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# A Defense of Locke's Moral Epistemology

Jamie J. Hardy

*Portland State University, jamhardy@pdx.edu*

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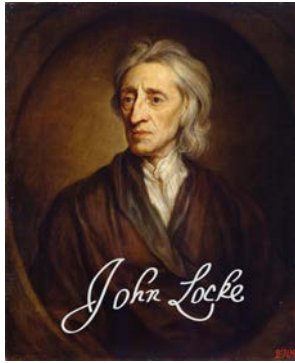
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## A Defense of Locke's Moral Epistemology

JAMIE HARDY (PORTLAND STATE UNIVERSITY)

### *Abstract:*

In *An Essay concerning Human Understanding*, John Locke provides an empirical account of all of our ideas, including our moral ideas. However, Locke's account of moral epistemology is difficult to understand, which leads to mistaken objections against his moral epistemological theory. In this paper, I offer what I believe to be the correct account of Locke's moral epistemology. This account of his moral epistemology resolves the objections that morality is not demonstrable, that Locke's account fails to demonstrate the normativity of statements, and that Locke has not provided us with the means to determine the correctness of the moral rules.

*Keywords:* John Locke, Locke's ethics, moral epistemology, moral demonstration, morality

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## 1. Introduction

In *An Essay concerning Human Understanding*, John Locke provides an empirical account of all of our ideas, including our moral ideas. However, Locke's account of moral epistemology is difficult to understand. While much work has been expended on Locke's moral theory, little of that has been directed at explaining Locke's moral epistemology. One notable exception is by Catherine Wilson.<sup>1</sup> Her account addresses the different sources of our moral ideas, Locke's rejection of innate ideas, Locke's comparison of morality to mathematics, and morality being a mixed mode. However, her paper is focused more on issues with Locke's moral epistemology than with presenting a cogent account of his moral epistemology.

The clearest account Wilson provides is an attempt to articulate how morality is demonstrable according to Locke. She argues that Locke's account fails to show that morality is demonstrable. Her reasons seem to be that Locke's account of demonstrability relies on set definitions of moral words. Given that people can contest the meaning of words, then morality is not demonstrable. Second, even if morality is demonstrable, we "cannot claim to have demonstrated a normative statement."<sup>2</sup> Her argument seems to be that although Locke can show that, say, theft is unjust, Locke cannot show that theft is wrong. A related worry to Wilson's objection is that Locke has not provided us with a means to assess the correctness of our moral rules.<sup>3</sup>

In this paper, I will argue that Locke can respond to all three objections. I am not claiming that Locke's theory is correct but only that Locke does address these objections. However, I will argue that while Locke can respond to these objections, Locke's account is unlikely to provide the certainty needed to know if one is following the divine law that Locke believes is the foundation of true morality.

I believe a significant source of Wilson's criticisms of Locke is due to an incomplete account of Locke's moral epistemology. Her focus on the definitions of words rather than the lawgiver as the source of moral knowledge is a key error that she is making, which leads to her mistaken objections to Locke. Therefore, I will begin by explaining what I believe is the correct interpretation of Locke's moral epistemology. I will then explain Wilson's objections to Locke and how Locke's theory provides an explanation, satisfying or not, to her objections against his theory. I conclude by attempting to demonstrate how a proper accounting of Locke's moral epistemology could provide us with the means

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<sup>1</sup> Catherine Wilson, "The Moral Epistemology in Locke's *Essay*," in *The Cambridge Companion to Locke's "Essay concerning Human Understanding"*, ed. Lex Newman, (Cambridge: Cambridge University Press, 2007), 381–406.

<sup>2</sup> Wilson, "Moral Epistemology," 398.

<sup>3</sup> J. B. Schneewind touches on this issue when he argues that Locke believes the correct moral rules are the ones given to us by God. However, Locke's *Essay* does not provide a means to determine if our moral ideas correspond to the rules God wants us to follow. (J. B. Schneewind, "Locke's Moral Philosophy," in *The Cambridge Companion to Locke*, ed. by Vere Chappell, [Cambridge: Cambridge University Press, 1994], 207–8)

necessary to know if we are following the divine law. While promising, my account is unlikely to provide the certainty we would want if we are trying to follow the divine law. However, Locke's moral epistemology does provide us a means for assessing at least the degree of correctness of our moral rules.

## **2. Moral Ideas as Mixed Modes**

Understanding Locke's moral epistemology requires an understanding of the nature and origin of our moral ideas. Locke claims that moral ideas are about human actions, and "their various Ends, Objects, Manners, and Circumstances" (II.xxviii.4, 351).<sup>4</sup> Locke classifies moral ideas as mixed modes. According to Locke, "these mixed Modes being also such Combinations of simple *Ideas*, as are not looked upon to be characteristic Marks of any real Beings that have a steady existence, but scattered and independent ideas, put together by the Mind, are thereby distinguished from the complex *Ideas* of Substance" (II.xxii.1, 288). Mixed modes are created "often using an active power" of the mind. These ideas have a "constant Existence, more in the Thoughts of Men, than in the reality of things" (II.xxii.2, 288). Since these ideas do not presuppose a corresponding substance for reference, it is possible for the same set of simple ideas to result in different mixed modes. Mixed modes are created by the mind and do not resemble ideas produced by our senses. If we observe a tree, we have various simple ideas about that tree that we unite in our minds to form our idea of that tree. When it comes to a mixed mode, we have various simple ideas, but they are combined arbitrarily by the mind. If there is an outside world, we like to think that our idea of a tree matches the actual tree. However, there is nothing in the outside world for mixed mode ideas to correspond to. While Locke describes mixed mode ideas as arbitrary, these ideas are not random. The mind has created them because these ideas are useful (III.v.6, 431). Adultery is a mixed mode. We have the idea of sex and the idea of marriage. We label sex outside of marriage as adultery. Murder is another example of a mixed mode. We have the idea of killing, the idea of voluntary action, the idea of a sheep, and the idea of a person. When we combine the idea of a man committing a voluntary act of killing another man, we label it murder. If it is killing a sheep, we do not consider it murder. Other ideas can be added to murder to specify how in one situation a killing is murder and not in other cases. By this process, we create our moral ideas. Given that all we have knowledge of are our ideas, then moral ideas are just as real as our idea of a tree.

Mixed mode ideas are created by combining simple ideas. However, in the process of making a moral judgment, we create additional moral ideas. If one judges an action, that judgment expresses a relation. A relation is another means of creating a complex idea. A moral relation exists when we see "Conformity or Disagreement" of "Men's voluntary Actions" to some rule (II.xxviii.4, 350). The first step is to develop a moral idea. That moral idea is then used to create rules. We can then compare an action to some rule that

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<sup>4</sup> All parenthetical references to Locke's *Essay* are to the Nidditch edition: John Locke, *An Essay concerning Human Understanding*, ed. Peter H. Nidditch, The Clarendon Edition of the Works of John Locke (Oxford: Clarendon Press, 1975).

governs that action. For example, polygamy is having more than one spouse—usually more than one wife. This does not tell us anything about if having more than one spouse is right or wrong. If rules exist about polygamy, then we compare a person’s action or intended action to that rule. If a rule states that one should not engage in polygamy and a man is married to more than one wife, then his action is in disagreement with that rule. Without rules, moral relations are impossible.

### 3. The Lawmaker and Moral Relations

In order for there to be rules, there must be a rule-maker or a lawmaker. The concept of a lawmaker plays a central role in Locke’s moral epistemology. The lawmaker is the source of the rules that are necessary for a moral relation. Those rules are necessary for us to judge whether an action is morally good or evil.

