitarian conditions of his society, Filmer could not concede to the logic that it had all been borne of a state of natural equality. For Locke, a state of natural equality was the backbone of his argument for original popular sovereignty; this conceptualization required him, at least in his political treatises, to ignore the practical challenge posed to his theory. There is a logical disconnect at the heart of Filmer's refusal to trust the notion that a supreme parliament could make anything better, and, at least on this point, Schochet is willing to listen to Filmer.

As mentioned above, even while giving voice to his most salient criticisms, Filmer has a notorious ability to drown himself out. Despite a seeming willingness to reflect on Filmer's critical project, Schochet is distracted by the consequences of it. Schochet insists that Filmer's argument for the origins of political power trumps his critique because of his presumed determination to advocate for, and seek favour from, the Stuart line (a notion that scholarship on Filmer since Schochet has given us serious reasons to reconsider). This, says Schochet, "reveals that Sir Robert was far more dedicated to the executed King [Charles I] and the rights of his heirs than he was to consistent principles," and that "[i]t was undoubtedly politics—and not philosophy—that first moved [him]."⁷⁶ The overall effect of this analysis is that Schochet seems merely to contribute to Locke's efforts to sweep aside any remnants of Filmer's fundamental criticisms. He also seems willing to blame Filmer for not being able to

⁷⁶ Schochet, *Ibid*, 158.

predict the future and realize that what would become ‘liberalism’ would eventually elaborate (arguably tenuous) ways to address some of the deep epistemological and ontological flaws of consent theory. “What Filmer could not realize” opines Schochet “was that the very factor he was criticizing in the contract theory when he attacked, its logical rather than historical and legal viability, was the harbinger of a new conception of political obligation.”⁷⁷ Rather than listen to Filmer, however, Schochet appeals to an as-yet-unrealized “new conception of political obligation,” and seems willing to posit an “emerging rational political philosophy”⁷⁸ which might be regarded as giving too much credit to contract thinkers of seventeenth-century England. He seems to lay unfair blame with their opponents for not realizing something that had yet to be realized by anyone.

The departure point for Daly is a response to Schochet’s treatment of Filmer, and in particular what Daly sees as Schochet’s failure to realize that it was “pointless to study the thought of a man [Filmer] within a group [of royalist political thinkers] when [...] he did not comfortably belong in it.”⁷⁹ Daly makes the important observation that in many ways Filmer was a theoretical outlier when it came to his relative position amongst monarchist and royalist apologists of his day. But Daly’s analysis operates within the same normative boundaries as Schochet’s scholarship. So while it is sympathetically pointed out by Daly that the significance of Filmer’s contribution was linked to his “coherent criticisms of established authors and concepts like consent,”⁸⁰ Daly’s case for

⁷⁷ *Ibid.*, 135.

⁷⁸ *Ibid.*

⁷⁹ James Daly, *Sir Robert Filmer and English Political Thought*, (Toronto: University of Toronto Press, 1979), xii.

⁸⁰ *Ibid.*, 160.

considering Filmer outside of royalist political thought hinges on his refusal to separate those “cogent criticisms” from what he sees as Filmer’s “blunt championship of arbitrary monarchy and his scornful dismissal of the love of liberty.”⁸¹ These, claim Daly, made him the “perfect target”⁸² for Locke because Filmer’s privilege, and his presumed determined thinking, made him “strong enough to seem worth fighting”⁸³ while the mess of logic that he made of *Genesis* made sure that Locke perceived him as “weak enough to assure success.”⁸⁴ Although Daly is absolutely correct in pointing out that Filmer’s patriarchalism was distinct from the royalist tradition because of its erasure of the line between public and private, his analysis might have been strengthened if it had acknowledged the new complexities and possibilities revealed in regarding Filmer as an outlier.

Sommerville is clear on his conditions for listening to Filmer. Those conditions are, it seems, the same conditions set out by Locke. The arbitrary coercive authority of the king and the botched interpretation of scripture are to remain front and centre and inform the reader’s approach to Filmer’s text(s). Sommerville seems willing to suggest that Filmer ought to be understood as “the most famous”⁸⁵ one-dimensional enemy of the modern concept of individual liberty and that fact is all one need pay attention to in his thought. There is no doubt that Sommerville’s collection adds a great deal to the scholarship on Filmer and Locke. Nevertheless, throughout his preface and

⁸¹ *Ibid.*, 161

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ Johann P. Sommerville, “Preface and Introduction,” in *Sir Robert Filmer Patriarcha and Other Writings*, ed. Johann P. Sommerville, (New York: Cambridge University Press, 1991), xi.

introduction, he wrestles unsuccessfully with the consequences of approaching Filmer's oeuvre outside of the Lockean paradigm. In some instances, he is willing to consider Filmer outside of this tradition, but he then contradicts this and reasserts the aforementioned 'monstrous sycophancy' of the Lockean caricature. This is most evident in Sommerville's assertion that, even though it remained unpublished throughout his life, *Patriarcha* is "the fullest presentation of [Filmer's] political ideals."⁸⁶ This position seems to borrow directly from Locke's three century-old playbook. If Sommerville had some other basis for this claim, he perplexingly does not state it, leaving one further puzzled later when he points out that commentaries in the 1650s on Filmer's works other than *Patriarcha* (which would not be published for another thirty years) "indicate that Filmer's views already exercised some sway."⁸⁷

At once declaring that "if we want to understand Filmer it makes little sense to approach him through Locke (an extremely hostile critic),"⁸⁸ Sommerville later repeats the Lockean position that "the main lines of Filmer's theory were mapped out in *Patriarcha*,"⁸⁹ and then still later reverses that position to tell us that "Filmer is at his most incisive and cogent when attacking his opponents"⁹⁰ in the manner he does in the *Anarchy of Limited or Mixed Monarchy* (1648). It is safe to say that at the very least, Sommerville's dissonance has the effect of rendering Filmer's voice less resonant than it ought to be in a text that sets out to make that voice "readily available."⁹¹ Still,

⁸⁶ *Ibid.*, xiii.

⁸⁷ *Ibid.*, xiv.

⁸⁸ *Ibid.*, xv.

⁸⁹ *Ibid.*, xx.

⁹⁰ *Ibid.*, xxiii-xxiv.

⁹¹ *Ibid.*, vii.

Sommerville's main contribution is indispensable. In taking on the huge and important task of tracking down all of Filmer's sources—a task that others, including Laslett, had failed to endeavour—Sommerville succeeds in providing a far better picture of the formation of Filmer's thought, opening up new possibilities for research.

One of the scholars who has seized on these new possibilities is Cesare Cuttica. Cuttica's work on Filmer is contextualized by his plea “for the study not only of the ‘winners’ (the Groituses and the Lockes) but also the ‘losers’ in the arena of political thinking.”⁹² His refusal to “to leave unexamined the orthodoxies of the historiographical mainstream”⁹³ helps to raise “essential questions on the nature of theoretical absolutism in early modern Europe.”⁹⁴ In what he has termed the “condescension of posterity,”⁹⁵ Cuttica contends that “the scathing reading of *Patriarcha* deployed by Locke has had an enduring effect on modern historiography.”⁹⁶ He traces this effect to how the work, and the thinker, has been treated by intellectual historians up to and including Sommerville, who “[d]espite [his] acumen fails to recognize the specificity of *Patriarcha* and its language.”⁹⁷ Cuttica builds on the discovery of the new information that Filmer had intended to publish *Patriarcha* as early as 1631, arguing that this context “provides new

⁹² Cesare Cuttica, *Sir Robert Filmer (1588-1653) and the Patriotic Monarch*, (New York: Manchester University Press, 2012), 13.

⁹³ Cesare Cuttica, “Dr Cesare Cuttica, Lecturer in British History, Université Paris 8,” *What is Intellectual History?* Institute of Intellectual History, University of St. Andrews, May 27, 2013. (www.intellectualhistory.net/what-is-intellectual-history/): 04:30-04:55.

⁹⁴ Cuttica, *Op. cit.*

⁹⁵ Cesare Cuttica, “Sir Robert Filmer (1588–1653) and the Condescension of Posterity: Historiographical Interpretations,” *Intellectual History Review*, 21, no. 2, (2011): 195-208.

⁹⁶ *Ibid*, 196.

⁹⁷ *Ibid*, 207.

insights into some of the main approaches to the history of early modern western political thought developed in the twentieth century.”⁹⁸

That *Patriarcha* was ready for publication in 1631 suggests that it is likely that it was composed in the context of the debates over the 1628 *Petition of Right*, rather than that of the context of the *Exclusion Crisis* of the early 1680s, or the years of the ‘personal rule’ of Charles I. As mentioned earlier, many have presumed that Filmer wrote the text in an effort to curry favour with the Stuarts, but there is little or no evidence to support this idea. Instead, the historical record reveals that Filmer “never sought any help or benefits from the Stuarts, nor was he a courtier.”⁹⁹ We know that with his text Filmer intended to attack the concept of the formation of government based on original popular sovereignty. But one of the puzzling things about *Patriarcha* is that unlike most other examples of political treatises of its day, and examples from Filmer’s later writings, it is not obviously targeted at, or a response to, this specific theory (original popular sovereignty) as formulated in the work of specific theoretician. At times it may seem like Filmer is targeting the Spanish Jesuit Francisco Suárez (1548-1617), or his Italian counterpart Roberto Bellarmino (1542-1621), but Filmer’s contests with Suárez and Bellarmino are not really used as a means to critique the priests directly, but rather as a way to get at what he views as an emerging problematic and dangerous fusion of Jesuit doctrine with the concept of original popular sovereignty. This fusion was a situation Filmer saw as putting England at risk of the reassertion of papal power:

Late writers have taken up too much upon trust from the subtle [Jesuit] schoolmen, who to be sure to thrust down the king below the pope, thought it the safest course to advance the people above the king, that so

⁹⁸ *Ibid*, 196.

⁹⁹ *Ibid*, 206.

the papal power may more easily take place of the regal. Thus many an ignorant subject hath been fooled into this faith, that a man may become a martyr for his country by being a traitor to his prince; whereas the new coined distinction of subjects into royalists and patriots is most unnatural, since the relation between king and people is so great that their well-being is reciprocal.¹⁰⁰

Though Filmer did apparently decide to publish it, it should not be forgotten that *Patriarcha*, or at least large portions of it, was originally composed as a manuscript for circulation amongst the Kentish gentry, to whom regular and ongoing epistolary debates about the major issues of the day were a normal part of social practice. Therefore it is most likely that the “late writers” to which Filmer refers in this passage were not Jesuit priests of nearly a half-century before, but probably individuals he knew and to whom he may even have been related. Cuttica has convincingly suggested that the identity of one of these “late writers,” and the likely target of Filmer’s critique in *Patriarcha*, was none other than Filmer’s own cousin Thomas Scott of Canterbury (1566-1635).¹⁰¹

In 1628 Scott wrote *A Discourse of Polletique and Civell Honor*, a polemic directed at Charles I warning him “not to follow his father’s irresponsible policy on knighthood.”¹⁰² The document and other writings composed by Scott place him, according to Cuttica, firmly among the “so-called ‘patriots’, [a] group of thinkers and countrymen who in the 1620s claimed to be the true defenders of the nation and of the liberties of the subjects.”¹⁰³ The term patriot was taken-up by this group who in its adoption of a rhetoric that echoed Jesuit sentiment and ideals, contended that it was a

¹⁰⁰ Filmer, *Patriarcha*, 5.

¹⁰¹ Cesare Cuttica, “Kentish Cousins at Odds: Filmer’s *Patriarcha* and Thomas Scott’s Defence of Freeborn Englishmen,” *History of Political Thought*, 28, no.4 (2007): 599–616.

¹⁰² *Ibid*, 603.

¹⁰³ *Ibid*, 599.

sacred patriotic duty to depose or kill an unpopular monarch. These sentiments and ideals, contends Cuttica, had a royalist counterpart on which Filmer had drawn to formulate his own theories.

Filmerian ideas were part of a wider European framework of political theories. Thus [...] *Patriarcha*'s doctrines articulated in the 1620s [are] the elucidation of themes and problems conceptualized in early modern France in reaction to Jesuit ideas. In particular, the treatise's patriarchalism [relates] to the language used by some French absolutists.¹⁰⁴

In this context, Filmer borrowed from an already established body of theoretical work to forward his perspective that no good can come from “the new coined distinction of subjects into royalists and patriots.”¹⁰⁵ He is specifically and explicitly worried about the strength of the emotional appeals being made by his patriot cousins and others, and so draws on an equally emotive rhetoric himself.

Both patriots and royalists drew on the emotional power of the protection of *patrie*—fatherland, nation, country, homeland—through the safeguarding of the good life for its citizens. Thus, for both sides of the debate, the issue of protection “became the keynote of theories of liberty and sovereignty.”¹⁰⁶ As Cuttica explains:

In this milieu *patrie* lost its republican connotations. Instead, it began to share part of its vocabulary and images with the rival paradigm of the king as *pater patriae*. In other words, the humanist canon of the good citizen found its most powerful and rhetorically persuasive adversary in the princely model of the father of the fatherland.¹⁰⁷

¹⁰⁴ Cesare Cuttica, “Anti-Jesuit Patriotic Absolutism: Robert Filmer and French Ideas (c. 1580–1630), *Renaissance Studies*, 25, no. 4 (2011): 559.

¹⁰⁵ Filmer, *Ibid.*

¹⁰⁶ Cuttica, *Ibid.*, 560.

¹⁰⁷ *Ibid.*, 561.

Cuttica's repositioning of *Patriarcha* in this historical context allows us to consider the idea that at the very heart of Filmer's original doctrine—which was to be reformulated later in his life and become clearer—was a need to (re)assert a compassionate and emotional connection between the governed and the governor, as well as an advocacy for a monarch “whose care for the public good was superior to that informing popular or mixed polities.”¹⁰⁸

On the one hand, to the modern, liberal mind which has contemplated the atrocities of Nazism, and the ongoing abuse of the sovereignty of the individual at the hands of despots, dictators, and capitalist oligarchs, the argument that an absolute monarch could deliver good government through care, preservation, and compassion seems naïve at best, and extremely dangerous at worst. On the other hand, although these ideas “may not elicit much sympathy today [...] they must be seen in context.”¹⁰⁹ In arguing for a political system informed by the passionate desire of a *pater patrie* to protect the liberty and dignity of the members of the community, rather than a “post-masculinist”¹¹⁰ politics, Filmer may very well have been envisioning a kind of pre-masculinist politics that sought to question the privileging of the atomization and transcendence of the (male) citizen over all other priorities. This possibility is informed not only by his criticisms of the ethical comportment of political power, but as will be considered later, the alternative he sketches in his pages.

