Locke on Slavery and Women, and *Now What?*

John Locke, the primary philosophical inspiration of the values espoused in the U.S. constitution, is generally considered a champion of liberalism and egalitarianism for all. However, history shows that he was a key thinker in the promotion of chattel slavery in the Americas. In fact, he helped write and revise the explicitly pro-chattel-slavery Carolina Constitutions. This paper seeks to understand this contradiction by analyzing Charles Mills' paper *Locke on Slavery* and to extend his conclusion to Locke's view of women by analyzing Carole Pateman's chapter *Contracting In*. I conclude that Mills' interpretation is correct. Because of this, it is necessary for educators and historians to reevaluate how they approach and teach the history of these ideas and the ideas themselves. Specifically, how pernicious ideas can hide behind *prima facie* benevolent ideals and the harm that these carve-outs are inextricably linked to ought to permit questioning of the ideas in the first place, not just the practices. Finally, I will consider an objection and give a reply.

Locke on Slavery; Negative Theses

Charles Mills in trying to explicate the aforementioned contradiction offers many negative theses that disprove other theories of the contradiction. They are, namely, (1) Locke is a bourgeois theorist, (2) Locke changed his mind, (3) Locke is simply inconsistent, and (4) Locke thinks Blacks are justly enslaved. While this essay will focus primarily on Mills' positive thesis, i.e. Locke is racist, these negative theses are nonetheless worth quickly examining. (1) is denied because natural law prohibits slavery (outside of gross injustices, but even so, hereditary chattel slavery could never be justified in such a way) and if slavery was permitted under property rights, a lengthy justification would be expected that is not given. (2) is denied because although the original Carolina constitution and his Two Treatises were written almost two decades apart,

the revision of the Carolina constitution which Locke was critical to and still supported slavery, was written at the same time as the Two Treatises. (3) is denied because of the same reason given against (2); while writing the Carolina constitution Locke was "epistemically *ideally* positioned to know exactly what was going on" and thus it is unreasonable to suggest he was simply writing for two directly contradictory positions at the same time while in full knowledge of the details of slavery (Mills 494). (4) is denied because slavery is hereditary; Locke's only justification for slavery is a case of retribution which cannot apply to hereditary slavery as it would be "inconsistent with Locke's strictures ... against ... morals standing through genealogical inheritance" – i.e. guilt cannot be inherited and thus slavery cannot be inherited (Mills 495).

Locke on Slavery; Positive Thesis

Instead of these other theories, Mills argues that Locke is a racist. This theory posits that Locke denies Africans and Indians of personhood because of their race, and therefore the same regulations of slavery do not apply. In this view, when Locke says "Slavery is so vile and miserable an Estate of Man," he is talking solely about white men and "different normative rules obtain when the 'men' involved are female or nonwhite" – such rules permit slavery (Mills 496). Moreover, the fact that the rules permit slavery is justified by Locke's participation in slavery.

This theory is not without justification. Mills first uses an argument from Bernasconi and Mann: Locke's continued and unbothered support and creation of slavery and its systems over decades give "strong presumptive evidence that he was a racist" (Mills 495) If he considered Africans persons, one would expect him to at some time be bothered by it, but because he never showed any concern for his actions it is reasonable to assume he didn't consider them persons.

Especially after ruling out other justifications. Thus, it is, he thinks, the best hypothesis that Locke is racist.

Specifically, though, Mills speaks of a sort of racism that is implicit. Traditional understandings of racism have both a "set of [racist] beliefs and values" and "a system of racial domination" wherein the first justifies or "rationalizes the second"; however, Mills thinks that Locke falls into another sort of racism, one that uses (supposed) "commonsense" to justify the systems of racial dominance (Mills 495). As he says it, "one could just casually take for granted such a hierarchy without necessarily having a detailed rationale for it" (Mills 495) If this account is true, Locke may have never stopped to consider if those he helped enslave were persons at all.

Because of this idea of implicit racism, Mills strengthens and develops his view on what Locke thinks. His initial theory is objected to by Lockean supporters for lacking text evidence as Locke provides no "detailed theorization of racism," but, as Mills just pointed out, racism does not necessitate a robust theory of racism (Mills 496). And, it would be expected, if Africans at all entered into his "normative consideration," that he would give some justification for his racism, but he doesn't (Mills 496). Thus, the *lack* of any theory discussing racism may *support* Mills' theory. This finalizes Mills' view: enslaved Africans are denied political personhood and are therefore subjugated by a racist predilection.