Good and Evil, as hath been shewn, Bk.II.Ch.XX. § 2. and Ch.XXI. § 42. are nothing but Pleasure or Pain, or that which occasions, or procures Pleasure or Pain to us. *Morally Good and Evil* then, is only the Conformity or Disagreement of our voluntary actions to some Law, whereby Good or Evil is drawn on us, from the Will and Power of the Law-maker; which Good and Evil, Pleasure or Pain, attending our observance, or breach of the Law, by the Decree of the Law-maker, is that we call *Reward* and *Punishment*. (II.xxviii.5, 351)

Locke is using “good and evil” in multiple ways in this passage. The first is how we judge an action to be morally good or evil. We judge our action as morally good not because of anything intrinsic to that action but because of its relationship to the law. If you obey the law, then your action is judged as good or right; if you break the law, it is judged as evil or wrong. Second, Locke is explaining that our concepts of good and evil depend on pleasure and pain.<sup>5</sup> An action is good if it brings pleasure and evil if it brings pain. Third, that the

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<sup>5</sup> J. B. Schneewind believes that pleasure is a “stand in” for whatever a person prefers. (Schneewind “Locke’s Moral Philosophy,” 204) His conclusion is based on the following passage from Locke: “So the Greatest Happiness consists, in having those things, which produce that greatest pleasure; and in the absence of those, which cause any disturbance, any pain. Now these, to different Men, are very different things.” (II.xxi.55, 269) It is true that if two people disagree over what is pleasurable, but still seek out pleasure, then it appears that pleasure can mean different things to different people. However, Schneewind has gone farther than what Locke intended. In section 55 Locke is examining how people, if they are motivated by happiness, come to live different lives. In this section, Locke is referring to food. Lobster may be a delight to some people; but those who hate lobster will find the thought of eating it nauseating. In this case, a person may prefer hunger to eating lobster. This is a case of preferring the lesser of two pains. It would be absurd, however, to suggest that hunger is bringing pleasure. Given that Locke is not discussing pleasure itself, we have no reason to assume that pleasure means whatever a person prefers. We might be justified in concluding that a person always acts on one’s preferences, but a preference is not the same as pleasure. We can prefer things because they bring the least amount of pain. Pain and pleasure are simple ideas. Certainly, it is true that, at least for some things, people derive pleasure from different things. Yet it seems obvious to us, and I suppose to Locke as well, that there are going to be certain fundamental things that bring pleasure and pain to all persons. Punishment and rewards based on pleasure and pain are a central feature of Locke’s moral epistemology. If pleasure and pain are extremely variable, then a system of

good or evil that is the result of our action conforming or disagreeing with the law is the result of the lawmaker. The lawmaker is the one that will reward or punish. Locke appears to be claiming that a law that is not backed by reward and punishment will render us incapable of judging if obeying a law is morally good or evil. According to Locke, in order for an action to be considered morally good or evil, it cannot be “the natural product and consequence of the Action it self” (II.xxviii.6, 352). If an action conforms to a rule, and the action results in pleasure, then the action is the source of good and not the law. Morality expresses a relationship between an action and some rule. In order to bring good and evil into the relationship, it must be connected to the moral rules and not the action. The role of reward and punishment serves the purpose of connecting the laws to good and evil. By doing so, it is possible to now view the relationship between the rule and an action as good or evil. Further, morality is the relationship between a rule and an action. Combining those two ideas, we are in a position to say that if one obeys a law that has reward and punishment attached to it, we can judge a person’s action to be morally good or bad. Without this interconnectedness, we can only judge the action in a non-moral sense. That is to say, we can only judge whether performing that action brings pleasure or pain.

Based on Locke’s argument, it seems that a law without reward or punishment is not a real law. Thomas Hobbes might have influenced Locke on this point. According to Hobbes, “where there is no common Power, there is no Law.”<sup>6</sup> While Locke’s language is not as strong as Hobbes’s language, it does express a similar sentiment. As Locke writes, “for the *law of nature* would, as all other laws that concern men in this world, be in vain, if there were no body that in the state of nature had a *power to execute* that law.”<sup>7</sup> Given the fact that laws require an enforcement mechanism in order to be of use, Locke writes that everyone in the state of nature has the authority to execute the law of nature. Whether we should view a law written in vain as still a law may be disputed. My purpose is to point out that Locke’s concept of a law is close to a Hobbesian interpretation of law. Hobbes and Locke agree that the nature of a law is to provide rules to govern a person’s action. Punishment and reward serve as a psychological motivation to follow the law. “We must, where-ever we suppose a Law, suppose also some Reward or Punishment annexed to that Law. It would be in vain for one intelligent Being, to set a Rule to the Actions of another if he had it not in his Power, to reward the compliance with and punish the deviation from his Rule” (II.xxviii.6, 351). If it would be vain to make a law, if a person did not have in his power the means to reward and punish, then it must be because a person will not follow the law unless reward and punishment are involved. Locke states, “that every

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rewards and punishments will not be effective. Therefore, while there is some variability, I think it is wrong to conclude that pleasure is whatever a person prefers. While pleasure is a preference people have to pain, pleasure is not the same as a preference. Pleasure is nothing more than the sensation of physical or mental pleasure—a simple idea.

<sup>6</sup> Thomas Hobbes, *Leviathan*, ed. C. B. Macpherson (New York: Penguin Publishing, 1968), I.xiii, 188.

<sup>7</sup> John Locke, *Second Treatise of Government*, ed. C. B. Macpherson (Indianapolis: Hackett Publishing, 1980), II.7, 9. (References are to chapter, section, and page.)

intelligent Being really seeks Happiness, which consists in the enjoyment of Pleasure, without any considerable mixture of uneasiness” (II.xxi.62, 274–75). A person will never act to choose not to pursue what will make him the happiest unless that choice is based on a mistake. People act to pursue pleasure and avoid pain. If you make a law, people will have a tendency to follow that law as a means to acquiring pleasure and avoiding pain. It would be vain to punish and reward someone if it has no effect on how that person acts.

My interpretation is not without textual difficulties. Locke states, “our Actions are considered, as Good, Bad, *or* Indifferent; and in this respect, they are Relative, it being their Conformity to, or Disagreement with some rule, that makes them to be regular or irregular, Good or Bad; and so, as far as they are compared with a rule, and thereupon denominated, they come under relation” (II.xviii.15, 359). In this passage, Locke does not mention punishment or reward. We judge an action as good or bad if it conforms to some rule. Yet if this is the case, it is in tension with Locke’s claim that our idea of good and evil are tied to our simple ideas of pleasure and pain. Pleasure gives us the idea of good and pain gives us the idea of evil. The idea of good and evil cannot come from a relation. All we can see is that an action agrees or disagrees with some rule. Unless one wishes to define good as conformity, then we need a means to connect pleasure and pain to the rule. It is only by this connection that we are able to use the terms good and evil and preserve their meanings. This is why that I insist that not only is reward and punishment necessary for motivation, it is necessary to generate a relationship where we can evaluate an action as good or evil. Without some punishment or reward rendering pain or pleasure to us based on the disagreement or conformity of our action to some rule, we are incapable of judging an action as morally good or evil.