¹⁰⁸ *Ibid*, 560.

¹⁰⁹ Robert James Bast, *Honor Your Fathers. Catechisms and the Emergence of a Patriarchal Ideology in Germany 1400–1600*, (New York: Brill, 1997), 167.

¹¹⁰ Brown, *Ibid*, 179.

But was a positing of affection as a guiding ethic for rulers and the ruled something that was already outmoded before Filmer even wrote it down? Kingston¹¹¹ has argued that the sixteenth and seventeenth centuries saw a gradual drift away from regarding emotion as the source of a common bond among members of a community, and toward a view which regarded passion, love, and emotion as private and atomistic and therefore less relevant, and even a threat, to the proper functioning of the public realm. Among other writers, she implicates Rene Descartes (1596-1650) in this shift, and in particular his 1649 *The Passions of the Soul* of which Kingston argues that

Descartes' discussion of emotional life narrowed the focus to the individual person, as body and soul, as the central locus for the causes and effects of various emotions. In consequence, emotions became more and more regarded as mere reflections of individual states of affairs. This shift serves as an important precursor to the historical decline of the idea of a public passion.¹¹²

This Cartesian shift in belief about the source and purpose of emotions is detectable in Hobbes's position that the individual encountered external stimuli, including other people, not with curiosity or compassion but with the divinely preordained aim of assessing that stimuli's ability to either impede or progress one's motion. As will be discussed below, in his later writings Filmer was troubled by this aspect of Hobbesian ontology, and in particular its reliance on an image of life in the state of nature as agonal rather than peaceful. If not by the time Filmer wrote his *Patriarcha*, then certainly by the time it was published after his death, Filmer's ideas about the relations between the

¹¹¹ Rebecca Kingston, "The Political Relevance of the Emotions from Descartes to Smith," in *Bringing the Passions Back In: The Emotions in Political Philosophy*, edited by Rebecca Kingston and Leonard Ferry, (Vancouver: University of British Columbia Press, 2008): 108-125.

¹¹² *Ibid*, 111.

governed and the governor likely seemed as naïve as his belief in Adam's uninterrupted lineage. As a consequence, this aspect of Filmer's philosophy became undervalued and lost, and in its absence the emerging liberal consensus settled on an ideal of the relationship between government and citizen which was almost entirely devoid of mutual care and affection.

Conclusion

This chapter has had two purposes. The first was to examine the theoretical literature on early modern masculinity and politics. The second was to look specifically at how Filmer and his patriarchalism have been treated by intellectual historians since the publication of Laslett's collection. Both of these exercises set the stage for the following chapters which are dedicated to exploring how and why Locke's refutation of Filmer can be read as being situated in the context of an emerging tendency to regard the role of emotion and passion in public life as dangerous and suspicious. This situation may have been accomplished through the problematization of the relationship between manhood, power, and affection, providing Locke with the opportunity to ridicule and dismiss, but most of the time ignore and contort, the important role that mutual preservation, care, and masculine affection played in Filmer's recommendations for his ideal constitutional arrangement for England. Through this prism, the *First Treatise* is revealed as Locke's attempt to situate his own case against Filmer firmly in the masculine comportment of political leadership, rendering his own version as ideal, and Filmer's as nothing but aberrant and monstrous. All of this is done in a hope to illuminate how the dominant masculinity of modern Anglo-American political thought

came to rely for its success on an unsustainable suppression of men's affections and the equation of paternity and manhood with violent coercion and tyranny.

Chapter Three

The Reciprocity of Power, Peace, and Preservation in Filmer's Patriarchalism

Early in the *First Treatise* Locke discusses what he views as Filmer's failure to provide a definition of fatherly authority.

One would have thought that he [Filmer] 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 [...] fatherly authority is [...]. [H]e should have at least given us such an account of it, that we might have had an entire notion of this fatherhood.¹¹³

Locke's chastising of Filmer for not offering a definition of patriarchal power serves a rhetorical purpose for him. Through suggesting that Filmer fails to provide this definition, Locke leaves room to provide his own. It is in Locke's definition that we discover a direct attempt to fill the contrived discursive space he has opened up with a version of patriarchal authority that is a "strange kind of domineering phantom, called the fatherhood."¹¹⁴ This is critical because Locke seems willing to ignore deliberately the definition which Filmer does indeed provide:

If we compare the natural duties of a father with those of a king, we find them to be all one, without any difference at all but only in the latitude or extent of them. As the father over one family, so the king as father over many families, extend his care to preserve, feed, clothe, instruct and defend the whole commonwealth. His wars, his peace, his courts of justice and all his acts of sovereignty tend only to preserve and distribute to every subordinate and inferior father, and to their children, their rights and privileges, so that all the duties of a king are summed up in an universal fatherly care of his people.¹¹⁵

¹¹³ Locke, *Ibid*, 162-163.

¹¹⁴ *Ibid*, 163.

¹¹⁵ Filmer, *Patriarcha*, 12.

The picture of paternity that emerges from this definition is hardly of the “domineering phantom” in Locke’s imagination. Nevertheless, he commits himself early to this spectre because the rest of his refutation of Filmer hinges on it.

Locke declares his intention to “strip Sir Robert’s discourses of the flourish of doubtful expressions, and endeavour to reduce his words to direct, positive, [and] intelligible propositions.”¹¹⁶ His goal seems genuine, but as Laslett has pointed out, in the pages of the *First Treatise* Locke “persistently ignore[s] the searching counter-criticisms which are the strength of Filmer’s case.”¹¹⁷ This chapter expands on Laslett’s observation and pays attention to what Locke ignored. In addition to giving shape to Laslett’s contention that Locke “persistently ignores [...] the strength of Filmer’s case,” this exercise reveals Filmer’s unexpected tendency to advocate not only for the absolutist regime based on patriarchal power that he is well-known for, but also for a political society that is based on a surprising privileging of the need for any type of regime to safeguard the conditions for providing all individuals in political society, including those who govern it, with both the right to and responsibility for the mutual care and preservation of all.

It should be admitted at the outset of this exercise that throughout Filmer’s works, we can only be certain that he is trying to build a theoretical and rational case for

¹¹⁶ John Locke, *Two Treatises of Government: In the Former, The False Principles and Foundation of Sir Robert Filmer, and his Followers are Detected and Overthrown. The Latter is an Essay Concerning the True Original, Extent, and End of Civil Government*, ed. Laslett, (Cambridge: Cambridge University Press, 1960): 155. All quotations from Locke’s *Two Treatises* are extracted from this edition of Laslett and will be cited from this point using that volume’s pagination (i.e. Locke, 155.)

¹¹⁷ Peter Laslett, “Introduction,” in *Locke, The Two Treatises of Government: Critical Edition with an Introduction and Apparatus Criticus by Peter Laslett*, (Cambridge: Cambridge University Press, 1960), 69.

his current society to be governed under the authority of an absolute monarch, rather than that of popular sovereignty. Most of the conclusions drawn by Filmer, and the means he uses to come to those conclusions, are focused on achieving this primary goal. This fact does not mean, however, that in the anatomy of his arguments certain remarkable observations cannot be made about how he chooses to pursue his project. These seeming anomalies would understandably escape the attention of anyone referring to Filmer's works in order to reference and to comprehend his primary goal of making a case for absolute monarchy. The aim here, however, is to linger on these anomalies to see if they suggest that in addition to his primary goal Filmer may have been working toward a secondary aim.

Likewise, it should be admitted at the outset that the only intention that we can confidently attribute to Locke is the intention to provide a counter-argument against Filmer, specifically his *Patriarcha*, as it was, throughout the *Exclusion Crisis* enjoying a great deal of political support. The resurrection of Filmer's manuscript, and how it was taken-up by the Tory cause, was a serious and sustained challenge to the Whig project, and it required an unequivocal refutation. Locke provided such a refutation. Refuting Filmer was his purpose in writing his *Two Treatises*, and more specifically the *First*. But in a way similar to Filmer, herein we are considering not his primary purpose, but rather what is revealed about a potential secondary effect in his achievement of it.

It seems obvious to say that Locke is a poor guide to Filmer. After all, it was his intention to defeat him. Daly comments on the thoroughness of Locke's case against Filmer, and the effect it has had on the possibility for opening-up intellectual and philosophical space for considering Filmer outside of Locke's sphere of influence.

By siting his theories in an attack on Filmer, Locke had made it very difficult for anyone to attack him without adopting Filmer. The prestige of the *Two Treatises* practically guaranteed that even those hostile to Lockeanism would accept his version of the polarity of ideas: accept Locke, reject Filmer; reject Locke, accept Filmer. A thinker's greatest achievement lies not in convincing people that his answers are right but in inducing them to accept his definition of the questions. If they do that, they will be thinking in his terms, even when they disagree, and he will have placed his stamp on the whole dialogue. He used Filmer to present even his own opponents with a set of choices by which, no matter what they chose, they were fitting into his own scheme of things. The main result is too well known to need any more than the bare statement that, by picking such a vulnerable opponent, he secured undying triumph. In this context, one must notice the effect on the heirs of his opponents. He trapped many of them into Filmerism by so relentlessly positing it as the alternative to his own ideas.¹¹⁸

Daly's point is well-made, but the polarity with which he credits Locke for enforcing may not be as inflexible as he suggests. It may be possible to be an opponent of Locke and not to agree with most of what Filmer proposes. Accordingly, it is also possible to appreciate Locke for his main contribution to modern political life—laying the groundwork for seeking the unequivocal sovereignty and dignity of the individual—while still opposing how it was made possible. The location of this project is at such a site of opposition, and takes issue not with Locke's defeat of Filmer, but what may have been a consequence, whether intended or not, of its achievement.

Locke's "undying triumph"¹¹⁹ over Filmer has made it not only difficult, but also seemingly unnecessary, to encounter the latter on any other terms than those set by Locke. If one is interested in what Filmer has to say about anything that Locke deemed

¹¹⁸ Daly, *Ibid*, 165-166.

¹¹⁹ *Ibid*.

unworthy of attention, it becomes important to leave him aside and approach Filmer's thoughts with an open mind. This means that when Filmer makes a statement that seems inconsistent with the Lockean caricature it helps to stop and ask why, and to determine what it is Filmer is saying and doing. To that end, here we remove the Lockean filter and proceed through an analysis of some of Filmer's texts in search of places to which Locke has not pointed us, but that are nonetheless important to take into consideration.

The Anomaly of Peace: Filmer's Rejections of Militarization and the Ontology of War

The first surprise that emerges when we do this is the discovery that Filmer was an opponent of war. Perhaps this is not quite as much of a surprise when we consider that many of his contemporaries would have also been weary of living in dangerous and uncertain times. What sets Filmer apart, however, is that he is opposed to the very idea of a standing army and the need for an enemy. These, he claims, exist only in states with which a head of state has been overthrown in a popular uprising:

Let me give you the cypher of their form of government. As it is begot by sedition, so it is nourished by arms; it can never stand without wars, either with an enemy abroad, or with friends at home. The only means to preserve it is to have some powerful enemy near, who may serve instead of a king to govern it, that so, although they have not a king among them, yet they may have as good a king as a king over them, for the common danger of an enemy keeps them in better unity than the laws they make.¹²⁰

A government in perpetual search of an enemy, whether at home or abroad, cannot be understood by Filmer to be conducting itself in the interests of the preservation of the people. A state "nourished by arms" is falsely held together through the constant threat

¹²⁰ Filmer, *Patriarcha*, 29.

of violence because “if unity in government,” which as we know, Filmer believes is only achievable through monarchy, “be once broken, there is no stay or bounds until it come to a constant standing army.”¹²¹ For Filmer, to live under the constant threat of state-sanctioned militarized (masculine) violence is a necessary by-product of popular government, and “any nation or kingdom that is not charged with the keeping of a king must perpetually be at the charge of paying and keeping an army.”¹²²

If Filmer’s opposition to militarized violence is viewed as originating in more than simply his need to score a rhetorical victory through pointing at a perceived weaknesses of popular sovereignty, it might be considered to be consistent with a possible commitment to the idea that political society, regardless of how it is governed, ought to embrace peace, protection, and preservation rather than war. In his 1652 *Observations on Hobs* the following passage, in which Filmer contests Hobbes’s idea of the condition in the state of nature, Filmer is the most explicit we find him on this topic in all of his works:

But if it be allowed (which is yet most false) that a company of men were at first without a common power to keep them in awe, I do not see why such a condition must be called a state of war of all men against all men. Indeed if such a multitude of men should be created as the earth could not well nourish, there might be cause for men to destroy one another rather than perish for want of food. But [...] there being plenty of sustenance and room for all men, there is no cause or use of war til men be hindered in the preservation of life, so that there is no absolute necessity of war in the state of nature. It is the right of nature for every man to live in peace, that so he may tend to the preservation of his life, which whilst he is in actual war he cannot do. War of itself as it is war

¹²¹ Robert Filmer, “Observations upon Aristotle’s Politiques, Touching Forms of Government, Together with Directions for Obedience to Goverenours in Dangerous and Doubtfull Times,” in Robert Filmer, *Patriarcha and Other Writings*, ed. Johann P. Sommerville, (New York: Cambridge University Press, 1991), 247. Hereafter: Filmer, *Observations*.

¹²² *Ibid*, 248.

preserves no man's life, it only helps to preserve and maintain the means to live. If every man tend the right of preserving life, which may be done in peace, there is no cause of war.¹²³

No doubt weary, as many were, of living in dangerous and uncertain times, Filmer's eschewing of Hobbes's state of war can certainly be read merely as a reiteration of a widely-held sentiment. It can also be seen, however, as a recommendation that the attention of all participants in a political society, including the political leadership, is best focused on tending to the right of the preservation of the community. The obvious contrast here is with his future opponent Locke, who posits that the maintenance of the right to the preservation of property is the best focus for a political community.

In the historical context of Filmer's remarks, which were published at the height of Oliver Cromwell's rule, and the fact that Kent, where Filmer lived in 1652, was "firmly in the hands of Parliament"¹²⁴ this recommendation may be seen to have been directed equally at both the Lord Protector, and at those (royalists) who may wish to challenge the newly-entrenched commonwealth. Suffering from kidney problems¹²⁵ which he likely realized would soon take his life (as they did less than a year later), Filmer's commentary on Hobbesian ontology comes from someone who had likely resigned to the political reality of the day. This is to say that his questioning of Hobbes is not undertaken with a quixotic hope for the re-establishment of monarchy, for it would have seemed like an impossibility for him at the time.

