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# Locke, Lockean Ideas, and the Glorious Revolution

*Lois G. Schworer*

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The role and significance of John Locke's political ideas in English history and the part Locke played in English politics have been reinterpreted during the past twenty years or so. Thanks to the work of John Dunn, Peter Laslett, Martyn Thompson, John Kenyon, Richard Ashcraft, and others, we now have a different understanding of the argument, dating, and reception of *Two Treatises* and of the role Locke played in the politics of the 1680s.<sup>1</sup> Notwithstanding all this—and other—excellent work on Locke, there remains a central question respecting him and the Glorious Revolution, which, if not entirely neglected, still invites attention.<sup>2</sup> It is Locke's response to and activities in the Revolution, a question that includes consideration of the correspondence between Locke's theories about government and his actions and comments, and between his ideas and those expressed in debate and contemporary tracts. Recently "rediscovered" material—an account of a debate and some papers that Locke wrote in 1690 and 1695, the one respecting the Oaths controversy and the other his thoughts on Old England's legal constitution—permits a fuller answer than has yet been offered, although, admittedly, even when this new material is joined to well-known sources, the

The author thanks Gordon J. Schochet for his comments on a draft of this essay.

<sup>1</sup> John Dunn, *The Political Thought of John Locke. An Historical Account of the Argument of the Two Treatises of Government* (Cambridge, 1969); J. P. Kenyon, *Revolution Principles The Politics of Party 1689-1720* (Cambridge, 1977); Peter Laslett (ed.), *John Locke: Two Treatises of Government* (Cambridge, 1967) (all references to Locke's *Second Treatise* are to this edition); Martyn Thompson, "The Reception of Locke's Two Treatises of Government 1690-1705," *Political Studies*, 24 (1976), 184-91; Richard Ashcraft, *Revolutionary Politics and Locke's Two Treatises of Government* (Cambridge, 1986).

<sup>2</sup> Bibliographers have identified nine essays from 1907 to 1967 that considered some aspect of Locke and the Glorious Revolution: Roland Hall and Roger Woolhouse, *80 Years of Locke Scholarship. A Bibliographical Guide* (Edinburgh, 1983), and Jean S. and John Yolton, *John Locke. a reference guide* (Boston, 1985).

evidence remains fragmentary.<sup>3</sup> Still, the question is worth pursuing. At the present time scholars have virtually removed Locke and Lockean ideas from a role in the Glorious Revolution. I want to argue that both the man and his ideas had some part to play.

The Glorious Revolution involved three basic issues: who should be king of England? What should be the nature of the kingship or in what ways should the government be reformed? And what should be the relationship between the Anglican Church and other Protestant groups? Also important was the question of the nature of the Convention, that is, the body irregularly elected in January 1689 to settle the nation's affairs. Underlying these issues were theoretical questions concerning succession theory, allegiance, consent, conscience, and the concepts of trust and original contract. A central problem was: did the people, however, the word was defined, have the right to resist the king, and if so, on what grounds and through what agency?

Locke responded to these questions in ways that reflected both his theoretical principles and his practical, partisan, political experiences. During the years when he was Shaftesbury's confidant and political agent (1667 to 1682), Locke learned about practical politics and the political uses of the press through personal involvement.<sup>4</sup> In 1682 and 1683 he drifted with Shaftesbury and others into the murky shadows of conspiratorial politics and found the dangers there so great that he fled to Holland in September 1683, where he lived in self-imposed exile until February 1689. In both England and Holland Locke formed connections with radical Whigs and with men who, although in some cases infected earlier with radicalism, became court Whigs in the course of the Revolution.<sup>5</sup> As I have shown elsewhere, some of the "first Whigs" played a prominent role in the Revolution.<sup>6</sup> Among them was John Somers, a leader of the Convention and the chairman of one of two committees that drafted the Declaration of Rights. Somers, Edward Clarke, John Freke (both Whig

<sup>3</sup> James Farr and Clayton Roberts, "John Locke on the Glorious Revolution: A Rediscovered Document," *The Historical Journal*, 28 (1985), 385-98; Lois G. Schwoerer, "A Journall of the convention at Westminster begun the 22 of January 1688/9," *Bulletin of the Institute of Historical Research*, 49 (1976), 242-63 (hereafter, *BIHR*). Also I wish to lay claim to having "rediscovered" John Locke, "Old England's Legal Constitution," in the Public Record Office (hereafter P.R.O.), PRO 30/24/47/6, which was largely printed in H. R. Fox-Bourne, *Life of John Locke* (2 vols.; London, 1969; reprt. of 1876 issue), II, 317-24, but has since then been ignored. References are to the manuscript.

<sup>4</sup> For a narrative of Locke's life, see Maurice Cranston, *John Locke, A Biography* (London, 1957). For the press see Laslett (ed.), *Locke's Two Treatises of Government*, 26-27; K. H. D. Haley, *The First Earl of Shaftesbury* (London, 1968), 390-96, and Mark Goldie, "John Locke and Anglican Royalism," *Political Studies*, 31 (1983), 67.

<sup>5</sup> Mark Goldie, "The Roots of True Whiggism 1688-94," *History of Political Thought*, 1 (1980), 220, dates the shift of such men as of February 6, 1689.

<sup>6</sup> Lois G. Schwoerer, *The Declaration of Rights, 1689* (Baltimore, 1981), chs. 2 and 3; app. 3.

lawyers), and Sir Walter Yonge (formerly one of Shaftesbury's lieutenants in the House of Commons) were among the men who later gave Locke access to the Convention and subsequent parliaments. Locke's friends among advanced Whigs included Robert Ferguson, a Presbyterian minister and pamphleteer, and Major John Wildman, a republican, who served on one of the "rights" committees in the Convention. Intellectuals in Holland whose liberal views on religious toleration coincided with Locke's were Philippus van Limborch and Jean Le Clerc (Nonconformist theologians at the Remonstrants seminary at Amsterdam) and Benjamin Furly, a radical Quaker, with whom Locke lived for a while.<sup>7</sup> It seems clear, as Ashcraft has forcefully argued and shown in detail, that Locke should be placed in a circle that in the 1670s and 1680s included political and religious dissidents in both England and Holland. To say as much, however, is not to suggest that all features of Locke's political theories were radical.<sup>8</sup>