There are two important aspects to Locke’s theory of our idea of morality. First, there must be a relation. The relation allows us to judge if an action conforms or disagrees with some standard. Second, we cannot judge that relationship as a *moral* relationship without rewards or punishments. The rewards and punishments cannot come from the act itself because morality is about a relation to some rule. If it were to come from the act itself, then morality is no longer about the conformity of one’s action to some rule. For example, if I prick my finger on a cactus, that causes pain. I believe that pricking my finger is bad because of it. However, it is not morally bad unless there is some rule by a lawmaker proclaiming not to prick one’s finger. Further, I cannot judge pricking my finger as morally bad unless the lawmaker will punish me for pricking my finger. Rewards and punishments attached to adherence to rules by a lawmaker is the source of morality. It is also the source of moral motivations and obligations. One ought to follow the rules because of the rewards and punishments.

Before discussing the different types of moral relations, I believe a further example may help to clarify the process. Suppose one wants to know if adultery is wrong. Sex, regardless of marital status, tends to bring pleasure. However, pain or pleasure by itself does not allow us to know if the action is moral or not. In order for a moral rule to be a rule, there must be a lawmaker who will reward or punish a person for obeying or breaking the law. If the lawmaker proclaims adultery to be wrong but cannot reward and punish, then adultery is not wrong. If the lawmaker proclaims adultery to be wrong and yet does not attach rewards or punishments for adhering or breaking the rule, then

adultery is not wrong. Adultery is only wrong when the lawgiver says it is wrong and attaches rewards and punishments for obeying or breaking the rule.

#### 4. Three Types of Moral Relations

With this groundwork in place, Locke describes three types of relations. Each relation results in different moral concepts such as duty, criminality, and virtue. Depending on the type of lawmaker, the result is a different type of relation and a different label for expressing that relation. Each relation is based on the type of lawmaker that creates the rules. The three moral relations Locke describes are the divine law, the civil law, and the law of public opinion. Divine law corresponds to our concept of duty and sin. It is “that Law which God has set to the actions of Men, whether promulgated to them by the light of Nature, or the voice of Revelation.” Locke considers the divine law to be the “only true touchstone of *moral rectitude*.” By comparing an action to the divine law, “Men judge of the most considerable Moral Good or Evil.” God is the ultimate authority because he has the power to reward and punish people in an “infinite weight and duration, in another Life” (II.xxviii.8, 352).

The second moral relation Locke describes is the civil law. Governments create rules and if a person breaks the rules, that person is considered a criminal. Every government has a system of rewards and punishments to reward those who obey the law and punish those who break it. The third type of moral relation is “the *Law of Opinion or Reputation*” (II.xxviii.10, 353). These rules are based on the opinions of one’s fellow citizens. Many actions the public disapproves of become part of the civil law, but not every action offensive to public sentiment becomes criminal. In many cases, Locke believes people will base their approval or disapproval of an action based upon the divine law. God may punish in the afterlife, but he does not do so during a person’s life. Society, however, can punish a person for breaking the divine law. The public may also have rules not based on the divine law. This is especially true in places without a concept of God prescribing a set of laws. A person is either praised or blamed for one’s actions depending on the action’s conformity or disagreement with the society’s norms. If a person obeys the rules, one may be considered virtuous; if one disobeys them, one is considered acting on vice. It is public pressure that serves as reward or punishment for as Locke wrote, “no Man escapes the Punishment of their Censure and Dislike, who offends against the Fashion and Opinion of the Company he keeps, and would recommend himself to. Nor is there one of ten thousand, who is stiff and insensible enough, to bear up under the constant Dislike, and Condemnation of his own Club” (II.xxviii.12, 357).

#### 5. Summary of Locke’s Moral Epistemology

At this point, I would like to summarize Locke’s moral epistemology before turning to objections to his theory. Moral ideas are mixed modes. We combine simple ideas in the mind that deal with human actions and their ends. This is how we develop ideas such as lying, adultery, and murder. Rules, or laws, are then generated based on those moral ideas. For example, the state can create a law that forbids murder. We can now compare



a person's action or proposed action to that law. This generates a relationship of conformity or disagreement between the action and the law. This relationship results in additional moral ideas such as duty, criminality, and virtue. The different names are used to express a relationship between a specific type of law and an action. Our ideas of good and evil are the result of our experiences of pleasure and pain. The lawmaker must attach punishment and rewards to the lawmaker's rules in order for us to view an action as either morally good or evil. Without this attachment, we can only see an agreement or disagreement. Yet once the lawmaker attaches pleasure and pain to the rules, we are able to judge an action not just in conformity with some rule but that the action is morally good because obeying it results in pleasure or the avoidance of pain.

### 6. Is Morality Demonstrable?

With Locke's theory described, we can now turn to Wilson's objections. Wilson objects to Locke's belief that morality is demonstrable in the same way that mathematics is demonstrable. "The *Idea* of a supreme Being, infinite in Power, Goodness, and Wisdom, whose Workmanship we are, and on whom we depend; and the Idea of ourselves, as understanding, rational Beings, being such as are clear in us, would, I suppose, if duly considered, and pursued, afford such Foundations of our Duty and Rules of Action, as might place *Morality amongst the Sciences capable of Demonstration*" (IV.iii.18, 549). In making his case that morality is demonstrable, Locke draws a parallel with mathematics. Mathematical concepts are mixed modes and exist only in the mind. Yet, mathematical knowledge counts as real knowledge. Morality also exists only in the mind and, like mathematical concepts, is real knowledge. Further, in the same way that one can reason about mathematical concepts, one can reason about morality. "*Moral knowledge is as capable of real Certainty as Mathematicks*. For Certainty being but the Perception of the Agreement, or Disagreement of our *Ideas*; and Demonstration nothing but the Perception of such Agreement, by the Intervention of other *Ideas* or mediums, our *moral ideas*, as well as mathematical, being *Archetypes* themselves, and so adequate, and complete *Ideas*, all the Agreement or Disagreement, which we shall find in them, will produce real Knowledge, as well as in mathematical Figures" (IV.iv.7, 565). Given that moral ideas only exist as ideas, how do we demonstrate the truth of those ideas? Locke uses property as an example. Take the proposition "there can be no injustice in a world without property" (IV.iii.18, 549). We can see this is true because of our concepts of injustice and property. Injustice is the violation of someone's rights to an object. Property is to have a right to some object. Therefore, in a world without property there is no means for a person to commit an injustice. If one were to maintain that it is possible to commit injustice in a world without property, we know his statement to be false given our definition of property and injustice. The truth of a statement depends on its conformity or disagreement to our ideas.

Definitions serve as a means to specify the content of ideas. If morality is demonstrable, then definitions are necessary. We can only judge the truth or falsity of a statement of a moral proposition by comparing it to the relevant moral ideas. Wilson's objection is that definitions of moral terms are always contestable. "Disagreement over

precisely what murder entails or excludes cannot be resolved by mathematical methods, since mathematics begins with precise stipulative definitions.”<sup>8</sup> Locke believes many of the problems with morality not being demonstrable relate to definitions. If we could agree on the “Collection of simple *Ideas*” that constitute each term and always use that term to refer to that specific collection of simple ideas, then we will “come nearer perfect Demonstration” of morality (IV.iii.20, 552). Wilson is pessimistic that an agreement on terms can be reached. Philosophers do spend considerable time arguing over what moral terms mean. Locke, however, does not believe it is agreement that resolves the issues.<sup>9</sup> “That where GOD, or any other Law-maker, hath defined any Moral Names, there they have made the Essence of that Species to which that Name belongs; and there it is not safe to apply or use them otherwise: But in other cases ’tis bare impropriety of Speech to apply them contrary to the common usage of the Country” (IV.iv.10, 567–68). Thus, according to Locke, the lawgiver determines the meaning of moral words. The meanings of moral words are not contestable if a lawgiver has provided a definition. Wilson believes that mathematics is demonstrable because of stipulative definitions. The lawmaker provides us with the stipulative definitions needed. Thus, morality would be demonstrable in the same way.