¹²³ Robert Filmer, "Observations Concerning the Originall of Government, Upon Mr. Hobs *Leviathan*, Mr. Milton against *Salmasius*, H Grotius *De Jure Belli*," in Robert Filmer, *Patriarcha and Other Writings*, ed. Johann P. Sommerville, (New York: Cambridge University Press, 1991): 188. Hereafter: Filmer, *Orignall*.

¹²⁴ Laslett, *Ibid*, 5.

¹²⁵ *Ibid*.

In addition to this, what also stands out in this passage is Filmer's opposition to the prefigured need for war. Through the suggestion that we conceptualize the state of nature as peaceful and cooperative, as opposed to antagonistic and anarchical, Filmer subverts both Hobbes's grafting of a hyperbolized version of his contemporary society onto the past and his essentializing of contemporary behaviour and tensions as natural to the (male) human condition. Filmer does not deny that his contemporary society could descend into a war of all against all. How could he have? He had witnessed it happen twice, and the example of Cromwell's wars in Ireland and Scotland likely also loomed large. He does, however, seem willing to wonder what could be possible if an origin story such as Hobbes's allowed for the possibility that individuals in the state of nature had lived more peacefully than his contemporaries.

There is yet something else that should be pointed out with regard to this passage, and it might be seen as one more important fundamental difference between Filmer and Hobbes (and, by extension, Locke). Both Filmer and Hobbes of course agree that the best regime type is absolutist, and this shared belief is traceable to their similar understanding that based on the current circumstances in their society, the doctrine of original popular sovereignty tends to lead to unstable and dangerous conditions, particularly civil war. The well-known primary difference between the two is Hobbes's willingness to cede that there could be a basis for original popular sovereignty, and Filmer's refusal to do the same. But Filmer departs from Hobbes in a second way with his insistence that "war preserves no man's life, it only helps to preserve and maintain the means to live." Physical safety is a genuine concern for both Hobbes and Filmer, but this secondary distinction seems to suggest that Filmer makes his position on this

clearer than Hobbes does in that he may be willing to allow for the possibility that creating the conditions for the preservation of life means more than simply creating the conditions to stay alive.

Filmer also challenges Hugo Grotius (1583-1645) and his positing of the concept of just war as a means through which a sovereign can acquire the consent of the governed. He does this by pointing out the obvious, that war creates misery, especially among the poor, and that when the people are reduced to misery and poverty “they are forced to renounce all right of governing themselves and deliver it to a king.”¹²⁶ Consequently, there can neither be just war nor a legitimate donation of sovereignty to a king through it, because the people would have made their donation out of desperation. For Filmer, “*protection* and *subjection* are reciprocal, so that where the first fails the latter ceaseth.”¹²⁷ A scenario in which protection and subjection are *not* reciprocal cannot, therefore, be the basis for government.

Filmer goes on to confess that he takes “all offensive war to be without a special commission from God,”¹²⁸ leading to the potential conclusion that in his estimation all war that is not engaged in for the protection of a society (defensive war) is unjust, and the resources and ability to wage war must be consistent with this principle. Filmer reserves a special disdain for mercantilist war and war waged for the acquisition of forced human labour and resources.

[I]f the wars of the Romans by which they gained so many servants were unjust, as I take all offensive war to be without a special commission from God, and as I believe all the Roman wars were that were made for

¹²⁶ *Ibid, Originall*, 231.

¹²⁷ Filmer, *Observations*, 285.

¹²⁸ *Ibid*, 262.

the enlargement of the their empire, then we may conclude that the Romans were the notablest plagiaries or men-stealers in the world.¹²⁹

Given his position here, it is odd that Filmer seems ready to condemn the Romans for their reliance on violent mercantilism and slavery, while simultaneously ignoring the mercantilism and violence of his Kentish brethren, many of whom fled to Virginia and to other colonies and prospered with the help of their own violent acquisitions of human labour and natural resources.

He also seems to be uncertain whether he believes if the tendency toward violence that he has identified is inherent to the political character of a popular state, or whether it is attributable to the common people regardless of how they are governed. In *Patriarcha*, Filmer claims that accounts of “the people” of “popular states” reveal them to be, fickle, volatile, and wrongheaded.¹³⁰ But when read through the prism of his claim that “[i]f every man tend the right of preserving life [...] there is no cause of war,”¹³¹ it seems it is rather the effect that popular sovereignty has on a society (“the people”) that is to blame for their poor behaviour and for the potential for violence rather than anything inherent to its members. Whatever the case, a tendency to oppose the potential for violence, including militarized masculine violence, seems detectable in Filmer’s writing.

Seen through Cuttica’s analysis, this tendency in Filmer’s strategy can be attributed to his attempt to counter the rhetoric of the “honest patriots”¹³² like his cousin.

¹²⁹ *Ibid*, 262-263.

¹³⁰ Filmer, *Patriarcha*, 28.

¹³¹ Filmer, *Orignall*, 188.

¹³² Cuttica, *Sir Robert Filmer (1588-1653)*, 116.

Filmer targeted the emotive “language of active parliamentarianism based on [...] republican principles,”¹³³ adopted by this group through attacking its ontological foundations using the “theoretical medium of the family.”¹³⁴

Filmer was to effectively attack Hobbes’ vision of a bellicose state of nature as the precondition of political society. Not only did Filmer identify this scenario with the most damaging to men, but he also emphasised the nurturing role of the family. Foregrounding the pristine place of the familial unit in the construction of the body politic was a strategic means to depict the state of nature as subject to enduring conflict. Contract and consent were thus portrayed on a canvas where misery and violence, individualism and human atomism figured as the only elements of a necessarily desolate political landscape. Conversely, fatherly power governing the household generated harmony. It epitomised the antithesis of the state of general disorder yielded by contractarian views. Fatherly authority and paternal love became the quintessence of monarchical superiority.¹³⁵

A close examination of Filmer’s conception of reproduction, and his position that “*protection* and *subjection* are reciprocal, so that if the first fails the latter ceaseth,”¹³⁶ gives us an opportunity to understand what Cuttica has termed the “quintessence” of Filmer’s patriarchalism. This examination could also lead to the suggestion that Filmer’s version of absolute patriarchal power is not so absolute after all, for it relies on maintaining the conditions for the preservation, protection, and care of those who are subject to it. This position is made most clear in two places by Filmer. They are found first in his discussion of the inseparability of reproduction from the duty to preserve life,

¹³³ *Ibid*, 118.

¹³⁴ *Ibid*, 251.

¹³⁵ *Ibid*, 126-127.

¹³⁶ Filmer, *Observations*, 285.

and the role that this harmonization plays in public and private life alike, and second in the surprising role he believes that preservation plays in political life.

Filmer's Politics of Preservation

In the first chapter of *Patriarcha* Filmer is interested in the distinction Aristotle makes between familial and political life. Quoting from Aristotle, he offers the following.

The community of man and wife differs from the community of master and servant, because they have several ends. The intention of nature, by conjunction of male and female, is generation. But the scope of master and servant is only preservation, so that a wife and a servant are by nature distinguished. Because nature does not work like the cutlers at Delphos, for she makes but one thing for one use.¹³⁷

Aristotle separates the acts of creating life from the preserving of the life created. This is not a separation that Filmer is willing to accept, and he counters Aristotle with his own claim that “generation and preservation [...] agree in the *general*, and serve both for the conservation of mankind.”¹³⁸ Filmer's strategy is carefully crafted:

If we allow this argument to be sound nothing doth follow but only this, that conjugal and despotical communities do differ. But it is no consequence that therefore economical and political societies do the like. For though [Aristotle proves] a family to consist of two distinct communities, yet it follows not that a family and commonwealth are distinct, because, as well in the commonwealth as in the family, both communities are found.¹³⁹

The term economical is used here in its original context and refers to “the art or science of household management, [especially] with regard to the proper organization of

¹³⁷ Aristotle cited in Filmer, *Patriarcha*, 17.

¹³⁸ Filmer, *Ibid.*

¹³⁹ *Ibid.*

domestic resources, [the] domestic economy, [and] housekeeping.”¹⁴⁰ In other words, Filmer is saying that the private realm of the household does not differ from the political realm of the commonwealth—or, that ‘the personal is political’ and the political is personal. His aim in refusing to separate the two can be understood as his way to extend the arbitrary authority of patriarchs beyond the private sphere, and this is what he is most famous for attempting to accomplish. This interpretation takes on a different dimension, however, when we consider the primacy that Filmer gives to the role of preservation, and especially preservation’s harmonization with generation. Preservation and generation “agree in the general” in both the private and public realms. As Filmer advises Aristotle, “nature doth not always make one thing for one use.”¹⁴¹ The peaceful and just harmonization of authority and care ensure both a well-ordered household and a well-ordered commonwealth. Filmer sharpens this formulation in his discussion on usurpation.

In his *Preface to the Two Treatises*, Locke holds up Filmer’s discussion of usurpation as exemplifying his opponent’s “glib nonsense:”¹⁴²

Let him make an experiment in that part [of Filmer’s *Thoughts Upon Aristotle’s Politics*] where he treats usurpation; and let him try whether he can, with all his skill [to] make Sir Robert intelligible, and consistent with himself, or common sense.¹⁴³

But, does Locke’s failure to make sense of his opponent necessarily mean that his opponent does not make sense? Published in the same historical context of Filmer’s

¹⁴⁰ *Oxford English Dictionary*, Online ed. 2015, s.v. “economical.”

¹⁴¹ Filmer, *Ibid.*

¹⁴² Locke, *Ibid.*, 155.

¹⁴³ *Ibid.*, 156.

thoughts on Hobbes, it can be argued that the same pragmatism and resignation to his new political reality found in that text is also evident in Filmer's discussion of usurpation in his *Observations Upon Aristotle's Politiques* (1652). Filmer may have resigned to parliamentary rule, but he did not remain silent on the way in which this new government ought to treat people. This seems to guide his thoughts on usurpation, and reveal him as potentially more concerned with how justly power is wielded rather than who justly wields power. Again, the concept of preservation seems vital to his politics:

Every man hath a part or share in the preservation of mankind in general. He that usurps the power of a superior thereby puts upon himself a necessity of acting the duty of a superior in the preservation over them whom he hath usurped, unless he will aggravate one heinous crime by committing another more horrid [...]. It is to be presumed that the superior desire the preservation of them that should be subject to him, and so likewise it may be presumed that an usurper in general doth the will of his superior by preserving the people by government. And it is not improper to say that in obeying an usurper we may obey primarily the true superior, so long as our obedience aims at the preservation of those in subjection and not at the destruction of the true governor.¹⁴⁴

Before proceeding to analyze Filmer's willingness to make the preservation of the people a necessary condition for legitimate governance, we ought to contend with the fact that in his suggestion that a usurper (Cromwell) may continue to exercise power so long as that power does not lead to the "destruction of the true governor," Filmer attempts to reconcile his political reality with his royalist sympathies. In this way he could be seen as less-than completely resigned to Cromwell's rule, and also guilty of Schochet's charge that he was "dedicated to the executed King and the rights of his

¹⁴⁴ Filmer, *Observations*, 284.

heirs,”¹⁴⁵ because even though Charles I had been hung before his eyes only three years earlier, Filmer stubbornly insists that “divine right never dies nor can it be lost or taken away.”¹⁴⁶ His submission to parliamentary authority is qualified by his belief that a currently disembodied divine right somehow enables it. This is perhaps what Locke was pointing to as the example of his opponent’s “glib nonsense.”

Locke’s confusion can also be seen to lie in Filmer’s preceding claim “that in obeying an usurper we may primarily obey the true superior.” The confusion is cleared-up, however, when we realize that for Filmer, the maintenance of the conditions for preservation and protection is paramount. Filmer’s case for a preservative society in which everyone “hath a part or share in the preservation of mankind in general,” is realized through a superior power that creates and maintains the conditions to make this preservation possible. He is both worried about and also realizes the inevitability of the tendencies of the ambitious to compete for political power. In this way, he seems willing to suggest that the legitimate use of that power falls not necessarily to an individual (or group of individuals) possessing certain leadership or inherited qualities, but rather to an individual (or group of individuals) who can do the best job satisfying his test of preservation.

Preservation and the Potential for Peaceful Resistance

This test of preservation is also built into what might be considered two Filmerian formulae for legitimate political resistance which, unsurprisingly, do not provide a right to violent revolution. Filmer does, however, provide a right to stoic

¹⁴⁵ Schochet, *Op. cit.*, 158.

¹⁴⁶ Filmer, *Ibid.*, 282.

peaceful resistance and the right to flee an unjustly governed state. Quoting from one of his favourite sources, Jean Bodin (1530-1596), Filmer offers that

[I]lawful it is, not to obey [a tyrant] in things contrary to the laws of God, to fly and hide ourselves from him, but yet to suffer stripes, yea and death also, rather than attempt anything against his life and honour.¹⁴⁷

Stoically suffering beatings and potential death under a tyrant hardly seems like an ideal formula for resistance. It is important to recall, however, how intricately tied to scripture nearly all of Filmer's arguments are. The paragraphs that precede this passage are further quotations from Bodin outlining biblical examples of how one ought to negotiate and respond to wrongful government without committing more violence, including how David responded to the murder of Saul.

And at such time as Saul was slain, and that a soldier thinking to do David a pleasure, presented him with Saul's head; David caused the same soldier to be slain, which had brought him the head, saying "Go thou wicked, how durst thou lay they impure hands upon the Lord's anointed? Thou shalt surely die therefore."¹⁴⁸

It is also important to consider the source of these citations, as they may not provide the most complete picture of Filmer's thoughts on political resistance. They are found in *The Necessity of the Absolute Power of all Kings* (1648), which has been attributed to Filmer, but has been revealed by Sommerville to consist "entirely of quotations from Richard Knolles' 1606 translation of [Bodin's] *Les Six Livres de la Republique*."¹⁴⁹ The work is an odd addition to Filmer's oeuvre by his modern commentators and critics

¹⁴⁷ Bodin cited in Robert Filmer, "The Necessity of the Absolute Power of all Kings: And in Particular of the King of England," in *Patriarcha and Other Writings*, ed. by Johann P. Sommerville, (Cambridge: Cambridge University press, 1991), 182. Hereafter: Filmer, *Necessity*.