Locke was also drawn to the periphery of the Dutch court of Prince William of Orange. In addition to Furly, Charles, Viscount Mordaunt, who had been one of Shaftesbury's supporters in the House of Lords in 1679-81 and was said to be the "first man of quality" to try to persuade the Prince to come to England, provided a link to William.<sup>9</sup> Locke may have met the Prince in 1687 on visits he made to The Hague.<sup>10</sup> Using his influence, Mordaunt secured a passage for Locke on the boat carrying Princess Mary to England; and after the Revolution, when he was rewarded with high office, he advanced Locke's interests, arranging for King William to offer Locke several posts in the government. Excusing himself on grounds of poor health, Locke decline the major assignments, but over the years the offers continued, an indication that men in high places thought well of Locke as a man of practical acumen.<sup>11</sup> Although Locke and Dr. Gilbert Burnet, later Bishop of Salisbury and in 1688 William's chief propagandist, were not friends, they were surely acquainted. Further, Burnet corresponded with Locke's friends, Limborch and Le Clerc, and a letter from Locke to Limborch in April 1689 proves at least a speaking acquaintanceship with Burnet.<sup>12</sup> The fact that a major polemic by Burnet, *An Enquiry into the Measures of Submission to the Supream Authority*, printed in October 1688 to justify the Prince's actions,

<sup>7</sup> Cranston, *John Locke*, 280-81.

<sup>8</sup> Ashcraft, *Revolutionary Politics*, esp. ch. 4.

<sup>9</sup> H. C. Foxcroft (ed.), *A Supplement to Burnet's History of My Own Time* (Oxford, 1902), 287-88; Gilbert Burnet, *History of His Own Time*, ed. with notes by the Earls of Dartmouth and Hardwicke *et al.* (6 vols.; Oxford, 1833), III, 261-62.

<sup>10</sup> Cranston, *John Locke*, 284.

<sup>11</sup> E. S. De Beer, "John Locke: the Appointment Offered to Him in 1698," *BIHR*, 40 (1967), 213-19.

<sup>12</sup> Cranston, *John Locke*, 286; E. S. De Beer (ed.), *The Correspondence of John Locke* (8 vols.; Oxford, 1976-89), III, 596-601, esp. 597.

contained language and arguments that were close to those in Locke's *Two Treatises* permits the thought that he and Locke discussed them, although Burnet retreated almost immediately from those ideas.<sup>13</sup> There is no evidence to support the view of Locke's nineteenth-century biographer that Locke "had much to say" about the arrangements for William's invasion.<sup>14</sup> Still it is not credible that men close to the Prince and formerly close to Shaftesbury should never have solicited the opinion of the man whom Shaftesbury valued so highly.

Locke's response to the Revolution also reflected the political and religious principles that he had worked out before 1688-89 in *Two Treatises of Government*, drafted first in 1679-80, and the *Epistola de tolerantia*, written first in 1685-86 but indebted to his earlier work on toleration.<sup>15</sup> The ideas in Locke's private papers were not unique. Earlier treatises on government had anticipated many of them. For example, George Lawson's *Politica Sacra et Civilis*, first printed in 1660, arguably exerted great influence on Locke.<sup>16</sup> Locke's political and religious ideas also corresponded to notions appearing in print from 1680 through 1683<sup>17</sup> and, as will be discussed, in 1688-89.

Despite friends' repeated urging,<sup>18</sup> Locke did not return to England until February 12, 1689, so it is impossible that he exerted in *person* any influence either on the events of December and January or on the revolutionary settlement in February. But Locke kept himself informed of the mounting hostility to James II's policies through correspondence, gazeteers; and visitors; and before and after his return he attempted to exercise influence by letters, memoranda, oral advice, and printed treatises. In 1689 Locke, echoing Machiavelli's comment to the Medici when he proffered them his *Discorsi*, offered King William the most precious thing he owned—his knowledge of the "constitutions of my country, the temper of my Country men and the divisions and interest amongst

<sup>13</sup> Julian H. Franklin, *John Locke and the Theory of Sovereignty: Mixed Monarchy and the Right of Resistance in the Political Thought of the English Revolution* (Cambridge, 1978), app. II. Burnet's tract, drafted in 1687 for Princess Mary, was revised and printed in Holland in October 1688: H. C. Foxcroft and T. E. S. Clarke, *A Life of Gilbert Burnet, Bishop of Salisbury* (London, 1907), 244, and *A Supplement to Burnet's History*, ed. Foxcroft, 286.

<sup>14</sup> Fox-Bourne, *Life of John Locke*, II, 56-57.

<sup>15</sup> Ashcraft, *Revolutionary Politics and Locke's Two Treatises of Government*, 490-96.

<sup>16</sup> A. J. McLean, "George Lawson and John Locke," *Cambridge Historical Journal*, 9 (1947), 69-77; Franklin, *John Locke and the Theory of Sovereignty*, esp. ch. 3.

<sup>17</sup> In addition to Ashcraft's study, see O. W. Furley, "The Whig Exclusionists: Pamphlet Literature in the Exclusion Campaign," *Cambridge Historical Journal*, 13 (1957), 19-36; and B. Behrens, "The Whig theory of the Constitution in the Reign of Charles II," *Ibid.*, 7 (1941), 42-71.

<sup>18</sup> De Beer (ed.), *The Correspondence of John Locke*, III, 530-32. Also, Cranston, *John Locke*, 292.

[them],”<sup>19</sup> a formulation, significantly, that recognized his theoretical and practical political expertise.

What, then, were Locke’s responses to the basic issues that lay at the heart of the Revolution of 1688-89? Locke’s view of the Convention in part reflected principles set out in his *Two Treatises*, in part his practical political sense. He looked upon the Convention as “something of an other nature” from a “formall Parliament,” with the power to mend the “great frame of government,” as a regular parliament could not do. So he was appalled to hear that the Convention regarded itself as a regular parliament, had set up committees, and concerned itself with “small matters.”<sup>20</sup> In effect, he equated the Convention with the “people” and assigned to it the role of reconstituting a government when a dissolution of government occurred.