This leaves open the issue of moral terms that are not set by a lawgiver. Locke does agree with Wilson that “the precise Collection of simple Ideas they stand for” are not easily agreed on (IV.iii.19, 550). Thus, when a person uses moral language to communicate one’s idea to another person, the person hearing the word may have a different idea produced from hearing the word. This disagreement is the reason Locke stresses the need for definitions. Yet, if we cannot agree on the meaning of the words not defined by a lawmaker, does that mean we are stuck at the level of arguing over definitions?

Locke believes we can avoid arguing over definitions: “If we but separate the *Idea* under consideration from the Sign that stands for it, our Knowledge goes equally on in the discovery of real Truth and Certainty, whatever Sounds we make us of” (IV.iv.9, 567). If we focus on the ideas involved and not the words being used, then we can avoid arguing over definitions. While inconvenient, at least we avoid the argument over definitions.

However, I believe there is perhaps a related concern. When one is arguing over the definition, one is also arguing over if something is moral or not. One can say, “theft is just.” The question then becomes if the person is using *just* to mean what Locke and others would label *unjust* or if the person means that theft is morally appropriate. While the first

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<sup>8</sup> Wilson, “Moral Epistemology,” 397.

<sup>9</sup> Antonia LoLordo defends that morality is demonstrable. According to LoLordo, “Locke makes clear both that a demonstrative science of morality is possible and why it’s possible: because we know the real essences of the things our moral terms stand for. This is a consequence of the fact that moral ideas are ideas of mixed modes.” (Antonia LoLordo, *Locke’s Moral Man* [Oxford: Oxford University Press, 2012], 82) Substance is mind-independent and mixed modes are mind-dependent. In virtue of being mind-dependent, we can have complete knowledge. This is what makes morality demonstrable in theory. Her concern about demonstrability is rooted in issues of what we can have knowledge of and not to the issues related to Wilson’s objections.

option is confusing, there is not a disagreement over the rightness of theft. The second option is a greater worry, but one resolved by Locke. Morality requires a lawgiver. If a lawgiver has stipulated a law, then that is what determines whether theft is right or not. A person cannot make theft right if a lawgiver has a law specifying that it is wrong. In cases where a lawgiver is not involved, then disagreement is still possible. The easiest solution is to have a lawmaker settle the issue. Lacking that, we are stuck in a definitional argument that is actually about the rightness or wrongness of an action. If no lawgiver has defined murder, and one wants to know if killing an adulterer is murder or not, one is most likely not just arguing over if it should be included in the definition. Rather, it is by including or excluding the adulterer from the definition of murder that one is also either approving or disapproving of killing adulterers. In this case, one is asking what the morally correct action is. This is moving beyond Locke's moral epistemology into normative ethics. Locke is explaining the origin of our moral ideas, not the justification of them. From a pragmatic point of view, Locke addresses most of the concerns over demonstrability. The lawgiver provides the definitions permitting us to demonstrate that an action is right or wrong.

### **7. Can Locke Demonstrate Normative Statements?**

Wilson never addresses the issue of if we did agree on the definition of moral terms that morality would be demonstrable. It seems plausible, given Locke's account of demonstrability, that agreed upon definitions would solve many of the issues with the demonstrability of morality. The greater worry Wilson has is that "we cannot claim to have demonstrated a normative statement." We can demonstrate what actions are unjust, but we cannot demonstrate that committing an injustice is wrong. Wilson gives a few examples in supportive of her argument. For example, she claims that we cannot demonstrate that "slavery is not unjust, since it deprives no one of his property."<sup>10</sup> However, Wilson's objection is unsuccessful if we stick to Locke's theory. We make moral judgments based the relationship between a rule and an action.<sup>11</sup> One could maintain that slavery is not unjust, but at the same time, slavery is morally evil. If there is a rule that forbids slavery, then slavery conflicts with that rule. Therefore, we can judge slavery as morally evil. Wilson ignores the role of moral relations. Moral relations are the source of normativity. Locke demonstrates that slavery is unjust in the *Two Treatises of Government*.<sup>12</sup> We are God's property. To make someone a slave is to take God's property. Therefore, slavery is unjust. If one does not believe in God, one can appeal to the idea of self-ownership. Each person owns oneself; thus, slavery denies someone property of oneself. Finally, even if there is no property involved, we can demonstrate that slavery is immoral even though it is not unjust. It is immoral because there are rules forbidding it.

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<sup>10</sup> Wilson, "Moral Epistemology," 398.

<sup>11</sup> At this point, assume any use of the term "rule" or "law" implies that such rules are backed up by a lawmaker that has the ability to reward and punish.

<sup>12</sup> Locke, *Second Treatise*, II.6, 9.

Judging by the criticism, I believe that Wilson is overlooking a significant part of Locke's theory. In fact, she is falling into a mindset that Locke himself comments on. When we say that something is theft, we are not merely describing the action, but condemning it. Yet, while a person may do this, one is conflating one's ideas. First, there is the idea of what theft is and second there is the rule claiming that theft is wrong. The rule stipulates when the taking of another person's property is permissible or impermissible (II.xviii.16, 359–60). If we separate the rule from the label of the action, I believe we arrive at what I believe is Wilson's actual objection. Wilson wants to know that it is possible to demonstrate the correctness of moral rules. Locke's account allows us to know if an action conforms or conflicts with a rule, but what seems missing is an account of whether the rule is the correct rule to follow. When Wilson wants to show that slavery is unjust, she wants a demonstration that slavery not only conflicts with a rule but that conflicting with the rule is morally wrong. I believe this is her argument because she wants to show the demonstrability of normative statements. Normative statements deal with what one should or should not do. What a person should or should not do is tied to the rules. If Wilson is not making this claim, it seems to me she should be because Locke easily answers her arguments, taken as they are stipulated. He can demonstrate that without property, there is no injustice, but he never claimed this showed that injustice is *truly* wrong. If one wants to know if an unjust act is wrong, we compare it to a rule issued by the lawmaker who has in one's power the ability to reward and punish. Reward and punishment provide one with pleasure and pain. Pleasure and pain are the source of our concept of good and evil. With the basic assumption that a person should do the good and avoid the bad, then Locke has demonstrated a normative statement.

### **8. Are There Correct Moral Rules?**

What I believe is a more serious objection against Locke is to demonstrate that the rules *are the correct rules*. This is what is necessary in order to demonstrate that something *truly* is right or wrong. If we measure something by a yardstick, we know the relationship between the yardstick and some object, but we do not know that the yardstick really is a yard. That is what Locke's account seems to fail to provide. We can know if an action conforms to a moral rule or not. What we do not seem to know is if the rule is the correct rule. In terms of our knowledge of the world outside of our ideas, we have some assurance that our ideas match the way the world is. It may turn out that our ideas do not match the way the world is; however, we at least have some assurances that they do. In terms of moral knowledge, Locke needs to provide a method for knowing if moral rules correspond to the *correct* moral rules. Moral epistemology needs to provide an account of our moral ideas, but it also needs to provide a method for judging whether our moral concepts are the correct ones. Locke himself seems to endorse this claim when he writes "there being no part of Knowledge wherein we should be more careful to get determined *Ideas*, and avoid, as much as may be, Obscurity and Confusion" than our moral ideas (II.xxviii.4, 351).