¹⁴⁸ Bodin, in *Ibid.*

¹⁴⁹ Johann P. Sommerville, Introductory commentary, *Patriarcha and Other Writings* (Cambridge: Cambridge University Press: 1991), 172.

because it cannot really be said to reflect his own thoughts. Published shortly after he was released from prison, the work may have been an exercise in note-taking for the imprisoned writer. Nevertheless, we can conclude that because it was Filmer who published the work, what he chooses to quote from Bodin is likely reflective of what he may have thought to be important in his texts. The passages about resistance to tyranny show that Filmer was at least aware that this was a theoretical challenge to his recommendation for absolutism. Thus his offering of these passages from Bodin can be seen as a partial response to that challenge. Thankfully, at the end of his thoughts on Aristotle, Filmer unbinds himself from Bodin and provides his own, far less grim, options for resistance.

Sommerville has pointed out that Filmer's philosophy can be seen as partly shaped by the likes of Hadrian de Saravia and others from the continent.¹⁵⁰ Continental Christianity placed far greater emphasis on peaceful resistance. This included a devotion to upholding the commandment not to kill; an adherence that might have appealed to Filmer's sensibilities. As noted earlier, by linking Filmer to these ideas, "Sommerville decidedly modified the Filmerian scholarly canon. By focusing on the milieu in which Filmer wrote and by connecting his writings to continental political debates, he has provided the platform for new research"¹⁵¹ and understandings of both the man and his works. Informed by this insight, and also by the argument made here that Filmer seems willing to privilege the preservation of life over nearly all political and social priorities,

¹⁵⁰ See J. P. Sommerville, "Richard Hooker, Hadrian Saravia and the Divine Right of Kings," *History of Political Thought*, 4 (1983): 229–45.

¹⁵¹ Cesare Cuttica, "Sir Robert Filmer (1588–1653) and the Condescension of Posterity: Historiographical Interpretations," *Intellectual History Review*, 21, no. 2, (2011): 207.

a right to non-lethal resistance would seem to be important to him; and so it is not a surprise to see it sketched out in his writing.

“For in things necessarily good,” Filmer says “God is immediately obeyed, superiors only by consequence. If men command things evil, obedience is due only by *tolerating* what they inflict, not by *performing* what they require.”¹⁵² This position seems to reflect not only the Christian ethics of ‘turning the other cheek’ and ‘giving to Cesar what is Cesar’s, and to God what is God’s,’ but also the arguments for resistance encountered in the 1550 *Magdeburg Confession*. In this text, a group of German priests and magistrates detailed their reasons for peaceful and steadfast resistance to the imposition of Catholicism by the Holy Roman Emperor. The Confession made it clear that “all Christians were responsible to intervene when [...] a community is ravaged by a criminal tyrant,” but it “stopped short of arguing that each and every Christian member of the community could and should seek the violent overthrow of tyrants,”¹⁵³ opting instead to posit a “more structured response”¹⁵⁴ of social consultation to determine the “best means and measures” to deal with the tyrant.¹⁵⁵ Although there is no evidence that Filmer may have been informed by this particular text when formulating his own concept of resistance as tolerance in opposition to performance, Sommerville’s linking of Filmer to continental philosophy makes it possible to imagine that the ideas present in texts

¹⁵² Filmer, *Observations*, 286.

¹⁵³ John Witte, *The Reformation of Rights: Law, Religion, and Human Rights in Early Modern Calvinism*, (Cambridge: Cambridge University Press, 2007): 112-113.

¹⁵⁴ *Ibid.*

¹⁵⁵ *Ibid.*

such as the *Magdeburg Confession* may have played a part in the formation of his political thought.¹⁵⁶

Remarkably, in dealing with the question of political resistance Filmer seems less preoccupied with his case against popular sovereignty. This lack of preoccupation is perhaps because when considering how justly power is wielded he is more concerned with the safety and preservation of the community and its members. The identity of the head(s) of the community, or how that head is chosen or arrives at being head, means little to him in this context. It is no wonder that this position would be confusing for Locke who, while writing the *First Treatise*, was at least peripherally, if not intimately, involved in a plan for regime change to which the particular identity of the head of state was essential for its success. But far from being all “glib nonsense,” Filmer’s advice on war, usurpation, and political resistance makes the most sense when understood within his doctrine of a preservative political society that seeks to create the conditions for the protection of both its citizens and its leadership.

Conclusion

This chapter has been dedicated to an analysis of Filmer’s works in an attempt to draw attention to what Locke ignored in them. Through his apparent willingness to give the concepts of preservation and protection a prominent place in the public life of the polity, Filmer reveals himself as much more than a “monstrously sycophantic and stupid personality.”¹⁵⁷ His recommendation for political power in the form of what

¹⁵⁶ For an extensive account of books and other writings which belonged to Filmer, see “Appendix 1: The Treasury of the Scholar,” in Cuttica, *Op. cit.*, 251-253.

¹⁵⁷ Peter Laslett, “Sir Robert Filmer: The Man versus the Whig Myth,” *The William and Mary Quarterly*, Third Series, 5, no. 4 (1948): 525.

Cuttica has called a “patriotic monarch” has taken shape. Filmer’s rejection of the inherent violence and self-interest of the Hobbesian account of the state of nature, and his opposition to violent resistance and militarization sheds light on what is a rather sophisticated and complex position on a need for reciprocity between political authority and the conditions for the preservation of life in the political community. Did Locke simply overlook these aspects of his chosen opponent’s philosophy? Or is there something in the anatomy of Locke’s arguments against Filmer, and indeed something about Locke’s own relationship to patriarchal power, that may suggest something else? The next chapter pays particular attention to Locke’s choice in the *First Treatise* to attack the masculine comportment of Filmer’s patriarchalism. It also brings to bear some important facts from Locke’s life and experiences of patriarchal masculinity.

Chapter Four Locke's "domineering phantom"

In order to accept Locke's position in the *First Treatise*, and to a certain, but far lesser extent the *Second*, one must take seriously his caricatured version of Filmer's patriarchalism. But this is made difficult for a critical reader who pays attention to what Locke either ignores, or seems deliberately to misrepresent and mistreat in his opponent's texts. As a consequence, it is the "domineering phantom" and not Filmer's "universal fatherly care" which becomes Locke's chief vehicle for describing Filmer's ideal of the masculine comportment of political authority. The success of Locke's refutation has meant that the metaphor has stood the test of time, somewhat obscuring an understanding of the role that it has played in the history of modern Anglo-American political thought, and the gendered construction of masculinity that undergirds and supports it. This chapter will contemplate Locke's metaphor of the "domineering phantom," while testing it against Filmer's texts.

The Cannibalistic & Filicidal Filmerean Patriarch

A great deal of Locke's arguments in the *First Treatise* seem to aim not at legal and rational arguments refuting absolute sovereignty, but instead at the construction of a monstrous image of patriarchal power. His efforts reach a fever pitch when discussing what appears to be Filmer's endorsement of a father's right either to kill, or to sell his children into slavery:

They who allege the practice of mankind for exposing and selling their children, as a proof of their power over them, are with Sir Rob happy

arguers, and cannot but recommend their option by founding it on the most shameful action and most unnatural murder.¹⁵⁸

Locke is drawing on Filmer's citing in *Patriarcha* of Judeo, Persian, Roman, Gaullist, and indigenous American practices ("the laws of all the West Indies"),¹⁵⁹ as a means to demonstrate that "parents have power of life and death over their children."¹⁶⁰ Filmer's aim in this argument is to refute what was to him an erroneous contention that at some undetermined point, children spontaneously "become free" from parental authority.¹⁶¹ Famously, Filmer raises the example from Roman history, originally used by Bodin, of Cassius, who, after discovering that his adult son had supported the *Lex Agraria* to redistribute land from the wealthy to the poor, threw his son "down from the Tarpeian rock" killing him in front of the "magistrates and people standing thereat amazed and not daring to resist his fatherly authority."¹⁶²

Filmer's, (through Bodin's), use of this infamous filicide proves an easy target for Locke who reads this passage as his opponent's advocacy for the "most shameful action and most unnatural murder." However, Locke's interpretation depends for its authority on the assumption that Filmer was arguing that the right of fathers to execute their children is a right which he believed should exist with impunity in his current society. Even if there was a legitimate debate in seventeenth-century England over this issue, how does Locke's assumption and this reading of Filmer's use of this example square with the latter's assertion that in his current society, those who he believes should

¹⁵⁸ Locke, *Ibid*, 198-199.

¹⁵⁹ Filmer, *Patriarcha*, 18.

¹⁶⁰ *Ibid*.

¹⁶¹ *Ibid*.

¹⁶² *Ibid*.

hold political power—the patriarchs—ought “to extend [their] care to preserve, feed, clothe, instruct and defend,”¹⁶³ all members of that society?

Laslett has described early- to mid-seventeenth-century Kent, the environment in which Filmer originally composed *Patriarcha*, as an “intellectual society:”

Which was why Sir Robert Filmer wrote his theory of politics for his companions in the manor houses, not for publication in London. In fact in his county in his time something like a dispersed university could be said to have been in existence, whose research workers found their material not simply in their own libraries of classical and scriptural authorities, but also in their own boxes of title deeds.¹⁶⁴

Given this historical context, it seems unlikely that Filmer was advocating a parent’s right to revanchist filicide. It is potentially a more accurate interpretation to consider that he was pointing to an extreme example of what he saw as the historical durability of paternal authority, and that this is done as a means to counter an argument (in this case, an argument from Suarez), for the natural freedom of children. Locke shows us in other places, and in far sharper ways, that it was not necessary to render Filmer a child-murderer in order to refute the dubious position that children are perpetually subjected to parental authority. But insisting that Filmer believed these examples of history had applicability in contemporary times¹⁶⁵ served Locke’s purpose of furthering the

¹⁶³ *Ibid*, 12.

¹⁶⁴ Peter Laslett, *The World We Have Lost*, (New York: Charles Scribner’s & Sons, 1965), 182-183.

¹⁶⁵ The tendency to credit Filmer with the celebration of Cassius’ brutality in this passage and to insist, as Locke did, that Filmer was an advocate for filicide has also stood the test of time. In his introductory commentary to Filmer, Sommerville credits Filmer with being “fond of telling the story” (xxii), even though the story appears only twice in Filmer’s writings—once in his unpublished manuscript *Patriarcha*, and again in his *Observations on Aristotle’s Politics*, in an almost verbatim recitation of the unpublished version from earlier. In Sommerville’s footnote accompanying the tale in *Patriarcha* (18), he tells us that “some early modern theorists” believed this ancient right to filicide “continued to bind,” but he stops short of saying explicitly that Filmer was among these theorists. As of this writing, an intriguing personal photograph of the Tarpeian Rock figures quite prominently on Sommerville’s personal website, perhaps

construction of his “domineering phantom.” It also facilitated another incredible claim about his “odd and frightful”¹⁶⁶ patriarchal caricature.

But if the example of what hath been done, be the rule of what ought to be done, history would have furnished our [author] with instances of absolute fatherly power in its [height] and perfection, and he might have [showed] us in Peru, people that begot children on purpose to fatten and eat them.¹⁶⁷

Locke goes on to cite at length Garcilaso de la Vega’s (1539-1616) *Commentarios Reales de Las Incas* (1609) in which de la Vega, the *mestizo* son of a conquistador noble and an Incan princess, recounts oral histories of ritualistic cannibalism supposedly related to him as a child by Inca relatives. The adult de la Vega’s recounting of these stories for his occidental audience can be understood as belonging to a body of sensationalized accounts from the far reaches of the Americas that were quite popular throughout the sixteenth and seventeenth centuries in Europe. For their rhetorical power, these tales often relied upon such things as accounts of cannibalism and rituals involving giants and ambiguously-sexed individuals.¹⁶⁸ Throughout the century they served several discursive purposes, and among them was the demarcation from, and safeguarding of, European and Christian superiority over the indigenous cultures and spiritualities being encountered in the Americas. In the late seventeenth-century English imaginary, therefore, the cannibal in the far reaches of the Andean jungle was the polar

suggesting that it may be Sommerville, and not Filmer, who is fonder of telling the story. See <http://faculty.history.wisc.edu/sommerville/367/367-043.htm>

¹⁶⁶ Locke, *Ibid*, 164.

¹⁶⁷ *Ibid*, 199-200.

¹⁶⁸ For an analysis of the representation of the ‘other’ in early modern European textual and visual cultures see Lauren Beck, *Transforming the Enemy in Spanish Culture: The Conquest Through the Lens of Textual and Visual Multiplicity*,” (Amherst, NY: Cambria Press, 2000).

opposite of the English gentleman, and Locke's equation of his opponent with the former is perhaps his most perverse attempt to render both him and his ideas of manhood as monstrous.

Locke does a compelling job convincing his reader that Filmer's grant of original sovereignty to Adam, and subsequently to Noah and his sons, is nothing but fantasy. Yet at times he seems haunted by the possibility that his reader may still find something compelling in Filmer's argument, and so he seems willing to hyperbolize his "domineering phantom" and "odd and frightful figure" as the worst kind of monster. Though he had previously done a thorough job convincing his reader that it was fantastical, Locke reasserts Filmer's position that Adam and his descendants were given divine dominion over all in order to accuse of Filmer of advocating for mass starvation.

The most specious thing to be said is, that he that is proprietor of the whole world, may deny all the rest of mankind food, and so at his pleasure starve them, if they will not acknowledge his sovereignty, and obey his will.¹⁶⁹

This seems to suggest that Locke is willing to believe, and would like his reader to believe, that the political authority which Filmer has in mind would starve a society into submission. In this case, clearly he is attempting to further his construction of patriarchal authority as tyrannical and violent. If there is any lingering doubt about this extreme claim, rather than provide his own example of a food-hording tyrant, Locke orders his reader to "look into the absolute monarchies of the world, and see what becomes of the conveniences of life and the multitudes of people."¹⁷⁰

¹⁶⁹ Locke, *Ibid*, 187.

¹⁷⁰ *Ibid*, 188.