But this view of the Convention was not entirely consistent with Locke’s political theory. In theory Locke held that government is dissolved when either the legislative or the executive violates its trust, a concept central to his response to the Revolution. He explained in the *Second Treatise* that men in a state of nature create a community by entering into a contract, but that the community entrusts power to a government in a fiduciary relationship rather than a contractual one.<sup>21</sup> This meant that if the governor violated his trust, the government was dissolved and the people had the right to resist. When a dissolution occurred power reverted to the people. The key problem, of course, is the meaning of “people.” Although Locke does not specifically define the word “people,” it is certain that he, perhaps following George Lawson, did NOT equate it with a representative body.<sup>22</sup> I take him to mean not the “lowest social classes,” as Ashcraft would have it, but rather all adult *males* who had some stake in society, men (such as artisans and tradesmen) who were outside conventional social and political elite groups.<sup>23</sup> In the event of a dissolution, these “people” are “at liberty to provide for themselves by erecting a new Legislative, differing from the other by the change of persons or Form or both.”<sup>24</sup> Clearly, Locke’s “people” in theory included many more individuals than those enfranchised in late-seventeenth-century England and thus, a large proportion of his “people” could not have been either elected to or represented in the Convention. But in a practical way Locke accepted the Convention as elected by and constituted as a surrogate for his “people.” In the preface to his *Two Treatises*

<sup>19</sup> De Beer (ed.), *The Correspondence of John Locke*, III, 576.

<sup>20</sup> *Ibid.*, III, 545-46.

<sup>21</sup> On trust, see Laslett (ed.), *Locke’s Two Treatises of Government*, 112-16; Dunn, *The Political Thought of John Locke*, 162, 167, 183-84.

<sup>22</sup> Franklin, *John Locke and the Theory of Sovereignty*, 1-3 and *passim*.

<sup>23</sup> Ashcraft, *Revolutionary Politics*, 311. See Gordon J. Schochet, “Radical Politics and Ashcraft’s Treatise on Locke,” *Journal of the History of Ideas*, 50 (1989), 502-4.

<sup>24</sup> *Second Treatise*, ch. XIX, par. 220; cf. par. 213.

he expressed the hope that his work would “make good” King William’s title “in the consent of the people” and would justify “to the world the people of England, whose love of their just and natural rights, with their resolution to preserve them, saved the nation,” words that surely referred to the work of the Convention. But Locke did not, so far as the surviving record shows, call for or regret the absence of a wider suffrage. He did not, as did the author of *A Letter To a Friend*, recommend that the Convention be enlarged to accommodate more representatives.<sup>25</sup> Rather, in a practical political way, he focused on *who* would be elected to the Convention. Twice he chastized his friend Clarke for failing to stand.<sup>26</sup>

Locke’s ideas about the Convention and the people coincided with those advanced by radical pamphleteers. For example, *Advice before it be too Late* explained that supreme authority rests once more in the people as represented by the Convention, which has a “higher capacity” than a parliament, a power to make “laws for the Constitution,” whereas parliament could only make laws for the administration of government.<sup>27</sup> Other tracts agreed; one, *A Brief Collection of Some Memorandums*, described the Convention as “something greater, and of greater power than a Parliament.”<sup>28</sup> These and other pamphlets, including reprints of earlier radical tracts, talked about finding the origins of government in the “people.” An eloquent statement of that idea appeared in a reprinted tract, *Pro Popolo Adversus Tyrannos*, a reissue of John Milton’s tract *The Tenure of Kings and Magistrates*.<sup>29</sup>

In the opening days of the Convention a few Whig MPs also voiced ideas similar to Locke’s. For example, Sir Robert Howard (one of six spokesmen promoting such notions) explained that England’s government was “grounded upon pact and covenant.” If the king breaks that pact, as

<sup>25</sup> [John Wildman], *A Letter to a Friend Advising him in this Extraordinary Juncture, how to free the Nation from slavery forever* (London, January 5, 1688/9). Locke’s view of the franchise was compatible with that of Shaftesbury. See *Some Observations Concerning the Regulating Of Elections For Parliament found among the Earl of Shaftesbury’s Papers after his Death, and now recommended to the Consideration of this present Parliament* (London, 1689).

<sup>26</sup> De Beer (ed.), *The Correspondence of John Locke*, III, 536, 546.

<sup>27</sup> John Humfrey, *Advice before it be too Late: Or, A Breviate for the Convention, Humbly Represented to the Lords and Commons of England* (London, 1689), 2-3 (unpaginated).

<sup>28</sup> *A Brief Collection of some Memorandums: or, Things humbly offered to the consideration of the Great Convention and of the succeeding Parliament* (London, 1689), 7. Also *A Letter to a Friend*, 15-16; *A Discourse Concerning the Nature, Power, And Proper Effects Of the Present Conventions In Both Kingdoms Called by the Prince of Orange, In a Letter to a Friend* (London, 1689), 16-17; *Four Questions Debated* (London, 1689), 9.

<sup>29</sup> *Pro Popolo Adversus Tyrannos; Or The Sovereign Right And Power Of The People over Tyrants, Clearly, Stated and plainly Proved. With some Reflections on the late posture of Affairs. By a true Protestant Englishman, and Well-wisher to Posterity* (London, 1689), 8, 10. The present author has compiled a list of earlier tracts that were reprinted in 1688-89.

when “he acts by his Will and not by the Laws, he is no King.” The government is “devolved into the people,” who are “now to new form themselves again, under a governor yet to be chosen.”<sup>30</sup> In agitated response, Tories such as Sir Robert Sawyer pointed out that if this were so the Convention could not be representative and that, in the absence of instructions from the electorate, could not deal with the crisis.<sup>31</sup> In the House of Lords similar points were made.<sup>32</sup> But the majority of Whigs disavowed radical notions, one M.P. indignantly declaring that the “people” were well represented by the Convention, which spoke for all who “are fit to have a share in [the government.]”<sup>33</sup>

Locke opposed the Convention’s transforming itself into a parliament because, by doing so, it would lose its special character. This attitude aligned him with Tories and radical Whigs against King William and court Whigs, who moved immediately to regularize the Convention’s status.<sup>34</sup> Yet when the Convention became a Parliament on February 23, Locke preserved a positive attitude. In a letter he expressed admiration for the “designes” William “has soe gloriously began” and affirmed his desire to assist in seeing those designs “compleated.”<sup>35</sup> This is the viewpoint of a man with practical political sense.