Having correct moral rules, I believe, depends on the rules being universal. This is not to suggest that circumstances do not matter, but assuming the exact circumstances are

the same, then the morality of an action should be judged the same across all cultures. If killing a baby is murder, and murder is always wrong, then this should be true across all cultures. It cannot be acceptable in China but unacceptable in Norway. It might be the case that people in China personally believe that it is acceptable, but their belief does not make something right or wrong.

If my assumption that having the correct moral rules requires them to be universal and objective, then there are three questions we can ask of Locke. First, are any of the three sources of moral rules described by Locke the source for the correct rules? Second, if none of the three sources of moral rules are correct, then does Locke provide us with the tools to build a correct set of rules? Third, how can we even judge what rules are the correct ones? Locke only refers to the divine law as the “only true touchstone of *moral Rectitude*” (II.xxviii.8, 352). Given that he realizes public opinion varies by culture, if any of the three sources of law is the correct one, then Locke must believe it is the divine law.

### **9. Do Any of the Sources of Moral Rules Provide the Correct Moral Rules?**

Regarding the first question, of whether any of the three sources of moral rules are the source of the correct rules, I believe Locke has his sympathies but not a definitive argument. Locke refers to the Law of Nature as an “unalterable Rule” that people ought to use to judge a person’s moral rectitude (II.xxviii.11, 354n). Locke also seems to give an argument for why we must obey God’s law: “God has given a Rule whereby Men should govern themselves, I think there is no body so brutish as to deny. He has a Right to do it, we are his Creatures: He has Goodness and Wisdom to direct our Actions to that which is best: and he has Power to enforce it by Rewards and Punishments of infinite weight and duration, in another life” (II.xxviii.8, 352). I do believe that Locke believes in some version of the divine command theory.<sup>13</sup> However, in the quoted section, he is describing why God is a lawgiver and why we should obey the rules. He details similar justification for the civil law. The commonwealth has the right and power “to protect the Lives, Liberties, and Possessions, of those who live according to its Laws, and has power to take away Life, Liberty, or Goods, from him, who disobeys” (II.xxviii.9, 352–53). In the same manner that Locke points out why we should follow the laws of the state, he is pointing out why we believe God to be a lawmaker and why we ought to follow the divine law. The *Essay* is a work of human understanding and not a moral theory. He is attempting to provide an account of how we come to have moral knowledge. These moral relations are how “Men judge whether their Actions are Sins, or Duties; . . . Criminal, or Innocent; and . . . whether

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<sup>13</sup> Schneewind argues that Locke “tried to work out a Grotian theory of natural law in voluntarist terms.” (Schneewind, “Locke’s Moral Philosophy,” 222) Schneewind does present a compelling case that Locke is a natural law theorist, yet most of the evidence is from Locke’s other works. It is my conjecture that Locke’s overall epistemological project could not justify natural law. Thus, we see Locke using language that indicates his personal beliefs, but those cannot be justified through Locke’s epistemological theory. If Locke were to be arguing for natural law, we should expect a clear argument instead of rhetorical phrases, but there is no argument in the *Essay*. Hence, we know Locke’s position; but it is one that Locke realized he could not justify.

they be Vertues or Vices” (II.xxviii.7, 352). We, including Locke, may judge the divine law to be the true law, but this is our assessment and not necessarily the actual truth. “And thus, much for the Relation of humane Actions to a Law, which therefore I call Moral Relations. ‘Twould make a Volume, to go over all sorts of Relations: ‘tis not therefore to be expected, that I should here mention them all” (II.xxviii.17, 360). Locke is not providing an account of all possible moral relations. There could be other relations. In order to have a moral relation, all one needs is a lawmaker with the ability to reward and punish and then to create some rule covering the permissibility of some human action. Locke is providing an account of how we can have moral knowledge at all. Locke himself denies that he is giving us an exact standard of morality and that topic is for “another Enquiry” (II.xxviii.20, 362).

### **10. The Building Blocks of Normative Theory**

It does not seem as though we can offer a satisfactory account of how one can know if one is correctly following the divine law. This should not come as a surprise because Locke is only offering us an account of moral relations and is not claiming we can know if the rule giving us the relation is the correct moral rule (II.xxviii.20, 362). While a full normative theory is beyond Locke’s project, he does need to provide an account of the building blocks necessary for building a moral theory for an adequate account of moral epistemology. Locke provides an account of the origin of our moral ideas. We pass moral judgments based on the relation an action has to some rule. We perform an action because of rewards and punishment. We are motivated to seek pleasure and avoid pain. One could press Locke and ask why we should avoid pain and seek pleasure. Yet to ask this is to ask a normative question. Locke is not offering a normative theory. He is offering, at least partially, a metaethical theory. One could ask why we *do* seek pleasure and avoid pain. This question can be answered by empirical study. For Locke, it just appears to be true that people seek pleasure and avoid pain. Locke has described how we come to view something as good or evil. He has provided us with an account of normativity, motivation, moral assessment, and moral ideas. While one may not agree with his account, if Locke is correct, then it does appear he has provided us an account of all of the moral concepts needed to build an ethical theory.

### **11. How We Judge a Rule to be the Correct Rule**

This leaves us with the third question of how we can judge a particular rule to be correct. We do know that Locke holds that the true moral law is unalterable (II.xviii.11, 354n). Locke describes three moral relations. This means there are three separate standards to judge an action by. It is conceivable that the divine law requires a person to perform an action, but the civil law forbids it. If a person performs the action required by the divine law, then we judge that person’s action to be good, but if at the same time it breaks the civil law, we judge it to be bad. How do we know if the action is good or bad? We would need to decide on what set or rules is correct. This involves a relation. We need to compare the actual rules to the correct rules. Yet we lack the ability to know what rules are correct,

so it is impossible to make a comparison. While there may be an objective unalterable moral rule that applies to everyone as Locke claims, our ability to know those rules is something to be doubted.

I believe it is possible for Locke to respond to the concern that we have no means to judge whether a given set of moral rules are the correct rules. Locke claims that practical sciences deal with “the Skill of Right applying our own Powers and Actions, for the Attainment of Things good and useful. The most considerable under this Head is *Ethicks*, which is the seeking out those Rules, and Measures of humane Actions, which lead to Happiness, and the Means to practise them. The end of this is not bare Speculation, and the Knowledge of Truth; but Right, and a Conduct suitable to it” (IV.xxi.3, 720). The purpose of ethics is to discover what rules promote happiness. If we assume that happiness is pleasure, then the task of ethics is to lay out the rules that best promote people’s pleasure. Insofar as a set of rules promotes pleasure, they are right; insofar as they do not, then they are wrong. The correct set of rules will be those rules that provide the most happiness. Further, with this view of ethics, we can understand why punishment and reward are attached to rules. When we get to normative ethics, then we can assess rules by how much they promote the good where good is understood as pleasure. People make mistakes in understanding what the good is. We are often led astray by the appearance of immediate good and ignore a larger good in the future (II.xxi.63, 275). Given that we can misjudge things, then this allows for moral progress. The task of ethics, therefore, can be seen as developing and modifying rules over time in pursuit of the correct set of rules. Given that people are often focused on the short-term pleasure over a long-term pleasure, even if the long-term pleasure is the greater of the two, then we need to find a method to make people act only on their long-term pleasure. A proper rule will be one that promotes the most pleasure. Often this pleasure will not be an immediate gain of pleasure, but one that happens later. If you make it in a person’s short-term interest to follow the rules by the use of rewards and punishments, then you help ensure that the person will benefit in the long term as well.