Ironically it was Filmer, in the pages of *Patriarcha*, who did just this thing and looked into the histories of some absolute monarchies and popular states in order to determine to what degree both absolute and popular authority was deployed in cruel ways. His findings are remarkable, and it is no wonder that they form part of the body of Filmer's thought which Locke chose to ignore in pursuit of his commitment to the "domineering phantom." According to Filmer:

[m]any have exercised their wits in paralleling the inconveniences of regal and popular government [...]. The way then to examine what proportion the mischiefs of sedition and tyranny have to one another, is to enquire in which kind of government most subjects have lost their lives. Let Rome, which is magnified for her popularity and vilified for those tyrannical monsters the emperors, furnish us with examples. The murders by Tiberius, Caligula, Nero, Domitian and Commodus, put all together, cannot match that civil tragedy between Maris and Sulla.¹⁷¹

Filmer recounts the recording by the Roman historian Plutarch of the violence of the democratically-chosen dictator Sulla, who "fell to shedding of blood, and filled all Rome with infinite and unspeakable murders."¹⁷² His argument here is quite nuanced because he acknowledges the possibility that he might be seen to be minimizing the violence of tyrants and confesses that "I cite not this to extenuate the bloody acts of any tyrannical princes, nor will I plead in defence of their cruelties."¹⁷³ Instead, he claims to cite these examples "in the comparative"¹⁷⁴ as a means to distinguish between the cruelties meted out by regimes of both popular and absolute sovereignty. This evidence convinces him that the "mischiefs to a state [are] less universal under a tyrant king; for the cruelty of

¹⁷¹ Filmer, *Patriarcha*, 29.

¹⁷² *Ibid*, 29-30.

¹⁷³ *Ibid*, 30.

¹⁷⁴ *Ibid*.

such tyrants extends ordinarily no further than to some particular men that offend him, and not to the whole kingdom.”¹⁷⁵ He then extends his analysis into English history with examples that he believes demonstrate that the ability to remove monarchs and heads of state, so central to contract theory, has tended to be used in violent and unjustified ways. In particular he points to Edward II and Richard II, who Filmer claims “were not insupportable either in their nature or rule, and yet the people, more upon wantonness than for any want, did take an unbridled course against them.”¹⁷⁶ The reference to Edward II cites the monarchist John Hayward (1560-1627), who in his *An Answer to the First Part of a Certain Conference* (1603) observes that the consensus in English history at that point was that Edward II was

of a good and virtuous nature and not unlearned, imputing his defects rather to fortune, than either to counsel or carriage of his affairs. His deposition was a violent fury, led by a wife, both cruel and unchaste, and can with no better countenance of right be justified, than may his lamentable both indignities and death, which thereupon did ensue.¹⁷⁷

While one can certainly take issue with Hayward’s (and Filmer’s) characterization of Edward’s wife Isabella as “cruel and unchaste” for refusing to live in conjugal misery, it is clear from Hayward’s words that even in 1603 Edward II was a high-profile victim of anti-gay violence. His victimization was immortalized in Christopher Marlowe’s 1592 play, and that Filmer cites the episode as an example of the violent tendencies of popular rule should not go ignored; for it is one more thing that

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*, 33.

¹⁷⁷ Hayward cited in *Ibid.*, 33.

is largely inconsistent with the position Locke seems willing to take-up: that Filmer's ideal of masculinity for political society is of a cruel and invulnerable variety.

Filmer argues that his history reveals "natural reason"¹⁷⁸ as the guiding force for the comparatively less violent character of absolute authority versus popular authority.

It is the multitude of people and the abundance of their riches which are the only strength and glory of every prince, if not out of affection to his people, yet out of natural love to himself, every tyrant desires to preserve the lives and protect the goods of his subjects.¹⁷⁹

While one may understandably balk at Filmer's positing of this version of tyranny, and maybe even his versions of these Roman and English histories, it is quite remarkable that he points to "affection" and "natural love," (even if it is only self-love), as well as a kind of interdependence between government and citizen, as a source of social cohesion. In his estimation, these forces are absent in popular governments, and in a strikingly Hobbesian account of political (but not pre-political) society, he tells us that "in a popular state every man knows that the public good doth not depend wholly on his care, but the commonwealth be well enough governed by others though he tend only to his private benefit."¹⁸⁰ The individual in popular states says Filmer "never takes the public to be his own business,"¹⁸¹ perhaps unwisely comparing the myopic self-interest he has identified with a scenario in which household servants, only knowing their own tasks and tending only to them, run the risk of leaving "business for [their fellows] until it is quite neglected by all."¹⁸² Far from it being a "pleasure to starve" the governed,¹⁸³

¹⁷⁸ Filmer, *Ibid*, 31.

¹⁷⁹ *Ibid*

¹⁸⁰ *Ibid*.

¹⁸¹ *Ibid*.

¹⁸² *Ibid*.

¹⁸³ Locke, *Ibid*, 187.

for Filmer political power should inject the public sphere with “affection” and “natural love.” To consider the absence of these things in Locke, and to contemplate the role they play in the contest of masculinities under consideration here, it is helpful to turn to Laslett once again.

In his commentary on the *Second Treatise*, Laslett claims that “[w]e may look on [Locke’s] intention as being to lay down a doctrine [...] which we shall call that of natural political virtue.”¹⁸⁴ Laslett uses this doctrine, which he has extrapolated from Locke’s text, to credit the philosopher with an epistemological basis for political obligation. “The doctrine of natural political virtue goes some way,” claims Laslett “to justify in ethical terms Locke’s rather perfunctory defence of majority rule in mechanical terms.”¹⁸⁵ With this abstraction of a “doctrine of natural political virtue” Laslett seems to want to save Locke from his “mechanical” view of political society by positing that Locke had in mind a “virtue which we all possess [that] is outward-facing [and] [...] ‘other-regarding’.”¹⁸⁶

Interjected into this discussion on Locke’s supposedly others-centred doctrine, however, is Laslett’s insight that Locke “does not base social life on love and sociability to any extent, for his rejection of patriarchy made it difficult.”¹⁸⁷ Implicit in this observation is that if Locke had been willing to allow for some of the best parts of Filmer, he would not have needed such an elaborate abstraction—which it should be noted, is really Laslett’s abstraction—in order to provide a motivation for political obligation.

¹⁸⁴ Laslett, *Op. cit.*, 108.

¹⁸⁵ *Ibid.*, 109.

¹⁸⁶ *Ibid.*

¹⁸⁷ *Ibid.*

Thus, Locke's rejection of Filmer's patriarchalism did not need to rely on an accordant rejection of a role for affection and love in public life and the construction of a monstrous meaning of manhood.

Locke's positing of a "domineering phantom" as the vehicle for patriarchal power seems commonplace and unremarkable to the modern reader. After all, the terms patriarchy and patriarch have fixed meanings in our modern understanding, and have become synonymous with the arbitrary, unjust, and often coercive and violent exercise of power by men, especially over women. Modern patriarchy is also believed by some to trace its origins to "Filmer and seventeenth-century patriarchal political thought [as] [progenitor] of the world we are still seeking to overthrow."¹⁸⁸ In her *The Patriarch's Wife*, Margaret Ezell takes a contrasting perspective:

Scholars have used the term "patriarchal" freely to describe any social environment that is perceived as hostile to independent activities of women in spheres other than traditional domestic, nurturing roles. This use of the term is based largely on a notion of how families were governed in the past. This sense of patriarchalism as a historical condition is the backbone of much feminist criticism, a potent force in modern literary and social studies [...]. Given this theoretical base, if one is to continue in literary, historical, and social studies defining current situations in terms of the past, if the object is indeed to change the present by understanding the patterns of history, then it becomes essential to have as accurate an impression as possible of those earlier domestic models.¹⁸⁹

¹⁸⁸ Gordon Schochet, "Models of Politics and the Place of Women in Locke's Political Thought," in *Feminist Interpretations of John Locke*, eds. Nancy J. Hirschmann and Kirstie McClure, (University Park, PA: Pennsylvania State University Press, 2007), 137.

¹⁸⁹ Margaret Ezell, *The Patriarch's Wife: Literary Evidence and the History of the Family*. (Chapel Hill, NC: University of North Carolina Press, 1987), 3

Ezell contends that the modern understanding of patriarchy as it was practiced in seventeenth-century England is historically inaccurate and has consequently misinformed how it is understood in the present, and what can be learned from it for the future. Her analysis points to a wide gulf between the theory and the practice of patriarchal social relations, and she questions the validity of interpreting patriarchy as a closed system which was faithfully adhered to by all. Sceptical of the notion that “one set of individuals [patriarchs] [could] so thoroughly impose a philosophy that diminishes and restricts another group,”¹⁹⁰ she asks if a more accurate understanding of seventeenth-century England would genuinely reveal it to be a “society of submissive, deferential, opinionless females whose quietude was ensured by their ignorance and a hostile legal system?”¹⁹¹

Scholars interested in a critical understanding of the history of Anglo-American masculinity might ask similar questions. Were the men of seventeenth-century English domestic, social, and political societies all predestined to be “domineering phantoms”? Or, as Shepherd has contended, was there a “range of male responses to patriarchal imperatives?”¹⁹² Answering these questions has the potential to render Locke’s “domineering phantom” as something more than a rhetorical straw man used to defeat his opponent. In addition to the close filial connection with his patron Lord Shaftesbury, in his long friendship with Edward Clarke Locke came to know a father who was emotionally and intellectually committed to the well-being of his family. Later, Locke

¹⁹⁰ *Ibid.*, 8.

¹⁹¹ *Ibid.*

¹⁹² Alexandra Shepherd, *Meanings of Manhood in Early Modern England*, (Toronto: Oxford University Press, 2003), 6.

would live out his last days and enjoy the generosity and friendship of Francis Masham, whose wife Damaris was unusually affectionate for the philosopher. Arguably the predominant examples of patriarchal power in Locke's life during and after the time in which he wrote *The First Treatise* were in sharp contrast with his "domineering phantom called the fatherhood." What, then, made it such a resonant metaphor for him?

Locke's experiences of "odd and frightful" patriarchy

Skinner has remarked on the methodological possibilities inherent in augmenting a historical study of a thinker and his texts through deploying innovations in modern analytical tools in our efforts to enhance understanding of our intellectual history.

[W]e are bound to employ what we believe to be the best available explanatory theories and the concepts embodied in them [...]. [O]ur stock of social explanations has become enriched over the course of recent centuries. If we believe, for example, that Freud's concept of the unconscious represents one of the more important of these enrichments, we shall not only want to do our best to psychoanalyse the dead, but we shall find ourselves appraising and explaining their behaviour by means of concepts that they would have found, initially at least, completely incomprehensible.¹⁹³

Remarkably, Skinner seems willing to open the door to the application of the tools of Freudian psychoanalysis. Unsurprisingly, one of the first to embark on such an exercise was Sigmund Freud himself. In his *Leonardo da Vinci: A Study in Psychosexuality* (1916),¹⁹⁴ Freud declares that "none is so big as to be ashamed of being subject to the laws which control the normal and morbid actions with the same strictness."¹⁹⁵ Freud focused on how early sexual experiences impacted the life and work, and were (he

¹⁹³ Skinner, *Op. cit.*, 50.

¹⁹⁴ Sigmund Freud, *Leonardo da Vinci: A Study in Psychosexuality*, translated by A.A. Brill, (New York: Vintage, 1947).

¹⁹⁵ *Ibid*, 3-4.

argued) indeed responsible for da Vinci's greatness. Freud's position was that da Vinci was not born da Vinci, and that when contemplating our intellectual past, we "easily forget that, as a matter of fact, everything in our life is an accident."¹⁹⁶ If we apply this same logic to Locke—that he was not born Locke—then we can open up a space to consider how the events of his life helped to shape his life's work in profound ways. This allows the application of a psychoanalytic approach to Locke's "domineering phantom" aimed at analyzing it with an eye to revealing why, despite having the situated practical knowledge that patriarchal domestic relations commonly operated far differently in practice than in theory, he reached for his metaphor anyway. Did Locke really believe that patriarchal power was always "odd and frightful"? A look at his past, and especially his experiences at the hands of arbitrary patriarchal power, has the potential to make us "confident that we have identified what [he] believe[d]" about patriarchal power, and able to "explain why [he] believe[d] it."¹⁹⁷

For most of his young life Locke was an unfortunate victim of the exercise of cruel and arbitrary power in the hands of men that he was supposed to have loved, revered, and respected. Cranston remarks that Locke's father was a "stern unbending, taciturn man not perhaps without a touch of sadism in his nature,"¹⁹⁸ and goes on to cite a letter from Locke's confidant and intimate friend Damaris Cudworth Masham, which suggests that the treatment he received from his father left a lasting impression on him.

[His] father used a conduct towards him when young that he often spoke of afterwards with great approbation. It was that of being severe to him by keeping him in much awe and at a distance whilst he was a boy, but relaxing still by degrees of that severity as he grew to be a man, till he

¹⁹⁶ *Ibid*, 121.

¹⁹⁷ Skinner, *Ibid*.

¹⁹⁸ Maurice Cranston, *John Locke: A Biography*, (Toronto: Longmans, Green and Company, 1957), 12.

being become capable of it, he lived perfectly with him as a friend. And I remember on this occasion he has told me that his father after he was a man, solemnly asked his pardon for having struck him once in passion as a boy, his fault not being equal to that correction.¹⁹⁹

Masham's observations are consistent with Locke's own advice first to Clarke in a private letter, and later to the whole of English society in the form of his *Some Thoughts Concerning Education* (1693).

Would you have your son obedient to you when past a child? Be sure then to establish the authority of a father, as soon as he is capable of submission, and can understand in whose power he is. If you would have him stand in awe of you, imprint it in his infancy; and, as he approaches more to a man admit him nearer you your familiarity; so shall you have him your obedient subject (as is fit) whilst he is a child, and your affectionate friend when he is a man. If therefore a strict hand be kept over children from the beginning, they will in that age be tractable, and quietly submit to it, as never having known any other: and if, as they grow up to the use of reason, the rigour of government be, as they deserve it, gently relaxed, the father's brow more smoothed to them, and the distance by degrees abated: his former restraints will increase their love, when they find it was only a kindness for them, and a care to make them capable to deserve the favour of their parents and the esteem of every body else.²⁰⁰

Cranston comments wryly on Locke's revision and editing of his childhood memories, offering that "possibly his own father's 'restraint and discipline' seemed less agreeable to Locke as a boy than to Locke as a middle-aged bachelor."²⁰¹ Speaking from apparent experience that being in awe of a father's coldness and potential for violence makes children "tractable," Locke seems ready to suggest that this tactic be deployed

¹⁹⁹ *Ibid.*

²⁰⁰ John Locke, "Some Thoughts Concerning Education," in *The Works of John Locke in Nine Volumes: Volume Eight*, (London: Longman and Company, 1824), 34.