A second issue at the time of the Revolution was the headship of the state. Locke’s position was that James II had broken the trust between himself and his people and therefore was no longer king; he had actually put “himself into a State of War with his People.”<sup>36</sup> This attitude reflected political principles and examples spelled out in the *Second Treatise*. There Locke argued that a dissolution of government followed when the Executive, for example, set up “his own Arbitrary Will, as the law of the Society,” corrupted the election process by “Sollicitations, Threats, Promises or otherwise” of the representatives, or turned over the government to a foreign power.<sup>37</sup> Locke’s points correlate with steps James II had indeed taken, as in his use of the suspending and dispensing powers and of *quo warranto* procedures and wholesale purges of borough and county

<sup>30</sup> Anchitell Grey, *Debates of the House of Commons* (10 vols., London, 1763), IX, 19-20; Schwoerer, “A Journall of the Convention at Westminster,” 250-51. See also Schwoerer, *The Declaration of Rights, 1689*, 176-77, n.46.

<sup>31</sup> Schwoerer, “A Journall,” 252-53; Grey, *Debates*, IX, 22.

<sup>32</sup> For the debate in the House of Lords, see Danby’s notes reprinted in Henry Horwitz, “Parliament and the Glorious Revolution,” *Bulletin of the Institute of Historical Research*, 47 (1974), 36-52, and Schwoerer, *The Declaration of Rights, 1689*, 205-8, 214.

<sup>33</sup> Schwoerer, “A Journall,” 254-55, 256; Grey, *Debates*, IX, 17-19, 22.

<sup>34</sup> De Beer (ed.), *The Correspondence of John Locke*, III, 545-46. See Lois G. Schwoerer, “The Transformation of the 1689 Convention into a Parliament,” *Parliamentary History*, 3 (1984), 57-76.

<sup>35</sup> De Beer (ed.), *The Correspondence of John Locke*, III, 575-76.

<sup>36</sup> *Second Treatise*, ch. XVIII, par. 205; also Laslett (ed.), *Locke’s Two Treatises of Government*, 114.

<sup>37</sup> *Second Treatise*, ch. XIX, pars. 216, 217, 219, 221.

governments. The fear, moreover, was general that James was prepared to deliver the nation into the hands of the Pope and/or France. Later, in unpublished papers, Locke specifically charged James with possessing a “naturall aversion” to the nation’s “libertys and religion” and predicted that if he ever returned, “Jesuits must governe and France be our master.”<sup>38</sup> He also likened James’s grant of toleration to the favor of a step-mother who really intends that favor to harm her stepchildren.<sup>39</sup> In effect Locke pinned the evil acts on James himself not his ministers and thereby rejected the old legal dictum, “The King Can Do No Wrong.”

James’s “miscarriages,” as Locke termed the king’s actions, were essential to Locke’s theory in several ways. First, they justified the removal of James. As Locke put it, if there were no miscarriages, “our complaints were mutiny and our redemption rebellion and we ought to returne as fast as we can to our old obedience.”<sup>40</sup> In other words James’s acts broke the fiduciary relationship between king and people and left the throne “vacant”; they were tantamount to an “abdication.” This view aligned Locke with left-wing Whigs. Recently, scholars have aired the possible meanings of the words “abdication” and “vacancy,” forgetting perhaps that obfuscation was calculated and that it forwarded agreement.<sup>41</sup> Briefly, if “abdication” meant that James’s flight was voluntary, then the throne was vacant only with respect to him and should descend according to divine right succession (assuming always that James’s baby son was fraudulent). But if “abdication” rested on James’s *acts*, the implication was that the original contract (as some people understood it) or the trust relationship between King and People (as Locke and others insisted)<sup>42</sup> was broken, the throne was entirely vacant, and the Convention was responsible for filling it. The latter conception the Convention finally accepted. The implications are radical but less so than the idea that the “people” *deposed* the king. Rather James himself was responsible for the dissolution of the government.

The first draft of the “Abdication” and “Vacancy” formula was compatible with Locke’s ideas even though the word “contract” not “trust” appeared. Ignoring problems of syntax, the draft spoke of James II’s “breaking the original contract between king and people,” and “having

<sup>38</sup> Farr and Roberts, “A Rediscovered Document,” 395.

<sup>39</sup> P.R.O., PRO 30/24/47/6, John Locke, “Old England’s Legal Constitution,” 7.

<sup>40</sup> Farr and Roberts, “A Rediscovered Document,” 396.

<sup>41</sup> Thomas P. Slaughter, “‘Abdicate’ and ‘Contract’ in the Glorious Revolution,” *Historical Journal*, 24 (1981), 323-37; John Miller, “The Glorious Revolution: ‘Contract’ and ‘Abdication’ Reconsidered,” *Ibid.*, 25 (1982), 541-55; Slaughter, “‘Abdicate’ and ‘Contract’ Restored,” *Ibid.*, 28 (1985), 399-403. See also Schworer, “A Journall of the Convention at Westminster,” 260; Schworer, *The Declaration of Rights, 1689*, 219; cf. 215.

<sup>42</sup> In Locke’s theory people enter into a contract to create society, but into a fiduciary relationship or trust to create a government. For the trust idea in the Convention, see Schworer, “A Journall of the Convention at Westminster,” 255.

violated the fundamental laws,” thus leaving the throne “vacant.” However, following a compromise between Tories and Whigs, the language about “original contract” and “breaking the fundamental laws” was dropped, leaving an ambiguous formula, which surely disappointed Locke.