One possible objection to my account of how we judge the correctness of moral rules, relates to the use of pleasure and pain. Previously it appeared as though we could only judge something as good or bad based on a rule and if that rule was backed by punishment and rewards. The use of reward and punishment are meant to provide us with a means of assessing actions as morally good or evil and not the rules themselves. Pleasure and pain are the standards by which we evaluate anything as good or bad. At this point, we have stepped back from evaluating if an action is good or bad, to evaluating if the rules are good or bad. The morality of an action is evaluated by conformity to some rule. In interpreting Locke, we always need to keep in mind that evaluating anything in terms of good and evil needs to connect directly to pleasure and pain because these are the origins of those concepts.

If my account is correct, then Locke has provided us with a means for determining the correct moral rules. Or rather, he has provided us with a way to evaluate the degree of correctness of moral rules. What we are ignorant about is how close the moral rules we have are to the moral rules God enforces. That is problematic if we are concerned with avoiding hell. However, it is not a problem for us knowing if there is a moral relation. It

is also not a problem if we accept the idea of moral progress over time. Thus, if we focus on developing a secular morality, then Locke's moral epistemology is more useful because it does not require us to know God's moral rules. Yet, even if we accept that God is the source of morality, at least we potentially have a means to judge how close our moral rules are to God's rules by the degree of happiness the rules bring.

## 12. Is the Divine Law Demonstrable?

While I have argued that Locke is not attempting to argue in the *Essay* that the divine law is the correct moral law, some scholars may disagree. Based on Locke's rhetoric, it is clear he does believe God to be the source of the correct moral law. Morality is about a relation and there are as many different possible moral relations as there are possible lawmakers. Are we to take it that every moral relation is equal to another? In this section, I will argue that it is the command of God that makes something moral. However, the content of the divine law must be fixed in a manner that allows people to discover the divine law without the need of revelation if morality is demonstrable.

If I am correct, then the correct moral rules must be objective and apply to all. Since we need a lawmaker for a moral relation, then we need one that can punish all of humanity. God clearly could do so. However, we could imagine a world government with such power or perhaps an occupying alien force. It seems unreasonable that Locke believes that the commands of God are on par with that of a world government. Yet, both would have the ability to reward and punish all persons for their adherence to law. God has an infinite ability to reward or punish making God more powerful than any world government. Yet, are we to think that moral truth resides solely in the power of the most powerful lawmaker? Thus, we are left with the question of if the source of morality resides solely in God's infinite power or something else.

The voluntarist position holds that morality is dependent on God's will. As such, God can make anything moral. Such a position makes morality arbitrary. The intellectualists reject that the source of morality is God's will and place it within reason. Andrew Israelsen argues that God's will cannot be the basis of morality if we believe that morality is capable of demonstration. If morality is based on God's will, then morality is arbitrary, and one cannot make reasonable inferences about moral rules since those rules are arbitrary. Thus, "we *must* think of Locke as advocating a view of moral concepts that stems *necessarily* from God's *nature* rather than arbitrarily from God's will," and by God's nature Locke must mean "God's rational nature."<sup>14</sup> Voluntarists, however, can argue that if morality stems from reason, then God is not necessary for morality.

There are at least two additional problems with the intellectualist account. The first stems from the origin point of arbitrariness. For example, we can suppose that God creates the universe and everything within it. Then, God decrees moral laws for humanity. These are both done arbitrarily. Thus, there is no way to infer from aspects of reality to

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<sup>14</sup> Andrew Israelsen, "God, Mixed Modes, and Natural Law: An Intellectualist Interpretation of Locke's Moral Philosophy," *British Journal for the History of Philosophy* 21, no. 6 (December 2013): 1118, <https://www.doi.org/10.1080/09608788.2013.858236>.



the moral laws God will use to judge humanity. If this is what occurs, then Israelsen is correct. On the other hand, if we situate the arbitrariness only within the creation of the universe, then we could still infer moral rules. This is because the natural law follows necessarily from the nature of the universe. For example, it just happens to be that humans reproduce sexually. It could have been otherwise. This is where things are arbitrary. However, given the way the universe is, the natural laws are set. This allows us to infer the natural law from reality.

The second, and more problematic, aspect of the intellectualist position is that it fails to account for moral obligation. A moral relation requires a command backed up by rewards and punishments. It is power that is the source of the obligation. If we think that reason is the source of moral obligation, then not only is God unnecessary to determine the content of morality, God is unnecessary for moral obligation.

Regarding God's will being the source of moral obligation, there is a possible response the intellectualists can make. According to Israelsen, in order for one to follow the divine law, one must know that there is a God who has articulated in some manner what rules to follow and one must know that God will reward or punish one for following or breaking those rules.<sup>15</sup> Drawing on a passage from *The Reasonableness of Christianity*, Israelsen points out that Locke believes that reason or revelation can provide us with knowledge that God rewards and punishes.<sup>16</sup> While revelation is sufficient, it is not a necessary condition for moral understanding. Reason alone can provide knowledge of moral concepts.<sup>17</sup> Morality flows from God's rational nature and not his will. Thus, human nature and the natural law are fixed by God's nature.

If Israelsen is correct, then we can know that God punishes those who break the law. However, that does not address the source of obligation. Presumably, if Israelsen argues that we can know that God rewards and punishes through reason alone, then he recognizes the need of rewards and punishment. He quotes Locke to demonstrate that a law without rewards and punishments would be in vain. However, Israelsen interprets this in terms of motivation and not normativity. God is the enforcer of the law and that provides people with a "motivation to follow the natural law."<sup>18</sup> One interpretation of Israelsen is that he is drawing a distinction between a motivating reason and a justificatory reason. The enforcement of the natural law provides people with a motivating reason to follow it. However, the justification for following the natural law is that it is rational. God's nature is reasonable and morality flows from that. If this interpretation is correct, then the normative force is reason and not the command. This is highly problematic because it seems to remove our ability to evaluate something as morally good or evil.

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<sup>15</sup> Israelsen, "God, Mixed Modes, and Natural Law," 1116.

<sup>16</sup> Israelsen, "God, Mixed Modes, and Natural Law," 1124–25.

<sup>17</sup> Israelsen, "God, Mixed Modes, and Natural Law," 1118.

<sup>18</sup> Israelsen, "God, Mixed Modes, and Natural Law," 1116.

As I previously argued, Locke believes that pleasure and pain are the source of our ideas of good and evil. The lawmaker must attach punishment and rewards to his rules in order for us to view an action as either morally good or evil instead of naturally good or evil. Without this attachment, one can only see an agreement or disagreement with the rule. By attaching pleasure and pain to the rules, one is able to judge an action as morally good because obeying it results in pleasure and breaking it involves pain. Locke is clear that the rewards and punishments must come from the lawmaker and not as a natural consequence of the action (II.xxviii.6, 352). To relegate rewards and punishments to mere motivation strips one of the ability to view a rule as a moral rule.

An alternative interpretation is that Israelsen does believe that the enforcement of the natural laws by God is necessary for a moral obligation. In this case, we see that the normative force is through enforcement, but the content of the natural law is through reason. If that is correct, then Israelsen's position seems like the third option argued for by Alex Tuckness.