²⁰¹ Cranston, *Ibid.*

universally in order to ensure adult men are docile and more apt to submit to government. In this way, a cold and uncaring masculinity and an internalized threat of masculine violence become essential elements in the formation of Locke's ideal (male) citizen.

Locke's experiences of violent and coercive masculinity continued during his career at the Westminster School, where he came under the authority of the notoriously sadistic headmaster Richard Busby. While there is no evidence that Locke was ever a direct victim of Busby's punishments and severity, all indications are that the environment at the school was one which was permeated with the constant threat of masculine violence. Five years after Locke had left the school, a two year-long conflict emerged between Busby and the school's Second Master, Edward Bagshaw. Bagshaw came out on the losing end of the conflict,²⁰² but not before writing a remarkable parting letter, preserved in the Muniments at Westminster Abbey, to one of the school's governors.

Sir,

Though I am now preparing for my departure, and utterly quitting all [responsibility] of a Master to the scholars here, yet I cannot but [retain] the duty which in friendship and humanity I owe them. I do therefore think my self obliged in conscience humbly to inform you, that one Mr. Gali (employed here for some time by Mr. Busby to teach) has very much abused and injured many of the scholars in the lower forms, by inhumane beating and boxing them, to the great danger and discouragement of those poor youths who have now no other hopes of redemption, but that they may expect from your favourable mention.

²⁰² For an account of the conflict, and Bagshaw's attempts in the wake of it to sound the alarm over the "Liberty of Whipping to such an Excess and Extravagance of severity" at the Westminster School, see G.F. Russell Baker, *Memoir of Richard Busby D.D (1606-1695): With Some Account of Westminster School in the Seventeenth-Century*, (London: Lawrence and Bullen, 1895), especially "Chapter IV: Bagshawe's Quarrel with Busby," and "Chapter V: School Life at Westminster in the Seventeenth-Century."

Such severity, in the worst sense, has been long the great and crying shame of the this place; but that a stranger and one not at all entrusted by the honourable Governors should practise such cruelty, as the particulars herewith enclosed mention, is both my grief and my wonder; and it were better the school were in flames indeed as of late it has been but in a pretended one, than such inhumane practises should be any longer continued in it. If I seem to speak too much I humbly desire that my compassion for those, who were once my scholars, and my case for a thorough reformation of this barbarous licence may explain for and provide the Pardon of,

your most humble and most obedient servant

Edward Bagshaw

May 27, 1658²⁰³

Though five years had passed between Bagshaw's note and Locke's tenure at the school, the Second Master's revealing that "Mr. Gali" had been in his role for "some time" ostensibly as a teacher, but in reality as a "domineering phantom" charged by Busby with torturing the youngest, and apparently the poorest boys, is quite revealing.

If this was the kind of environment in which Locke had spent some of the most formative years of his manhood it would have had a profound effect on him and his later writing. Indeed after Locke's death those closest to him reflected on the tragically predictable problems encountered by adult survivors of violence suffered during childhood and adolescence. Pierre Coste—who Locke had searched long and hard for to be tutor to his chosen heir Francis Masham—told Locke's mourning public that the great philosopher was "naturally somewhat choleric,"²⁰⁴ and Lady Masham shared more

²⁰³ Letter, Edward Bagshaw to Normand Pimington, 27 May 1658, WAM 43077, Muniments at Westminster Abbey, Westminster Abbey, London.

²⁰⁴ Cranston, *Ibid*, 438.

intimately that “[t]he passion” her close friend and confidant “was naturally most prone to was anger.”²⁰⁵

Men’s violence is certainly not the dominant recommendation in *Some Thoughts Concerning Education*, nevertheless, there is evidence to suggest that Locke himself was convinced that it was a necessary component of the proper formation of masculinity. In a letter to Clarke about his son (any trace of which is left out of *Some Thoughts*) Locke, who had agreed to allow the younger Clarke stay with him in the hopes of solving the boy’s apparent difficulties deferring to his tutor, seems to confess, or at least strongly suggest, that he has resorted to beating the boy in his efforts.

I know not whether there be not some cunning in it for fear I should represent matters soe to you that I should incline you to send him to Westminster Schoole, of which and the discipline used there I have given him such a representation that I imagin he has noe great likeing to it.²⁰⁶

In this troubling letter Locke goes on to explain what he believes should happen if the boy’s “mixture of laziness and contempt”²⁰⁷ persists after his visit, and tells his friend and his wife to look to “Westminster or some other very severe schoole, where if he where whipt soundly whilst you are looking out an other fit Tutor for him he would perhaps be the more pliant and willing to learne at home afterwards.”²⁰⁸ To be clear, Locke would certainly not have been unique in his views on corporal punishment. Additionally, this letter does come at the end of a series of letters addressing the many

²⁰⁵ *Ibid.*

²⁰⁶ Letter 1471, John Locke to Edward Clarke, 26 February 1692, in *The Correspondence of John Locke: Volume V*, edited by E.S. deBeer, (Oxford, Clarendon Press, 1979), 396-398.

²⁰⁷ *Ibid.*, 396.

²⁰⁸ *Ibid.*, 397.

challenges the younger Clarke posed for his parents, his tutors, and Locke.²⁰⁹ In that way, his advice may have been offered in exasperation on the part of a friend and advisor to equally exasperated parents. What is most remarkable about it though, is the apparent proof that Locke's experience under Busby, as well as his father, stayed with him throughout his life. As Freud observed about da Vinci, "taken altogether, one can no longer entertain any doubt about the precise importance of our first years of childhood."²¹⁰ Thus it can be argued from this perspective that the "domineering phantom" in Locke's pages is a product not of Filmer's texts, but of his future opponent's troubled imagination.

Conclusion

So far we have considered that Locke chose to ignore the preservative and affective elements of Filmer's philosophy. We have also examined how Locke rhetorically displaced Filmer's definition of patriarchal masculinity with his own monstrous imagined version, and how and why this displacement may be linked to Locke's own experiences at the hands of arbitrary patriarchal power. Locke's commitment to his "odd and frightful figure" meant that he was forced to follow the caricature no matter where it took him. Informed by this, the next chapter will follow Locke as we both analyze his understanding of Filmer's positions on the nature and relative agency inherent in maternal, paternal, and parental power, and compare how

²⁰⁹ Locke had met the tutor in question, M. Passebon, during his time abroad in France and had convinced the young man to emigrate to England for the express purpose of serving in the Clarke household. Locke was also frustrated because he was convinced of the value of ensuring the young Clarke learned French. Passebon's parting of ways with the family meant a long and difficult search for another tutor capable of instructing the boy in Locke's chosen second language.

²¹⁰ Freud, *Ibid.*

both Filmer and Locke regarded the questions of women's sovereignty, and the right of primogeniture.

Chapter Five

Maternity, Paternity, and Primogeniture in Filmer

This chapter builds upon the previous chapter's consideration of Locke's "domineering phantom" and further traces where his commitment to this spectre leads him in his case against Filmer. In particular we consider how Locke treats Filmer's approach to the topics of both maternal and paternal reproductive agency and power, as well as the questions of women's sovereignty, and the right of primogeniture. Locke's own treatment of some of these topics is also tested and revealed to be not so divergent from those he is critiquing. The analysis reveals that the "odd and frightful" patriarch is not only a helpful distraction for Locke used to facilitate his continued evasion of some of Filmer's more pointed criticisms, but it also seems to lead Locke to make some strange claims in order to maintain the spectre of violent and uncaring masculinity so that it could be subsequently conflated with Filmer's theories.

The Nature and Scope of Paternal, Maternal, and Parental Power

A remarkable example of Locke's strange claims about the nature of Filmerean patriarchalism is found in his discussion of Filmer's positing of paternal power rooted in the act of reproduction. In Locke's words:

What father of a thousand, when he begets a child, thinks farther [than] the satisfying of his present appetite? God in his infinite wisdom has put strong desires 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.²¹¹

²¹¹ Locke, *Ibid*, 179.

In this scenario of libidinal blindness, would-be mothers and fathers are reduced to mindless slaves to their divinely-ordained desire to procreate. Throughout the *First Treatise*, Locke seems to show a tendency to want to reduce parenthood to biology in order to point out the absurdity of Filmer's claim that paternal authority is realized through the act of reproduction. Having suggested that women and men enter into conjugal society as sexual automatons, Locke is free to chip away at both paternal and maternal agency in his effort to dismiss Filmer's claims of original subjection. At one point Locke counters Filmer by suggesting that subjection of children to patriarchal authority is impossible because children are not the product of either their mother or their father, but of God. "They who say that father gives life to his children are so [dazzled] with the thoughts of monarchy, that they do not, as they ought, remember God, who is the author and giver of life."²¹² Like his commitment to the "domineering phantom" Locke seems willing to stay committed to the concept of the divine design of children to the point of ridiculousness. On the subject of paternal dominion over children, Locke hinges his refutation on the lack of agency which he has attached to human reproductive action. This forces him to make a rather odd abstraction in his suggestion that parents, in order to derive authority from reproduction, must be able to "number the parts of [a] child's body [...] tell me their uses and operations [...] and how this engine thinks and reasons."²¹³

Perhaps aware of how odd this abstraction is, Locke turns to what is, from a critical perspective, an insincere positing of women's power. In case his reader is not

²¹² *Ibid*, 196.

²¹³ *Ibid*, 196-197.

convinced that fathers cannot lay claim to the obedience of their offspring based on the act of reproduction, Locke tells us that “nobody can deny that woman hath an equal share, if not the greater, as nourishing the child a long time in her body” and that “mother cannot be denied an equal share in begetting of the child.”²¹⁴ But this rings quite hollow with his earlier assertion that God’s role in reproduction means that neither parent “does little more toward [the making of their children] than Ducalion and his wife in the fable did towards the making of mankind, by throwing pebbles over their heads.”²¹⁵

Filmer “leaves out thy Mother” Or does he?

The degree of subjection of children to parental authority is crucial to understanding the debate between Locke and Filmer. For Filmer no one is born free because they are subject to the rule of their parents. Locke also acknowledges in the *Second Treatise* that “there be a time when a child comes to be as free from subjection to the will and command of his father” but that there exists an “honour which [children] ought, by the law of God, to pay [their] parents.”²¹⁶ For Locke children are born into limited liberty and come into possession of full liberty when it is passed on to them by their parents upon leaving the conjugal society. But Filmer is not as prepared as Locke is to place the ability to end subjection to parental authority in the hands of children, and instead he reserves this right for parents.

I know no means by the law of nature [for relieving children of obedience to parents]. It is the favour, I think, of the parents only, who, when their children are of age and discretion to ease their parents of part of their

²¹⁴ *Ibid*, 198.

²¹⁵ *Ibid*.

²¹⁶ *Ibid*, 327.

fatherly care, are then content to remit some part of their fatherly authority.²¹⁷

Locke is not alone in following his theoretical abstraction no matter where it would take him. In an earlier stating of this same position, Filmer commits an error of omission upon which, it could be argued, his entire oeuvre would come to be judged.

To confirm the natural right of regal power, we find in the Decalogue that the law which enjoins obedience to kings is delivered in the terms of “*honour thy father*” [...] as if all power were originally in the father. If obedience to parents be immediately due by natural law, and subjection to princes but by the mediation of an human ordinance, what reasons is there that the law of nature should give place to the laws of men, as we see the power of the father over his child gives place and is subordinate to the power of the magistrate?²¹⁸

Filmer’s over-reliance on scripture tends to render him an easy target for Locke; and his editing of the fifth commandment makes this even more so. Locke takes aim by saying that “I hope ’tis no injury to call an half quotation an half reason, for God says ‘Honour thy Father and thy Mother,’ but our author contents himself with half, leaves out ‘thy Mother,’ quite as little serviceable to his purpose.”²¹⁹ At first it seems that Locke really has dealt quite a blow to his opponent. This is until we find Locke admitting, first in his *Preface*,²²⁰ and later in a separate discussion, that in preparing his book he had “consulted [Filmer’s] *Observations on [...] Hobs*.”²²¹ If we take Locke at his word in this admission, then we are forced to conclude that he is being deliberately dishonest in his representation of Filmer’s perception of the fifth commandment. To discover how

²¹⁷ Filmer, *Patriarcha*, 18.

²¹⁸ *Ibid*, 10-11. Emphasis added.

²¹⁹ Locke, *Ibid*, 163.

²²⁰ *Ibid*, 157.

²²¹ *Ibid*, 168.

Locke does this we can turn to Filmer's own discussion, in his *Observations on Hobs*, of Hobbes's grant of original maternal sovereignty:

As to the objection that "it is not known who is the father to the son but by the discovery of the mother," and that "he is son to whom the mother will, and therefore he is the mother's" the answer is that it is not at the will of the mother to make whom she please the father, for if the mother be not in the possession of a husband, the child is not reckoned to have any father at all. But if she be in the possession of a man, the child, notwithstanding whatsoever the woman discoverth to the contrary is still reputed to be in whose possession she is. No child naturally and infallibly knows who are his true parents, yet he must obey those that in common reputation are so, otherwise the commandment of "*honour thy father and thy mother*" were in vain and no child bound to the obedience of it.²²²

Before proceeding to the consequences of Filmer's full citation of the fifth commandment, an exposition of this excerpt is in order because his assertions are problematic. His argument here amounts to eliding Hobbes's grant of original maternal sovereignty over children through the simple act of labelling those children, who are born to unmarried women, as bastards. This does not do the work Filmer would like it to, however, because it cannot preclude a mother's claim to parental sovereignty over her (bastard) children, or even her ability to claim that her children are 'son to whom she wills.' Filmer also wants to extinguish the ability of married women to declare the paternity of their children because "if she be in possession of a man" her children are "reputed to be in whose possession she is." This subjection of maternal authority to paternal is consistent with the theoretical patriarchal family norms of mid-seventeenth-century England. Indeed the very reason Filmer lingers on Hobbes's statement of

²²² Filmer, *Originall*, 192. Emphasis added.

original sovereignty for mothers is likely because of its remarkability in this context. Even thirty years later, in the *Second Treatise*, we find Locke, in language very similar to Filmer's, declaring that in conjugal society "the last determination, i.e. the Rule [...] naturally falls to the man's share, as the abler and the stronger."²²³ And although Locke equivocates on this paternal authority in the case of the dissolution of marriage saying that "children upon [...] separation fall to the father or mother's lot as [a] contract does determine,"²²⁴ this allowance does not seem to pertain to a mother's claim to sovereignty over children in the absence of a marriage or divorce contract. In other words, for Locke women's claim to sovereignty is just as elusive as it is in Filmer, because for both thinkers it is only achievable through marriage.