The idea that James’s acts had caused a dissolution of government *before* William reached England reinforced two other interrelated points important to Locke: the destruction of the idea of divine right succession and the rejection of the Regency proposal. The former was intolerable because it admitted of “noe controul.” The latter was also intolerable because it would have preserved James on the throne, while William wore the crown.<sup>43</sup>

James’s “miscarriages” also justified elevating William to the throne and securing his title as *de jure*, not *de facto*, on the basis of conquest. As Locke put it, the “miscarriages” “gave a rise and right to King William’s comeing” with an army “when noething less could doe.” Therefore, William was no usurper, as Louis XIV would have it. Further, William’s title was “of right” because based on the nation’s laws and liberties: as Prince, William had accepted the Declaration of Rights at the presentation ceremony on February 13, and, as King, at the Coronation ceremony on April 11 he had taken a specially designed oath to uphold the laws of the nation. Locke’s justification of William’s title on the basis of law connected with a principle in the *Second Treatise*, that allegiance is due to the “Supreme Executor” who commands allegiance as the executor of the law.<sup>44</sup>

In discussing the new government, Locke focussed on William to the exclusion of Mary, an attitude that aligned him with a very small number of radical Whig tract writers and members of the Convention who wanted to elevate William alone.<sup>45</sup> The preface to *Two Treatises* referred only to “our great restorer, our present King William,” with no mention of Queen Mary. Why should Locke have ignored Mary? By doing so he underscored the demise of the doctrine of divine right, inflated the role of the Convention, and condemned the Tories, a few of whom wanted to elevate Mary as queen with William as her consort and all of whom wanted a role for Mary. That compromise resulted in the creation of a dual monarchy, a constitutional arrangement, unique in English history, in which the regal authority was lodged in William’s hands alone. Locke must have taken satisfaction in observing that the Coronation ceremony (which he probably attended) contained subtle indications that Mary’s status was not quite equal to her husband’s.<sup>46</sup>

<sup>43</sup> Farr and Roberts, “A Rediscovered Document,” 394, 396.

<sup>44</sup> *Ibid.*, 397; *Second Treatise*, ch. XIII, par. 151.

<sup>45</sup> *Reasons Humbly Offer’d, for Placing his Highness The Prince of Orange, Singly, in the Throne, during Life* (1689); Schwoerer, “A Journall of the Convention at Westminster,” 255.

<sup>46</sup> De Beer (ed.), *The Correspondence of John Locke*, III, 596-97; Lois G. Schwoerer, “Images of Queen Mary II, 1689-95,” *Renaissance Quarterly*, 42 (1989), 717-48.

Locke had ideas about the kingship, a third major issue. A letter from Carey, Lady Mordaunt dated January 21 (possibly the most ill-written and oft-quoted letter of any late-seventeenth century woman) is sometimes said to have reflected his views. Lady Mordaunt wrote that James “whent out: Lyke a farding candele: and has given us by convension an occasion not of amending the government: but of melting itt downe and make all new: wich make mee wish your ther to give them a wryt scame of government.”<sup>47</sup> Locke’s reply, if he wrote one, has failed to survive, but I argue that these thoughts do not represent Locke’s response to the practical situation in January 1689. Locke did not wish to start *de novo* in redesigning the government. Rather, in a letter to his friend Clark dated February 8, 1689, he recommended “restoring our ancient government,” describing it as “the best possibly that ever was if taken and put together all of a peice in its originall constitution.” He pointed to Prince William’s *Letter to the Convention* as a guide to reform.<sup>48</sup> That *Letter* expressed the hope that the Convention would attain the “ends” of the Prince’s *Declaration of Reasons* (William’s major propaganda instrument justifying his invasion).<sup>49</sup> *The Declaration of Reasons* had called for redress of grievances, reconciliation of Anglicans and all Dissenters, and assurance of toleration for all, even Papists, who would live peaceably. Although Locke would not have favored every point in the *Declaration*—in particular toleration for Catholics—he apparently saw it as a useful working document. Again this is the viewpoint of a practical politician.

Locke’s praise of “our ancient government” is foreign to his theoretical work, which of course is cast in the non-historical idiom of reason and natural rights. Even as a young scholar, Locke had specifically rejected using history, remarking that “nearest examples have the greatest influence” in persuasive argument.<sup>50</sup> What explains his remark in 1689? The commingling of the concepts of the ancient constitution and of natural rights was not new; as Ashcraft has insisted, it can be found in the thought of the “first Whigs,” including Shaftesbury, so Locke surely was aware of it.<sup>51</sup> The idea of the ancient constitution, although beginning to weaken its hold on intellectuals, still dominated political discourse, and Locke may have felt that such language would enhance the acceptability of his views. His calling upon William’s *Declaration*, which many MP’s admired, may also be seen as a practical political move. Further, Locke saw all around him the actual evidence that there had not been a collapse back into the original society of individuals or to the community, nor even a total collapse of the government. Indeed, peers had met in London on the

<sup>47</sup> De Beer (ed.), *The Correspondence of John Locke*, III, 538.

<sup>48</sup> *Ibid.*, 545. The Prince’s *Letter* is in *Journals of the House of Commons*, X, 9.

<sup>49</sup> For William’s *Declaration of Reasons*, see Lois G. Schwoerer, “Propaganda in the Revolution of 1688-89,” *American Historical Review*, 82 (1977), 843-74.

<sup>50</sup> De Beer (ed.), *The Correspondence of John Locke*, I, 110.

<sup>51</sup> Ashcraft, *Revolutionary Politics and Locke’s Two Treatises of Government*, 208-10.

very day of James II's first flight (December 11) to preserve law and order and prevent political disintegration.<sup>52</sup> The real circumstances in 1688-89 did not coincide with Lockean theory about dissolution and Locke himself made no comment that has survived regretting that they did not. James's acts and his flight created for Locke a "dissolution" that was sufficient to empower the "people" in the Convention to amend the government.

But in my view the most important reason why Locke recommended "restoring our ancient government" is that, in practical political terms, Locke really believed in England's "original" ancient constitution as the best form of government for the nation. Locke did not systematically address the question, but in addition to the letter to Clark two pieces of indirect evidence may be adduced. First, in *Two Treatises*, in justifying placing the foundation of government in the people, Locke argues that people are very slow to change their government and mentions, by way of example and without expressing regret, that the English people through the many revolutions that have occurred in the state "still brought us back again to our old Legislative of King, Lords and Commons."<sup>53</sup> Second, his "rediscovered" essay, "Old England's Legal Constitution," contains hitherto neglected evidence to that point. Writing privately in 1695 to an unidentified MP, Locke turned to England's history for lessons to apply to current politics. Expressing deep admiration for the ideal of government implied in Queen Elizabeth's 1601 speech about monopolies, wherein the Queen committed herself to listen to Parliament (not to self-serving advisers) to advance the welfare of her people, Locke maintained that the constitution Elizabeth I "owned & declared to be . . . was worth every Englishman's utmost care and diligence to preserve upon its true bottom." By "Englishman," he explained, he meant the Prince and the People. Elaborating upon Elizabeth's speech, Locke sharply criticized contemporary politics, especially the "barefaced bribery, corruption, and perjury" that he said were permeating the present government "to the utter subversion of the constitution." He took comfort, however, from "history," which "will inform us" that a "very few great [and 'good'] men . . . backed by the laws" can save the nation and restore the constitution. The right understanding of royal prerogative, meaning a prerogative bounded by the authority of the two houses of Parliament, is essential, Locke declared, for when the "wrong understanding holds" then "adieu to the liberties of old England for ever."<sup>54</sup> Locke was praising in this essay, written five years after the Revolution, the same form of government that he mentioned in the letter to Clark in 1689, a fact suggestive of consistency.