The third option claims the reason we should obey God is because of God's will, while the content of those moral commands is not determined by God's will.<sup>19</sup> It is the command itself, i.e., God's willing, that makes something moral. However, what is commanded is determined by reason. It is important to keep in mind that for Locke, a law is a type of command. The law requires the ability of the lawgiver to reward and punish for adherence to the law in order for it to be a law. Therefore, in order for God's commands to be commands, God must reward and punish. The result is that Locke is a voluntarist in terms of the grounding of morality but an intellectualist in terms of the content.

I do not intend to settle the voluntarist-intellectualist debate in this paper. Rather, what I have argued is that Locke's account of morality requires a lawgiver that rewards and punishes depending on one's adherence to law. God rewards and punishes the divine law. This is necessary for us to have a moral relation and be able to know if something is morally good or evil. The content of the law does not determine if something is morally good or morally evil. For example, we can judge that being beaten is bad because it causes pain. However, we cannot say it is bad in a moral sense without the lawgiver making a rule that is enforced with rewards and punishments.

The moral rules that God proclaims may flow from God's rational nature or not. However, a mechanism must be available by which one can know the moral rules without revelation. If the intellectualists are correct in that if morality does not flow from God's rational nature, then we cannot know the moral rules, then Tuckness's position would be correct. On the other hand, as I previously suggested, if the natural law flows necessarily from the nature of the universe and the universe is made arbitrarily, then morality, may be arbitrary but can still be inferred. In a different universe, morality could have been different. However, given this arbitrarily created universe, this is what the natural law is. We can then infer the natural law from observations of reality. In any case, all I need to

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<sup>19</sup> Alex Tuckness, "The Coherence of a Mind: John Locke and the Law of Nature," *Journal of the History of Philosophy* 37, no. 1 (January 1999): 76, <https://www.doi.org/10.1353/hph.2008.0833>.

assume going forward is that Locke is a natural law theorist because that provides the best explanation for how one can learn morality without the need of revelation.

### 13. Can We Know the Content of the Divine Law?

If the divine law is, or can be known through, the natural law, then this raises the question of how one can know that the moral ideas one has about the natural law correspond to God's ideas. Israelsen's argument for the natural law being demonstrable begins by correctly pointing out that Locke thinks we need to look at the ideas and not the words. From here, his account is that there would be an "inferential chain in which one would go from the most basic ideas of natural good and evil, namely *pleasure* and *pain* (cf. E.II.XX.2) respectively, and in a movement from the recognition of natural goods to the higher class of moral goods, rightly attach the notions of good and bad to modes in a way commensurate with our rational recognition of Natural Law."<sup>20</sup> Israelsen's account seems to be that humans start with natural good and evil. Humans also have a recognition of the natural law. Then, people connect the idea of natural good and bad to the natural law. This gives us a moral relation allowing us to have moral concepts. However, how is that process supposed to occur? Locke has provided an account where we form the idea of good and bad through pleasure and pain. However, we can only judge if an action is right or not based on if our actions conform to a rule set down by a lawmaker with the ability to reward and punish. Even if we accept the idea that God's laws are natural laws, the most we can know is that if our action conforms to the natural law, then we are rewarded and if not, we will be punished. Thus, we can say that following the natural law is right and breaking it is wrong. What we cannot know is if our account of the natural law is the correct account of the natural law.

One of Wilson's complaints is that we cannot know that our moral ideas are the correct moral ideas. As I previously argued, Locke's account says that the lawgiver determines the correct meanings. Thus, God's ideas are the correct moral ideas. Yet, there is a problem in that there does not seem to be a way to know that our moral ideas correspond to God's ideas. At least in terms of civil law and public opinion, one has a means to learn the correct moral ideas and can be corrected by others. No such recourse is possible with God.

Mark Mathewson raises a similar complaint to that of Wilson. Mathewson begins with the distinction between certain knowledge and certain real knowledge. Certain real knowledge requires that we know not only about relations between ideas but also about the agreement or disagreement of those relations with external reality.<sup>21</sup> Mathewson treats moral knowledge as something that counts as knowledge of external reality because the divine law that one is judged by is external to us. Therefore, we would need to know the divine law to have real knowledge.

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<sup>20</sup> Israelsen, "God, Mixed Modes, and Natural Law," 1128.

<sup>21</sup> Mark D. Mathewson, "John Locke and the Problems of Moral Knowledge," *Pacific Philosophical Quarterly* 87, no. 4 (December 2006): 522–23.

Mathewson presents a solution to obtaining certain real knowledge of the divine law, but ultimately rejects it. Having knowledge of external things only requires having assurance. We have knowledge of moral ideas because these are just archetypes in the mind. We have assurance that our moral ideas match the divine law. Therefore, we could have certain real knowledge about morality. Mathewson rejects this as a possibility because “the high degree of certainty that Locke sets for knowledge.”<sup>22</sup> Consequently, we can have certain knowledge of morality but not certain real knowledge.<sup>23</sup>

Mathewson’s argument conflicts with Locke’s argument that we can have certain real knowledge of morality. Locke believes that we can have knowledge of morality just as we have knowledge of mathematics because they are both mental constructs that do not correspond to an external world (IV.iv.5–7, 564–65). Locke believes that we can have certain real knowledge of morality. Based on his comparison to mathematics, one can have certain real knowledge of angles being congruent just as one could have certain real knowledge that murder is wrong. In both cases, it is because it only involves relations between ideas and not anything external to the mind.

The mistake that Mathewson makes is treating the divine law as an external thing. In regard to geometry, Locke writes one “is certain all his Knowledge concerning such *Ideas*, is real Knowledge: because intending Things no farther than they agree with those his *Ideas*” (IV.iv.6, 565). Regarding morality, Locke is clear that “our *moral Ideas* . . . will produce real Knowledge” like one can have with geometrical figures (IV.iv.7, 565). However, since moral ideas require a relation, then we need to specify that the relation is between one’s idea of the moral rule rather than the lawmaker’s idea of the moral rule.

The concern Mathewson has is if our idea of the rule corresponds to the lawmaker’s actual rule. Those rules are ideas and should not be treated in the same way as external objects. Locke believes that people often have moral disagreements due to the words used rather than ideas. As previously mentioned, theoretically this can be resolved by discourse such that we can understand the use of the terms the lawmaker is using. No such discourse is possible with God.

The lack of knowing the divine law is problematic. However, Locke has provided a means to identify the divine law:

That several Moral Rules, may receive, from Mankind, a very general Approbation, without either knowing, or admitting the true ground of Morality; which can only be the Will and Law of a God, who sees Men in the dark, has in his Hand Rewards and Punishments, and Power enough to call to account the Proudest Offender. For God, having, by an inseparable connexion, joined *Virtue* and publick Happiness

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<sup>22</sup> Mark D. Mathewson, “Problems of Moral Knowledge,” 522.