While Filmer cannot and should not be excused for his treatment of maternal authority in this instance, it is the final sentence of the above excerpt from his *Observations on Hobs* which renders Locke's critique of Filmer's editing of the fifth commandment less credible than it at first appears. To cite the relevant portion of the paragraph once again:

No child naturally and infallibly knows who are his true parents, yet he must obey those that in common reputation are so, otherwise the commandment of "honour thy father and thy mother" were in vain and no child bound to the obedience of it.

Aside from the fact that Filmer provides the whole text of the commandment, it appears that the obedience that he believes children owe is due not just to fathers, but rather to both parents. Moreover, if the requirement for parents to have a "common reputation"

²²³ Locke, *Ibid*, 339.

²²⁴ *Ibid*

as parents, is understood as being a common reputation that is shared not only by those outside of the household (i.e. the church, public officials, extended family, etc.), but also one shared mutually by both mother and father, then it seems that Filmer's constitution of parental authority over children is hermaphroditically, rather than phallically, constructed.

Filmer's position is more apparent in his writings on domestic affairs than it is in his political ones. Commenting on Filmer's late-life writings on domestic politics in the form of his manuscripts *In Praise of the Vertuous Wife*,²²⁵ and *Touching Marriag and Adultery*²²⁶ Ezell observes that "Filmer's political absolutism is significantly qualified by the presence of a figure in the government, a 'wife,' who is not far below the political 'father' in authority."²²⁷ This, she says, can largely be attributed to Filmer's interpretation of the role of Eve in relation to the Fall, in which Filmer insists that "[t]he woman did deceiv out of error; the divel out of knowledge; the man did eate: so that she is to be pitied not hated."²²⁸ Ezell contends that this reveals that

[I]ike his contemporaries, Filmer sees the subjection of wives to husbands as the ordained result of Eve's transgressions; [but], he does not interpret women's subjection as the necessary result of inherent inferiority in female nature and he is sensitive to the difficulties of such a role.²²⁹

²²⁵ Robert Filmer, "In Praise of the Vertuous Wife," published as "Appendix I" and transcribed by Margaret Ezell, in Ezell, *Ibid*, 169-190.

²²⁶ Robert Filmer, "Touching Marriag and Adultery," *British Library*, MS Harl, 6866, 514r-522r, cited in Ezell.

²²⁷ Ezell, *Ibid*, 136.

²²⁸ Filmer, *Op. cit.*, 170.

²²⁹ Ezell, *Ibid*, 135.

So while Ezell would agree with the Lockean position in her concession that “Filmer does seem to advocate very far reaching authority over the lives of one’s offspring,”²³⁰ she disagrees that this power is held only by a “domineering phantom called the fatherhood” or that “women are altogether missing from [Filmer’s] overt story,”²³¹ because Filmer seems willing to define patriarchal power not “as masculine, but as a plural, parental authority.”²³² Filmer’s reasoning for this is both theoretical and practical. In his manuscripts on domestic politics he uses scripture to point out the courage and grace of women and juxtaposes this with the common understanding, held by many of his contemporaries, that women were either inherently evil or inherently immoral. If women “be thus couragious in evill by nature,” he challenges, “why should we deny them good courage by grace?”²³³ But it was not only with theory based on scripture that Filmer supported the case for women as a “partner in the gouernment of the family,”²³⁴ it was also on the basis of his own practical, lived experience. “The family government as envisaged by Filmer and displayed in his own family,” says Ezell “was not ‘patriarchal’ in the sense of belonging strictly to the males of the family, but parental in that it was shared with the wife.”²³⁵

All of this accounted for however, one cannot hold Locke responsible for failing to comprehend the complexity of Filmer’s conception of hermaphroditic patriarchal power as formulated in an obscure and unpublished Filmer manuscript. We can,

²³⁰ *Ibid*, 139.

²³¹ Schochet, *Ibid*, 136.

²³² Ezell, *Ibid*.

²³³ Filmer, *Ibid*, 172.

²³⁴ Filmer, *Touching Marriag and Adultery*, 515v (cited in Ezell).

²³⁵ Ezell, *Ibid*, 143.

however, point out that Locke's admission to having consulted Filmer's *Observations on Hobs* in preparation of his own book seems like a demonstration of an attempt to misrepresent Filmer's conception of parental authority. In his elaborated discussion of Filmer's "garbling" of the fifth commandment,²³⁶ one wonders how the careful and fastidious Locke manages to ignore completely Filmer's un-garbled citing of it in a work Locke had confessed to reading.²³⁷ Locke of course knew that *Patriarcha* was published posthumously, and that Filmer's *Observations on Hobs*, having been published during his life, was likely the more accurate representation of his opponent's interpretation of the fifth commandment. Given this, it may take some generosity on the part of a critical reader to accept Locke's version of Filmer as a crafty usurper of maternal authority through the clumsy editing of the Decalogue. If we ignore this and extend to Locke our generosity on this topic, we must also contend with the fact that Locke did not have to look outside of the pages of *Patriarcha* to find evidence that his observation that Filmer "leaves out 'thy Mother'" is not as straightforward as he wants us to believe.

Throughout the first chapter of *Patriarcha* the pluralized noun "parents" is used repeatedly to refer to the individuals who hold absolute authority over children, and to describe who those children are obliged to. Filmer's choice to use the term "parents" rather than "fathers" is important because it demonstrates that he would have been referring to both mother and father together.²³⁸ In this context, Filmer is certainly guilty of treating women as "offstage characters"²³⁹ by subsuming the role mothers played in

²³⁶ Locke, *Ibid*, 202.

²³⁷ *Ibid*, 204.

²³⁸ *Oxford English Dictionary*, Online ed., 2015, s.v. "parents."

²³⁹ Schochet, *Ibid*, 136.

the legitimation of patriarchal authority. A different interpretation, however, might suggest that Filmer is taking for granted that his Kentish readers share the normative, practical knowledge of his social context. This is of course that in practice, if not in theory, paternal power derived its authority from both maternity and paternity. Even if this is not the case, Filmer's position on the fifth commandment is more complex than Locke suggests, and it is clear that Locke's contention with Filmer's editing of it stands on shaky ground. As shaky as the ground Locke is standing on though, it seems he nevertheless provides an important critique of the treatment of women in Filmer's theories. At least that is the way it seems.

Women as *Reductio ad Absurdum* in both Filmer and Locke

For some, Locke cultivated the "early liberal roots of feminism,"²⁴⁰ but a critical reader may wonder whether this claim is merely being read into Locke by those who choose to perceive him as being a (unconscious) participant in a broader social and political shift "from them to us [and] then to now."²⁴¹ To demonstrate Locke's unrealized feminism, those who take this position often situate it entirely within the context of his arguments in the *Second Treatise*, but they also point to Locke's criticism in the *First Treatise* of Filmer's lack of a direct articulation of women's sovereignty, as well as his tendency to subsume or subvert the existence of that sovereignty in pursuit of sketching his version of legitimate political power. In an often-cited paragraph from

²⁴⁰ Melissa A. Butler, "Early Liberal Roots of Feminism: John Locke and the Attack on Patriarchy," *The American Political Science Review*, (72, (1), 1978): 135-150.

²⁴¹ Schochet, *Ibid*, 134.

The Anarchy of Limited or Mixed Monarchy, Filmer demonstrates this tendency through what Melissa A. Butler has called “one of his favorite [tactics] *reductio ad absurdum*.”²⁴²

In assemblies that are by human politic constitution, the superior power that ordains such assemblies, can regulate and confine them, both for time, place, persons, and other circumstances: but where there is an equality of nature, there can be no superior power; there every infant at the hour it is born in, hath a like interest with the greatest and wisest men in the world. Mankind is like the sea, ever ebbing or flowing, every minute one is born another dies; those that are the people this minute, are not the people the next minute, in every instant and point of time there is a variation: no one time can be indifferent for all mankind to assemble; it cannot but be mischievous always at the least to all infants and others under the age of discretion; not to speak of women, especially virgins, who by birth have as much natural freedom as any other, and therefore ought not to lose their liberty without their own consent.²⁴³

Butler contends that “[n]atural freedom and political participation of women and children were obviously absurd to all living in that patriarchal world,”²⁴⁴ and argues that in this context, Filmer’s positing of women’s sovereignty is disingenuous. But could Locke also be considered guilty of this same tactic? A close reading of Locke’s treatment of the topic of God’s grant to Adam and Eve in *Genesis* 1:28 offers an alternative interpretation of the role of women in Locke’s case against Filmer.

In the *First Treatise* it certainly appears that Locke seems willing to extend the grant of dominion from 1:28 to Eve.

If it be said that Eve was subjected to Adam, it seems she was not so subjected to him, as to hinder her dominion over the creatures, or property in them: for shall we say that God ever made a joint grant to two, and only one was to have the benefit of it?²⁴⁵

²⁴² Butler, *Ibid*, 140.

²⁴³ Filmer, *The Anarchy of Limited or Mixed Monarchy*, 142.

²⁴⁴ Butler, *Ibid*.

²⁴⁵ Locke, *Ibid*, 179.

Immediately afterward, however, Locke abandons this line of reasoning. Rather than continue to entertain the idea that women shared original sovereignty in common with men, Locke seems to suggest that the plural donation in *Genesis* 1:28 demonstrates that “God [...] gave the world to mankind in common, and not to Adam in particular,” and that “the word *them* in the text must include the species of man, for it is certain *them* can by no means signify Adam alone,”²⁴⁶ or Adam with his wife. Put another way, Locke seems willing to dispose of the possibility of Eve’s shared dominion with Adam—perhaps realizing that it would mean ceding to Filmer’s position that all power is originally parental power—and in its place posits a fraternally-shared power which excludes Eve through rendering God’s grant as one to men in common. In this light, Locke also seems to stand guilty of *reductio ad absurdum*, because he was not committed to his position that Eve was “not so subjected” to Adam as it was nothing more than insincere rhetoric used in an attempt to undermine his opponent.

The ‘Seeming Insinuation’ of Filmerean Primogeniture

Consistent with his pattern of seemingly insincere vexation over the place of women in Filmer’s thought, Locke attacks his opponent on his alleged support for the rules of primogeniture. Not being able to say conclusively that Filmer relies on the doctrine of the right of the first-born son, Locke is forced to concede that his opponent “seems to insinuate that the eldest son is heir.”²⁴⁷ This seeming insinuation is based on Locke’s interpretation of Filmer’s deployment of the story of Cain and Abel.²⁴⁸ To a

²⁴⁶ *Ibid*, 179-180.

²⁴⁷ *Ibid*.

²⁴⁸ Filmer, *Patriarcha*, 10.

fault Filmer relies on the authority of scripture to build his arguments, and here he uses this tale as a scriptural case study in the assignation of paternal authority to a chosen heir—but that seems to be the only purpose it serves for him. He does not take a position on whether patriarchal right passes necessarily to a first-born son, or even to a son at all.²⁴⁹ The story of Cain and Abel is used by Filmer only to demonstrate that the donation of paternal authority is not the right of children, even a first-born child, to assume. As Locke observes, this only “seems to insinuate” that Filmer supports the rules of primogeniture. The ambiguity in Filmer’s position lies in his refusal to say anything on the subject but that paternal power is passed on to the “true heir,” and the choice of that true heir is a parental right and not a child’s privilege.²⁵⁰ Indeed Filmer seems to stop short of providing a formula for the how that “true heir” is chosen, forcing Locke to guess based on the social norms of the time. Locke’s constricted vision of Filmer and his theories, and his need to construct Filmer’s meaning of manhood as a dangerous, violent, Machiavellian nightmare, left him little choice.

In contrast with this, Filmer seems willing to criticize his society’s over-reliance on primogeniture because of its tendency, in the absence of an obvious heir, to lead to a power vacuum. In his discussion on “what becomes of the right of fatherhood in the case the crown does escheat for want of an heir,”²⁵¹ he advises that “[i]t is but the negligence or ignorance of the people to lose their knowledge of the true heir, for an heir

²⁴⁹ Rachel Weil has also observed the rather under-considered but remarkable absence of Filmer’s endorsement of primogeniture. See Rachel Weil, “The Family in the Exclusion Crisis: Locke versus Filmer Revisited,” in *A Nation Transformed: England After the Restoration*, eds. Alan Houston and Steve Pincus, (Cambridge: Cambridge University Press, 2001), 106.

²⁵⁰ Filmer, *Ibid.*

²⁵¹ *Ibid.*

there always is.”²⁵² This is hardly a ringing endorsement, nor even a seeming insinuation of an unquestioning commitment to primogeniture. This is because Filmer seems willing to place the responsibility for discovering the “true heir” of patriarchal political power with “the people” and their ability to draw on their history and customs to recover this “knowledge.” This responsibility to maintain a cultural memory of who may be the “true heir” seems to be merely consultative, however, because the power to choose a sovereign does not “[devolve] to the multitude,” rather it is transferred to the “prime and independent heads of families”²⁵³ to select who it is they will give it to.

Filmer is absolutely guilty here of maintaining a structure of patriarchal authority through first deciding that the power to choose who should hold political power belongs to the people, only to renege on this decision and hand that power to “heads of families.” It should be noted though, that this ‘electoral college’ of patriarchs seems not only to reflect the consultative approach of the *Magdeburg Confession* referred to earlier, but also may be a concession on Filmer’s part that social consensus, even to a limited degree, ought to be part of the consideration in choosing political leadership. But more to the purposes of this discussion, when we recall Filmer’s view that “[i]f we compare the natural duties of a father with those of a king, we find them to be all one,”²⁵⁴ and that “all the duties of a king are summed up in an universal fatherly care of his people,”²⁵⁵ this placement of the responsibility for choosing a political leader in the hands of “heads of families” can be seen as a means to ensure that any monarch chosen would be bound

²⁵² *Ibid.*

²⁵³ *Ibid.*, 11.

²⁵⁴ *Ibid.*, 12.