<sup>52</sup> Robert Beddard, *A Kingdom without a King. The Journal of the Provisional Government in the Revolution of 1688* (London, 1688). The introduction offers of close narrative of events in December.

<sup>53</sup> *Second Treatise*, ch. XIX, par. 223.

<sup>54</sup> P.R.O., PRO 30/24/47/6, Locke, "Old England's Legal Constitution," 5, 6, 7.

It is the case, then, that the government Locke favored in 1689 when he referred to restoring “our ancient government” was a mixed monarchy of king, lords and commons—no new scheme. But his views about that structure contained conservative and radical elements. Locke did not raise the possibility of a republic, as did one or two of the radical pamphleteers.<sup>55</sup> He ignored the opportunity to recommend extending the suffrage, widening the Convention, or reforming the representative body. Unlike radical Whigs, he may not have favored stripping the dispensing power from the king. No direct statement has survived from 1689; but in the *Second Treatise* Locke left “latitude” “to the Executive power, to do many things of choice, which the Laws do not prescribe,” subject only to the requirement that the power be “employed for the benefit of the Community.” Prerogative, he said, “was the Power of doing publick good without a Rule.” Further, he diverged from radical pamphleteers in leaving the right to call and dissolve parliaments with the Executor, on grounds that this right advanced the “publick good, and best suit[ed] the ends of Parliaments.”<sup>56</sup> Yet Locke placed in the people the power of judging whether the Executive had violated his trust, a very radical idea. Locke’s views on the Legislature also differed from those of radicals. Although he maintained that in a settled government, the Legislative was supreme, a fiduciary relationship existed between it and the people, just as between the Executive and the people.<sup>57</sup> The people have the right to change the Legislature when it acts contrary to their interests. Locke is among the few political theorists in late Stuart England who, like earlier Royalists, understood the possibility of legislative tyranny. He did not apparently perceive the possibility of the tyranny of the majority.

No evidence has survived about the specific reforms that Locke wanted. He sent suggestions to Freke, probably on January 18, and to Clarke, on January 28, in time for them to be conveyed to members of the Convention.<sup>58</sup> But the letter to Freke in which he discussed the “one point, which if gained will goe a great way to keep all right” is lost, and the “several other considerations” he told Clarke he had in mind he did not list. It may be, as Julian Franklin surmises,<sup>59</sup> that the middle portion

<sup>55</sup> As, for example, *Now Is The Time; A Plain and Familiar Discourse concerning Government. Wherein it is Debated, Whether Monarchy or a Commonwealth be best for the People; Advice before it be too Late*. See Schwoerer, *The Declaration of Rights, 1689*, 162.

<sup>56</sup> *Second Treatise*, ch. XIV, pars. 169-71.

<sup>57</sup> *Ibid.*, ch. XIII, pars. 149-50; cf. par. 135.

<sup>58</sup> The letter to Freke has not survived but is mentioned in the letter to Clarke. Internal evidence in the latter letter establishes the date: Locke says he wrote Freke at “the same time” he wrote Clarke about his children. That earlier letter was dated January 18: De Beer (ed.), *The Correspondence of John Locke*, 3: 534-35, 545-46.

<sup>59</sup> Franklin, *John Locke and the Theory of Sovereignty*, 122, n.79.

of Locke's *Two Treatises* contained his ideas on the English constitution, but that portion is, of course, "lost."

It is permissible to suggest that the "one" point that Locke thought would "keep all right" was denying the Executive or the Legislative branch the power to prescribe individual religious beliefs. This point links his civil and religious principles and conforms with views in the *Letter on Toleration*. Further, as Franklin hypothesized, Locke would surely have approved of reforming the militia and changing the tenure of judges to good behavior, points that appeared in the Heads of Grievances, but not in the final Declaration/Bill of Rights. It is not fanciful either to think that Locke would have approved banning Commissions and Courts of Ecclesiastical Causes (Article 3), this congruent with his anticlericalism; prohibiting a standing army in peace time unless with the consent of Parliament (Article 6), because of the danger to law; and assuring free elections to Parliaments (Article 8) and freedom of parliamentary speech, debates and proceedings (Article 9), to prevent the Executive from subverting the independence of the Legislative. Probably he favored the protection of the individual that the articles on bail, fines, punishments, and forfeitures provided (Articles 10-12). Whatever Locke's judgment about details respecting the final Declaration of Rights (a copy of which was in his library),<sup>60</sup> almost certainly he would have supported those who insisted upon including the claim of rights in the settlement. Later, in his essay on "Old England's Legal Constitution," Locke wrote of the "duty" of Parliament to set before the prince the grievances of the nation and the "duty" of princes to reform the abuses.<sup>61</sup>

Locke wrote that he wanted to help William continue the glorious undertaking he had "*began*" (emphasis added). With respect to advancing the civil settlement, help meant assuring the transformation of the Declaration of Rights into a statute. Did Locke contribute to that process? Locke may have advised Somers (as Locke's biographer thinks likely)<sup>62</sup> during the spring of 1689 when a Bill of Rights was introduced in the Convention Parliament, but the effort faltered and the Bill became stalled in late July.<sup>63</sup> Perhaps his contribution was to arrange in August for the publication of *Two Treatises* for the purpose of reinforcing interest in the Bill of Rights. The preface of his essay, as already noted, stressed the English people's "love of their Just and Natural Rights," and "their Resolution to preserve them," words which seem to refer to the Bill of Rights. For multiple reasons the two Houses renewed interest in passing the measure in the fall of 1689. It is not unreasonable to think that the

<sup>60</sup> John Harrison and Peter Laslett, *The Library of John Locke* (Oxford, 1971), no. 935.