Locke on Women

In Locke's time (and ours) it was not just people of color who were dominated and marginalized. As Carole Pateman points out, women, even white women, were subjugated under the patriarchy. The story that underlies Pateman's text is almost identical to the one that Mills' tells: Locke denies women political personhood due to a discriminatory belief that women are

inferior or less rational than men – she says "[he] claim[s] that women naturally lack the attributes and capacities of 'individuals'" – consequently, women "are *excluded* from the original pact," i.e. the social contract that founds society between free agents (Pateman 6). Because they are excluded from entering into the contract as individuals they are instead subjugated under the domination of men. Thus, for both people of color and women (and especially women of color), the story is the same: Subjugation is justified by an explicit or implicit discriminatory belief that denies the group personhood and access to political rights.

Now What?

To say anything of the effects of these theories, it must first be found that they are true — and they do seem true. For one, as Mills showed, most (if not all) of the other theories are either entirely implausible or are less implausible than this theory. Moreover, the positive justification given via Bernasconi and Mann gives credence to this theory; Locke's total philosophical silence on American slavery is best justified by a total lack of philosophical thought on the subject. If he were simply inconsistent or had some theory of its justification at the very least we would expect some rationalization. In regards to Pateman's explanation, it is obvious that it is true not only because of its similarity to and the truth of Mills' explanation, but because Locke is plainly sexist. Pateman says Locke "claims" that women are lesser, that he thinks there is a "difference in rationality." Therefore, it is clear that Locke is both racist and sexist.

Knowing the explanations true, it is easy to observe the effects that ought to stem from them. First and foremost the mere fact that Locke was racist and sexist must be expressed. If not out of respect for those he directly or indirectly enslaved, at least for the representation of true fact, this must be shown. Especially because he is well known for his political ideas, these facts cannot languish. Second, Locke's racism reveals two more conclusions that ought to be explored

within themselves. They are that *prima facie* good, egalitarian, and even anti-racist or feminist theories and ideals may indeed hide harmful ideas and, derivatively, that in general an ethical or political theory that does not have explicitly anti-racist and feminist stipulations or structures is discriminatory, or at least condones discrimination.

The first follows easily from Mills' and Pateman's accounts. Having proved that the Lockean framework – which claims to believe all are created equal – is racist by showing Locke himself to be racist, it is proved that racism and sexism (harmful ideas) *can* hide in seemingly egalitarian ideas.

The second is then derived off of the first. Intentionally or not, permitting racist and sexist ideas to fester in a theory condones their existence because a theory is responsible for all its consequences. A theory is sold wholesale; if it permits racism against the wishes of the author, it still permits it. Now, if a theory condones these harmful ideas it is clear that those ideas must not be contradictory with the theory's premises. Therefore, considering that racism and sexism *do* contradict with egalitarianism, a theory that permits discriminatory ideas is not egalitarian and is discriminatory – i.e. it doesn't just condone it, it *is* discriminatory. This last point is true because a theory that isn't egalitarian must be discriminatory as egalitarianism is the absence of discrimination. Remembering that discrimination can hide in *prima facie* egalitarian ideas (which we now know are in fact discriminatory ideas), it is clear that a theory must be explicit in its anti-racism, feminism, and condemnation of all discriminatory ideas in order to not be racist, feminist, or discriminatory. Therefore, in addition to recognizing that Locke was discriminatory, Locke's theory and any theory that does not meet this standard must also be recognized as discriminatory when we think about it or teach it.

Objection and Reply

It may be expected that the second conclusion of the second effect and specifically, the second premise therein, will draw the most criticism. Most, I imagine, would be eager to admit that permitting discrimination is tantamount to condoning it and that the only way to clearly dismiss these ideas is to be explicitly anti-racist, etc. However, I also imagine most would stop short of admitting that not directly addressing discrimination means that is discrimination itself. One may even contend Locke's theory itself is not racist as its racism is not central to its theory; the core of the theory is egalitarian and a supplementary theory is necessary for racism.

This is a good challenge, but I do deny it. A racist theory (and sexism, etc.) definitionally separates two groups from each other as unequal. What not explicitly denying discrimination of all forms does is it puts (typically) minority or already marginalized groups at risk of material domination from the dominant group. With no prohibition, the dominant group is free to exploit the supplementary theories. Thus, the two groups are ideally placed on unequal footing as 'benevolent' master and thankful slave.

Conclusion

This essay has explored Charles Mills' and Carole Pateman's stories of racism and sexism, respectively. Due to their similarity and independent justification this essay finds them to be correct. In light of these stories it comes to two conclusions about how historians and philosophers in general ought to view Locke: We ought to recognize Locke as racist and we ought to recognize Locke's theory as racist. Additionally, this last point is generalizable to any political and ethical view that does not explicitly deny discrimination. Finally, an objection is considered and rejected.

Works Cited

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Pateman, Carole. "Contracting In." *The Sexual Contract*, Stanford University Press, 1988, pp. 1-18.