²⁵⁵ *Ibid.*

by a commitment of fatherly care “to preserve, feed, clothe, instruct and defend the whole commonwealth.”²⁵⁶

In contrast, in the *Second Treatise*, Locke seems far more governed by the dominant norms of inheritance in his society than Filmer. He also provides another example of how his commitment to ignore the affective aspects of Filmer’s patriarchalism leads him to posit not only a cold and mechanical political society, but a familial one as well. In attempting to explain how it is that children are both born free and yet are provided no choice as to the political society they must exist in, Locke ties submission to political authority and inheritance together. In doing so he declares that “there is no natural [tie] or engagement” between parents and children, and that parental authority is “but a voluntary submission”²⁵⁷ on the part of children that is based on their desire to inherit the family’s estate. His commitment to his society’s rules of inheritance, which were largely based on primogeniture, can be seen in his binding of it to historical practice. If children “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 [annexed] to such a position.”²⁵⁸ First through denying the affective connection between parents and children, and second through binding children to the actions of their ancestors, children in Locke’s familial (and political) society seem to exist in similar conditions to those he spends most of his book critiquing. Ellen Meiksins Wood has argued that Locke’s concept of this tacit consent to political authority has the effect of negating the political agency of the individual which he is so often given credit for:

²⁵⁶ *Ibid.*

²⁵⁷ Locke, *Ibid*, 333.

²⁵⁸ *Ibid.*

[Locke succeeds in] refuting Filmer's assumptions about the origins and legitimacy of absolute monarchy, but [this] has no democratic implications. If anything, since the conditions of consent can so easily be met, it invites the most undemocratic assumptions allowable within the framework of a limited, constitutional government. The anti-absolutist and the anti-democratic are two sides of the same coin.²⁵⁹

Seen this way, the deck is cleared of all normative assumptions about the relative democratic value of either Filmerian or Lockean approaches to the question of the donation of political obligation and patriarchal power. Locke's claim of tacit consent is no more or less democratic than Filmer's position, and while Locke "rules out royal absolutism, [his argument] implies nothing more democratic than that."²⁶⁰

Locke's apparent confusion over Filmer's support for primogeniture may explain why he devotes nearly a full third of the *First Treatise* to his final chapter *Who Heir?* in which he paradoxically declares his opponent both ambiguous and clear on his support for primogeniture.²⁶¹ Throughout this chapter occasionally one can sense Locke's disillusionment with the possibility that, by this point in his analysis, his "domineering phantom" is not so "odd and frightful" after all. As an example, we can look to Locke's frustration with Filmer's refusal to draw a distinction between political power as held by a king, and political power as held by a parliament. In Filmer's words:

In all kingdoms or commonwealths of the world, whether the prince be the supreme father of the people or but the true heir of such a father, or whether he come to the crown by usurpation, or by election of the nobles or of the people, or by any other way whatsoever, or whether some few or a multitude govern the commonwealth, yet still the authority that is in

²⁵⁹ Ellen Meiksins Wood, "Locke Against Democracy: Consent, Representation and Suffrage in the *Two Treatises*," *History of Political Thought* 13, no. 4 (1992): 669.

²⁶⁰ *Ibid.*, 671.

²⁶¹ Locke, *Ibid.*, 254. At one point, Filmer's 'seeming insinuation' of a reliance on primogeniture becomes a "proof" for Locke.

any one, or in many, or in all of these, is the only right and natural authority of a supreme father over every multitude.²⁶²

Locke is incredulous at Filmer's suggestion that kingly power is the same as power held by a parliament, and his seeming inability to reconcile this claim shines through when he exasperatedly asks his reader if this means "all commonwealths are nothing but down-right monarchies, and then what need any more ado about the matter?"²⁶³

Of course this questioning by Locke could be seen as his way of drawing attention to Filmer's self-evident absurdity, but a critical reader will recall that Locke carefully and consistently avoids the complexities of Filmer's arguments, satisfied with pronouncing on their *prima facie* absurdity instead. In this instance, Locke's argument hinges on this deliberate evasion because he has a prefigured need for a distinction between the power that is wielded by princes and the power that is wielded by parliaments. This prefigured reification of absolute monarchy as always already tyrannical and violent, is designed to contrast sharply with a picture of a benevolent and rational parliamentary authority. It was Filmer's critique of the latter portrait which constituted one of the main strengths of his argument.

Conclusion

As Rachel Weil has observed, it is Filmer, and not Locke, who could be considered most responsible for leaving himself open to the positing of wild speculation in place of his own thoughts on the nature and shape of patriarchal authority, and in particular the rules of primogeniture. "The reason that scholars [Locke included] can disagree about the gender politics of Filmerian patriarchalism is that Filmer's concept of

²⁶² Filmer, *Ibid*, 11.

²⁶³ Locke, *Ibid*, 257.

‘fatherly right’ was abstract and maddeningly elusive.”²⁶⁴ This is because, Weil argues, for Filmer the metaphor merely served the important rhetorical purpose of forwarding his ontological vision through refuting the notion that individuals are naturally warlike and antagonistic.

For Filmer, the family was a way to make a point about order: it is the site upon which he raised, and answered in the negative, the question of whether anyone can exist without being subject to a higher authority. Once the point was made, Filmer was uninterested in discussing actual relationships among members of actual families. This silence allowed Filmer’s Whig critics to present his views on familial relations in whatever light they thought would make him look worst. Some, like Locke, cast Filmer as too patriarchal; others, like Sidney, as not patriarchal enough. In each case, Filmer was dragged onto the terrain of the family for the purpose of discrediting him.²⁶⁵

Weil insightfully points out that from a certain perspective “Filmer was dragged onto the terrain of the family for the purpose of discrediting him,”²⁶⁶ and that in the *First Treatise* Locke constructs not only his “domineering phantom” but a “tyrannical, child-eating, population-shrivelling [...] patriarch.”²⁶⁷ Despite this Filmer does stand guilty of not following his metaphor where it should logically have taken him—that is to a consideration of power relations within the family. Although we now know that Filmer was interested in this question from his manuscripts on domestic politics, his omission of it in *Patriarcha* left him open not only to criticisms from Locke, but also deserving of the suspicion and derision heaped on him across history for what seems to be his ideal place for women in domestic and political relations. This accounted for, however, when

²⁶⁴ Weil, *Ibid*, 108.

²⁶⁵ *Ibid*, 110.

²⁶⁶ *Ibid*, 106.

²⁶⁷ *Ibid*, 110.

we recall Shepherd's contention that gender is "multi-relational rather than simply dichotomous,"²⁶⁸ Filmer's assumption (in *Patriarcha*) that politics had an "exclusively male (and masculine) meaning,"²⁶⁹ further emphasizes the need to comprehend that meaning and compare it with Locke's.

²⁶⁸ Alexandra Shepherd, "Manhood, Patriarchy, and Gender in Early Modern History (Keynote)," in *Masculinities, Childhood, and Violence: Attending to Early Modern Women and Men: Proceedings of the 2006 Symposium*, edited by Amy E. Leonard and Karen L. Nelson, (Newark, DE: University of Delaware Press, 2011): 88

²⁶⁹ Cesare Cuttica, *Sir Robert Filmer (1588-1653) and the Patriotic Monarch: Patriarchalism in Seventeenth Century Political Thought*, (New York: Manchester University Press, 2012): 127.

Conclusion

In his introductory commentary to Locke, Peter Laslett is bothered by his subject's seeming refusal to consider seriously, or at all, the affective elements of Filmer's case.

[Locke] persistently ignored the searching counter-criticisms which are the strength of Filmer's case [...]. It was Tyrell, not Locke, who recognized Filmer's needling effectiveness, and admitted that there was actually no stopping place between the ground that he and Locke occupied and logical individualism, final democracy, the sharing of political power with women, children and servants. [It was Locke's obtuseness, or inadvertence, or prudence, which makes it legitimate to describe him in colourful terms as a 'father of democracy', our sort of democracy]. All this is quite apart from Locke's failure to share Filmer's vision of the emotional togetherness implied by all political relationships, the physically, physiologically natural element which, as has been argued elsewhere, political thinking since Locke has misunderstood to the danger of us all.²⁷⁰

Laslett is explicit in recognizing the affective elements of Filmer's philosophy and juxtaposing them with the lack thereof in Locke. He implicates Locke directly in the project of defeating this more affective version of masculinity and replacing it with a newly-dominant one. The importance of Laslett's observations here should not be understated. His commentaries on both Filmer and Locke pre-date most, if not all, modern feminist criticisms of both. This is not to say that Laslett's criticism of Locke is a proto-feminist criticism, but that Laslett went out on the intellectual limb that he did in claiming that Filmer envisioned an "emotional togetherness [in] all political relationships," which Lockean philosophy misunderstands "to the danger of us all"

²⁷⁰ Laslett, *Ibid.*, 69. Square brackets indicate text in Laslett's footnote on the same page.

emphasizes the importance of the project of recuperating what positive aspects may have been lost in the intra-sex gender transaction between Locke and his dead opponent. In this context, it is possible to suggest that Locke may have played a role in creating the conditions in which modern feminist masculinities find themselves lacking a history depicting their predecessor masculinities as anything but always already proponents of violence and personal transcendence, and opponents of peaceful social relations—especially with women—that have their basis not in an abstraction of a transaction of personal sovereignty, but in love and the mutual human desire to preserve life.

Recalling Wendy Brown’s warning that the modern politics which modern men have constructed “by and for themselves is saturated with highly problematic, often dangerous, ideals and practices of manhood,”²⁷¹ allows us to question the presumed normative value of the dominant meanings of manhood which made the great revolutions of the Enlightenment possible. This is not to say that the (patriarchal) meanings of manhood which these replaced were altogether better. Indeed for most of the modern era, the ideals and values of liberalism born of the Enlightenment meant that modern Anglo-American masculinity’s commitment to them forced men to stand aside and accept the great advances in human liberty and dignity, especially for women, those ideas made possible over the last three centuries. This is the essence of the claim that Lockean thought cultivated the “early liberal roots of feminism.”²⁷² There is another side to this story, however, and it is hoped that the examination of the case study of Locke and Filmer has helped to illuminate it.

²⁷¹ Brown, *Ibid*, 12.

²⁷² Butler, *Ibid*, 135.

Although Locke slayed his “domineering phantom,” he did not defeat patriarchal social and political systems. Furthermore, the modern liberalism that Locke is credited with being an unconscious architect of has time and again failed to create the conditions for gender and social justice. What systems and structures have been put in place depend on a technocratic epistemology and a rights-based discourse which tragically fails to take into account the affective and emotional elements of everyday life. As Nietzsche observes, the modern liberal “[s]tate is the name of the coldest of all cold monsters.”²⁷³ Locke’s victory has meant that modern masculinities, and modern society, are burdened with a legacy of masculine citizenship and leadership that dismiss and discount men’s affective selves, especially how those selves relate to the submission to and acquisition, exercise, and maintenance of political power.

Modern western societies, particularly those built in the Anglo-American Enlightenment tradition, face an ever-increasing concentration of power in the hands of a few. From some perspectives, this could be considered a reassertion of the conditions for political absolutism. But this re-born absolutism tends to shroud itself in a cloak of modern values. Given this, so long as women and subordinate men continue to be denied their proportionate share of political power, it is now more important than ever to subject the masculinity of the dominant political order to scrutiny and critique. This includes questioning whether the masculinity it replaced was altogether of no value for the current challenges we face.

²⁷³ Friedrich Nietzsche, *Thus Spoke Zarathustra: A Book for All and None*, eds. Adrian del Caro and Robert. B. Pippin, trans. Adrian del Caro, (New York: Cambridge University Press, 2006): 34.

Using the tools of the intellectual historian, this exposition and comparison has aimed to do this. By looking critically at Locke's refutation of Filmer from the perspective of the critical study of masculinities, it has uncovered the former's attempt to construct a version of patriarchal masculinity which does not seem to be entirely supported by Filmer's texts. It has also suggested that what might be a better reflection of Filmer's ideal masculine citizen—his patriarch—is an individual who is preoccupied with an obligation to safeguard the rights of all to preserve and maintain life. We already know that Filmer's ideal political society was one which rejected the concept of original popular sovereignty in favour of absolute authority. Here I have tried to demonstrate that Filmer had surprising ideals about the ethical constitution of authority—how authority treats people—and have suggested that this was a result of his direct criticism of the comportment of authority as forwarded by advocates of original popular sovereignty.

The metaphorical vehicle chosen for political authority by both Locke and Filmer was the husband/father/patriarch. Consequently, the way in which both represent the ethical comportment of this power was necessarily an intra-sex gendered construction of men and masculinity. Locke's construction of a "domineering phantom" was more than enough to ensure that Filmer's preservative monarch would never be taken seriously. Instead, the ideal masculine comportment of Anglo-American modernity became one which denaturalized masculine affection and privileged the indifference of the state to the emotional needs of its citizens. As Locke declares, "it is plain," that the affection and love which governs the private realm, "is far different from

a politic society.”²⁷⁴ Certainly, we have Locke to thank for the well-elaborated philosophical basis for our freedom in the Anglo-American and Enlightenment tradition to consent to our government. But is this all he can be seen to bear responsibility for? After all, “[t]he ideal of the English gentleman is with us today, and in part it is Locke’s invention.”²⁷⁵

²⁷⁴ Locke, *Ibid*, 340.

²⁷⁵ Laslett, *Ibid*, 37.

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CURRICULUM VITAE
ROBERT ANDREW LEBLANC

UNIVERSITIES ATTENDED

The University of New Brunswick

September 2013-October 2015

Master of Arts, Political Science

Mount Allison University

January 2009-April 2013

Honours Bachelor of Arts, Political Science/Women's & Gender Studies

King's University College at the University of Western Ontario

September 1996-December 1997, May 2002-April 2003

Coursework, Bachelor of Arts, Political Science

PUBLICATIONS

“At the Sacred Intersection of Politics & War: A Discussion of Warrior Societies, Masculine Identity Politics & Indigenous Resistance Trends in Canada.” *Canadian Journal of Native Studies* (undergoing peer review, anticipated summer 2015).

ACADEMIC CONFERENCE PRESENTATIONS

“In a Word, Power: The Case for a Critical Focus on Men and Masculinity in the History of Modern Political Thought,”—Memorial University of Newfoundland. Atlantic Provinces Political Studies Association, October 2014.

“Hiding in the Horse: Robert Parker as Organic Intellectual in the Trojan War of Wine,” (with Hannah Kovacs)—Acadia University. Social and Political Thought Graduate Student Conference: *Technology, Culture and Social Change*, March 2013.