<sup>61</sup> P.R.O., PRO 30/24/47/6, Locke, "Old England's Legal Constitution," 3-4.

<sup>62</sup> Cranston, *John Locke*, 325.

<sup>63</sup> See Schwoerer, *The Declaration of Rights, 1689*, ch. 16.

message of *Two Treatises*, which was on sale in mid-November, promoted that interest. My speculation regarding his purpose in publishing *Two Treatises* at the time he did rests on no more concrete evidence than does that of other scholars,<sup>64</sup> but it has the merit of linking the publication with a *specific* rather than a general political need. The Bill of Rights received the royal assent on December 16, 1689.

A fourth major issue in the spring of 1689 was the religious settlement, which involved the interrelated matters of comprehension and toleration, whether the new oaths of allegiance should be imposed on incumbent Anglican clerics and whether the sacramental test required by the Test Act of all officeholders should be removed. There is no evidence to support the belief of Locke's early biographer that Locke was involved in forwarding the Toleration Bill through the Convention Parliament.<sup>65</sup> But still, during these weeks Locke repeatedly referred to his preoccupation with public affairs, his letters indicating a more than casual acquaintance with parliamentary matters.<sup>66</sup> Given his well-known secretiveness, failure to reveal a specific step does not mean that he took no part.

Whatever his actions, Locke's views on the issues aligned him with radical Whigs and showed him, as before, able to separate his principles from his response to a practical political situation. In essence he favored toleration over comprehension, the imposition of oaths on Anglican clerics, and the removal of the sacramental test. For a while Locke was cautiously optimistic about the prospects of a settlement favorable to Dissenters, perhaps because of confidence in William and the steps the king initially took in March on behalf of them.<sup>67</sup> But by mid-March Locke wrote of his "impression, that the episcopal clergy are not very favourably inclined" to the measures designed to help Dissenters. In mid-April, in reporting that the Lords had refused to require the bishops to take the new oath of allegiance, he confessed, "I grow more and more sick of this world."<sup>68</sup> But his expressed reaction to the Toleration Act, which received royal assent on May 17, was that the Act was better than nothing—the view of a practical man of affairs. "It is something to have progressed so

<sup>64</sup> See Ashcraft, *Revolutionary Politics and Locke's Two Treatises on Government*, 594, 601; Martyn P. Thompson, "Significant Silences in Locke's *Two Treatises of Government*: Constitutional History, Contract and Law," *The Historical Journal*, 31 (1988), 275-77; and Charles D. Tarlton, "'The Rulers Now On Earth': Locke's *Two Treatises* and the Revolution of 1688," *Idem*, 28 (1985): 279-81.

<sup>65</sup> Fox-Bourne, *The Life of John Locke*, 2:150-51.

<sup>66</sup> De Beer (ed.), *The Correspondence of John Locke*, 3: 597-89, 673-74, 689-90, 690-91, 717, 734. New York Public Library, Hardwicke State Papers, Lord John Somers's Manuscripts, fols. 197-99, contains statements close to Locke's views, suggesting that the two men may have conferred.

<sup>67</sup> Henry Horwitz, *Revolution Politics: The Career of Daniel Finch, second earl of Nottingham, 1647-1730* (London, 1968), 88, *Parliament, Policy, and Politics in the Reign of William III* (Manchester, 1977), 24-26.

<sup>68</sup> De Beer (ed.), *The Correspondence of John Locke*, 3: 584, 604.

far," he wrote. "I hope that with these beginnings the foundations have been laid of that liberty and peace in which the church of Christ is one day to be established."<sup>69</sup> Features of the religious settlement disappointed Locke, but he maintained a balanced perspective, writing in September that although the "measure[s] of indulgence"—as he put it—had not settled all "differences," men were more moderate than he had expected. But he insisted that toleration was the only way to establish religious peace.<sup>70</sup>

There was a chasm between the religious ideals expressed in Locke's *Letter on Toleration* and the Act of Toleration.<sup>71</sup> His *Letter on Toleration*, written in Latin, appeared anonymously in Holland at the end of April, and, Locke later insisted, without his permission. The intent of publishing the piece was, obviously, to take Locke's case for toleration to an audience (however relatively restricted it might be) that was broader than a decision-making one. By June the *Letter* was available in English, translated by William Popple, an avowed Socinian, printed by Awnsham Churchill, and its author still unidentified. In language that corresponded to that of radical pamphleteers, such as Ferguson and John Howe (a Dissenting minister),<sup>72</sup> Locke argued for an absolute separation of church and state. He insisted that the state has no control whatsoever over a man's conscience because that conscience is reserved to God and is answerable to God alone. "No authority," he wrote, "can compel anyone to his religion." Emphatically expressing a belief in individualism, personal conscience, and natural rights, Locke declared that "liberty of conscience is every man's natural right." Locke was uninterested in the question of the dispensing power and the relationship between the prerogative and legislative authority with regard to toleration, the issue that agitated many writers.<sup>73</sup> He removed the question of conscience in religious matters from the political framework altogether.

Despite its highly theoretical idiom and the deep radicalism of its message, the *Letter on Toleration* revealed the limits, in practice, of Locke's attitude towards toleration. It included an intemperate attack on the Anglican clergy, contempt for whom is a constant theme in his work.<sup>74</sup> His theory notwithstanding, Locke did not favor granting toleration to atheists—because they did not believe in the sacredness of oaths, which for Locke was important to the stability of society—or to Catholics. As

<sup>69</sup> *Ibid.*, 633.

<sup>70</sup> *Ibid.*, 689.

<sup>71</sup> The progress of the bill may be followed in Horwitz, *Revolution Politicks* 87-89, 92-94, and idem, *Parliament, Policy, and Politics*, 21-22, 26-27. For a central debate in the House of Commons, see Grey, *Debates*, 9: 211-26.

<sup>72</sup> Ashcraft, *Revolutionary Politics and Locke's Two Treatises on Government*, 482-84.

<sup>73</sup> *Ibid.*, 500-51.

<sup>74</sup> Mark Goldie, "John Locke and Anglican Royalism," *Political Studies* (1982), 31, 61-85.

to the latter, the reflected the assumptions of the late seventeenth century in maintaining that if Catholics were tolerated they would use that status to destroy a Protestant government, exercise their belief in the right to depose kings, turn the country over to the Pope to whom they owed allegiance, and confiscate the property of the nation.