<sup>23</sup> In making his argument, Mathewson relies on arguments from Lex Newman relating to certain knowledge versus certain real knowledge. Newman, however, articulates that we can have certain real knowledge of moral ideas. (Newman, “Locke on Knowledge,” in *Cambridge Companion to Locke’s “Essay”*, 349) Thus, Mathewson is either misinterpreting Newman or Newman failed to see the issues raised by Mathewson.

together; and made the Practice thereof, necessary to the preservation of Society, and visibly *beneficial* to all, with whom the Virtuous Man has to do; it is no wonder, that every one should, not only allow, but recommend, and magnifie those Rules to others, from whose observance of them, he is sure to reap Advantage to himself. . . . Since we find that self-interest and the Conveniences of this life, make many Men, own an outward Profession and Approbation of them, whose Actions sufficiently prove, that they very little consider the Law-giver, that prescribed these rules; nor the Hell he has ordain'd for the Punishment of those that transgress them. (I.iii.6, 69)<sup>24</sup>

We can see that Locke believes there are several moral rules. However, the rules God intends us to follow are the ones necessary for the preservation of humanity. This allows us to both identify the correct rules and a motivation to follow the rules. Locke goes so far as to claim that following the correct moral rules is in a person's self-interest even if one does not consider God's punishment for breaking them. These moral rules are so obviously beneficial that we recommend these rules to others and people do not need to know the rules come from God. This view matches with what I have previously argued in regard to us being able to identify the correct moral rules in terms of pleasure and pain.

If my account is correct, then one could argue that we can identify the natural law by those rules that promote happiness. However, it could be objected that there are multiple rules that promote happiness. How do we identify which is the correct rule? A possible response are the rules that generate the most happiness. Scalar utilitarianism allows one to judge an action as being right and another action as more right based upon how much happiness is produced. The less right action is not wrong. If God's divine law is on a scale that permits actions to be judged as right and more right, without the less right action being wrong, then this provides us hope. We can judge a rule by how well it tends to produce happiness. It may not be the one that maximizes happiness, but at least it is still a right action. We would also need to assume that it is only the divine law that can produce public happiness. If not, then we could be following a rule that produces public happiness and yet not at all be a rule that is a divine law.

On the other hand, if we reject the idea of morality being scalar, then we have a problem. We would need to know the moral rules that produce the maximum amount of happiness. Anything less than following the moral rule that produces the maximum amount of happiness would be a deviation from the divine law. Therefore, even though following the law is producing public happiness, it is not the correct law. Thus, God would punish us for not following the divine law.

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<sup>24</sup> It should be noted that Locke uses virtue here to refer to the divine law. However, Locke later describes the divine law as giving us the ideas of duties and sin. Meanwhile, public opinion provides us with concepts of virtue. (II.xxviii.8–10, 352–53) Locke's spelling of virtue is different in these sections as well.

Patrick Connolly argues that what is important is not that we correctly follow the divine law, but rather that we try.<sup>25</sup> According to Locke, “he that makes use of the Light and Faculties GOD has given him, and seeks sincerely to discover Truth, by those Helps and Abilities he has, may have this satisfaction in doing his Duty as a rational Creature, that though he should miss Truth, he will not miss the Reward of it” (IV.xvii.24, 688). Connolly believes that while Locke is not addressing moral knowledge in this section, it applies to all knowledge. As such, as long as people use reason and attempt to ascertain the divine law, then God would reward rather than punish us for getting the divine law wrong. Of course, Locke needs an argument for how we can know that God would not punish. Even granting that Locke is correct, this does not answer how we can have moral knowledge. Rather, Locke is claiming that we should not worry about getting it wrong as long as we try.

At this point, we have an option. We can argue that the divine law is on some scale. Such an argument is beyond the purpose of this paper. However, as I have argued, the idea of a scale allows us to salvage the idea that Locke’s moral epistemology can provide us with at least a secular way for determining the correct moral rules. The other alternative is to admit we cannot know what the divine law is. I believe the best recourse for textual interpretation of the *Essay* is to accept the idea that humans cannot know the content of the divine law. According to Locke, the divine law is “the only true touchstone of *moral Rectitude*; and by comparing them to this Law, it is, that Men judge of the most considerable *Moral Good* or *Evil* of their Actions” (II.xxviii.8, 352). Notice that Locke is saying that people judge if an action is moral or not based on if they think that the person’s action conforms to what we think the divine law is. People compare their idea of the divine law with the action. They are not comparing actions with the actual divine law. If taken as an account of what people mean when they say morally good or evil, then Locke’s account is adequate. He does not claim people are correct in their evaluation.<sup>26</sup> Thus, as an epistemological account of what people mean, Locke’s account is adequate. On the other hand, as an account of how we can correctly know what the divine law is, then Locke’s account is inadequate. Yet, it does not appear that Locke is making the latter claim.

Locke believes that the divine law is promulgated “by the light of Nature, or the voice of Revelation” (II.xxviii.10, 353). Where Locke’s account is entirely inadequate is on our ability to know if what we infer as natural law is what God intends to be natural law. At best, we can know if a moral rule brings pleasure or public happiness. We could assume that we are on the right path because God has linked together the correct moral rules to public happiness. Yet, this does not allow us to know if we really are following the divine law. Although, we may take comfort in knowing that this seems a good enough inference

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<sup>25</sup> Patrick J. Connolly, “Locke’s Theory of Demonstration and Demonstrative Morality,” *Philosophy and Phenomenological Research* 98, no. 2 (March 2019): 448, <https://www.doi.org/10.1111/phpr.12512>.

<sup>26</sup> In relation to the law of opinion, Locke added a clarification in the fourth edition that he “was not laying down moral Rules, but shewing the original and nature of moral Ideas, and enumerating the Rules Men make use of in moral Relations, whether those Rules were true or false.” (II.xxviii.11, 354n) I believe it is clear that Locke is only providing an account of the origin of our moral ideas.

for God not to punish us. Fundamentally, the light of nature is not as clear as Locke seems to be implying or perhaps hoping that it is.<sup>27</sup>

#### 14. Conclusion

I believe that the most serious objections against Locke's moral epistemology are: that morality is not demonstrable; that even if it were demonstrable, Locke has not demonstrated a normative statement; and that Locke has not provided us a means to evaluate the correctness of moral rules. However, as I have argued, a proper understanding of Locke's moral epistemology resolves these objections. One needs to keep in mind that Locke is only providing us with the building blocks of a normative theory and not a normative theory. One also needs to keep in mind the central and necessary role of the lawgiver for Locke's moral epistemology.

Locke's belief of the divine law as the correct moral law is the problem, not his moral epistemology. This has to do with our inability to know God's commands. The fact that one cannot know God's commands should give one pause not about Locke's moral epistemology but with God being the source of morality. Viewed as a secular theory, Locke's moral epistemology is useful for work in modern ethics and metaethics. Given that Locke has provided an empirical account of all of our moral ideas, it would serve the metaethicist well to revisit Locke. Many aspects of metaethics have taken a linguistic or psychological turn. Locke has provided a means to ground our ethical concepts in empiricism. He has also shown how moral progress is possible. Certainly, Locke's theory is more inclined to lead to a consequentialist ethic than a deontological or virtue ethic. This fact should raise questions for those other theories. If empiricism is true, then philosophers need to provide a metaethical account that is supported by empiricism. If one cannot build a normative theory out of empirical concepts, then one needs to question whether empiricism is right or if one's ethical theories are wrong.<sup>28</sup>

*Portland State University*

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<sup>27</sup> The natural law theory of ethics is widely challenged. Even if we ignore the naturalistic fallacy, there is the issue of proper inference about what the natural law is. Consider the belief held by many natural law theorists that sex is only for procreation. One can observe that sex can result in pregnancy. Since God designed everything, then God intends this to be the result. However, sex also results in pleasure. Why can't we say that the purpose of sex is pleasure instead of procreation? Is using birth control a violation of natural law? God did provide us with sense, reason, and intellect. Can it be wrong for us to use that aspect of nature to forgo children while embracing that aspect in other technological developments such as flying on airplanes?

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