The final issue in revolutionary politics that actively engaged Locke's attention was the question of the Abjuration Oath. Part of a larger effort to impose an oath of allegiance, the Abjuration Bill was introduced in the House of commons on April 24, 1690, and required all *officeholders* to take an oath abjuring James II. The bill was defeated, partly because King William, wanting to avoid divisions, objected to it.<sup>75</sup> But the defeat did not end the effort. Three times in the 1690s a Whig peer, Charles Powlett, the first duke of Bolton, unsuccessfully championed such a bill, and for four years tracts appeared to argue the question of allegiance.<sup>76</sup>

Locke responded to the introduction of the bill by sending an essay on the issue to Clarke, a member of Parliament after March 1690. Clarke wrote on the back of the essay: "papers usefull in Parliament, etc.," an endorsement supporting the point that Locke used his contacts to influence politics.<sup>77</sup> In dealing with the heart of the issue—the individual citizen's consent and obligation to established government—Locke mixed practical political considerations with theory, airing arguments heard the year before in debate and in tracts.<sup>78</sup> Writing the essay within the context of deteriorating prospects for further reform in government and religion and for the advance of Whigs in government posts, Locke maintained that *everyone* should take the Abjuration oath, not just officeholders, an idea held by the radical pamphleteer, the Reverend Samuel Johnson, and some Whigs in Parliament.<sup>79</sup> In Locke's case this view reflected a principle that he argued in the *Second Treatise*; namely, that a person became a member of Society *only* by a "positive Engagement, and express Promise and compact." This was a point exemplifying his view that the recognition of all authority is based on consent.<sup>80</sup> Perhaps Locke looked upon the Abjuration Oath as a surrogate for the "positive Engagement" that he had discussed theoretically.<sup>81</sup> Locke justified this extreme position on

<sup>75</sup> Horwitz, *Parliament, Policy, and Politics*, 56-57.

<sup>76</sup> Goldie, "Roots of True Whiggism," 221; Mark Goldie, "The Revolution of 1689 and the Structure of Political Argument. An Essay and Annotated Bibliography of Pamphlets on the Allegiance Controversy," *Bulletin of Research in the Humanities*, 83 (1980), 473-562.

<sup>77</sup> Farr and Roberts, "A Rediscovered Document," Introduction, 386.

<sup>78</sup> Grey, *Debates*, 9: 211-26; Goldie, "The Revolution of 1689 and the Structure of Political Argument," 482, 518.

<sup>79</sup> Farr and Roberts, "A Rediscovered Document," 395, 398. Goldie, "The Revolution of 1689 and the Structure of Political Argument," 482-83, 519-20; Goldie, "Roots of True Whiggism," 221.

<sup>80</sup> *Second Treatise*, ch. VIII, par. 122.

<sup>81</sup> Farr and Roberts, "A Rediscovered Document," Introd., 391.

grounds of the dangers from abroad, an argument favored by the government and by his European friends. If the nation is divided and therefore weakened, a “foreign force” may spread “blood, slaughter, and devastation.” James might return; if he should do so, most individuals would face the “ruin of [their] estate and family,” the impoverishment of their children, the rape of their wives, and the prospect of becoming a “popish convert and a miserable French peasant.”<sup>82</sup> This extreme language suggests that Locke felt personal anxiety over James’s returning. Perhaps the revelation of his authorship of the *Letter on Toleration* which occurred at about this time, which he claimed threatened him with ruin and untold “trouble,” made him specially sensitive to the relationship of the individual and the state.<sup>83</sup>

Furthermore, his response to the issue included a display of “Hot Whig” partisanship verging on vindictiveness. Probably with Tory leaders Daniel Finch, earl of Nottingham, and Thomas Osborne, earl of Danby, in mind, Locke questioned the loyalty of ministers who would not take the oath.<sup>84</sup> He used the opportunity to excoriate ministers who the previous year had denied the vacancy in the throne and favored a regency, and to challenge *all* Tories to acknowledge the “justice” of King William’s undertaking, recognize him as king *de jure*, and publicly condemn James’s actions.<sup>85</sup> In this essay, addressed to a practical issue, Locke placed greater weight on the present needs of the government than on the people. Applying the principle of indifferency as he had done in a youthful essay on religious toleration, Locke maintained that there are some “points unfit for private hands to meddle with; in those instances private persons should submit to public servants.”<sup>86</sup> Clearly, he permitted government far greater power over civil than religious matters.

To sum up, Locke was a philosopher concerned with theoretical political and religious questions and also a man knowledgeable about practical politics and able to separate theory and practice. His response to the major issues of the Revolution—the authority of the Convention, the headship, the kingship, the religious settlement, and oaths—reveals a *mixture* of radicalism and conservatism, idealism and practical politics. Locke was a friend of radical Whigs, with whom he shared many ideas, and also of court Whigs, on whom he exercised some influence. Like some radical Whigs, Locke apparently made the transition from radical to court Whig. This paper suggests, then, that Ashcraft’s portrait of a radical-thinking Locke moving in radical circles, whatever its merit for earlier years of Locke’s life, requires qualification for 1688-89.

<sup>82</sup> *Ibid.*, 395, 398.

<sup>83</sup> De Beer (ed.), *The Correspondence of John Locke*, 4: 62.

<sup>84</sup> Farr and Roberts, “A Rediscovered Document,” *Introd.*, 388, 395, 397.

<sup>85</sup> *Ibid.*, 397-98. No constitution, he said, ever left “loose and uncertain” the “right of their governors and . . . the owning of that right.”

<sup>86</sup> *Ibid.*, 395.

Locke's was not an isolated voice in the political discourse of the era; others in print and debate in the Convention and the Convention Parliament expressed the same or similar views. Lockean ideas—ideas that correspond to what he published anonymously or wrote in private papers—played a part in the Revolution, whatever the negative attitude towards his *Two Treatises* thereafter. Many of those ideas were radical, whether Locke consistently applied them to the situation or not. This paper, then, reinforces the view that the intellectual foundations of the Glorious Revolution contained a radical component. Radical political and religious ideas did not prevail, but they were present in the debates and tract literature and influenced the drafting of the Declaration/Bill of Rights, especially with respect to the legal and military clauses. If we deny their presence, we distort understanding of the Revolution itself.

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