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THE ROLE OF THEOLOGY IN THE BIRTH OF
CLASSICAL LIBERAL POLITICAL PHILOSOPHY
IN THE WEST

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CLASSICAL LIBERAL POLITICAL PHILOSOPHY
IN THE WEST

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Approval of the Institute of Social Sciences

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Manager of the Institute

I certify that this thesis satisfy all the requirements as a thesis for the degree of Master of Arts.

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This is to certify that we have read all this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Master of Arts.

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I hereby declare that all information in this thesis has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work; otherwise I accept all legal responsibility.

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ABSTRACT

THE ROLE OF THEOLOGY IN THE BIRTH OF CLASSICAL LIBERAL POLITICAL PHILOSOPHY IN THE WEST

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This thesis analyses the role of theology in the birth of classical liberal political philosophy in the West. It aims to show that, like every system of ideas, liberalism is indebted to theology and metaphysics, and that Christian theology has played a major role in the birth thereof. It eventually argues that in the early modern age liberal political theory was grounded on very basic premises that were borrowed from Christian theology.

Keywords: liberalism, political theology, political philosophy

ÖZET

BATI'DA KLASİK LİBERAL SİYASET FELSEFESİNİN DOĞUŞUNDA TEOLOJİNİN ROLÜ

Kurun, İsmail

Yüksek Lisans, Siyaset Bilimi ve Kamu Yönetimi Bölümü

Tez Yöneticisi: Yrd. Doç. Dr. Mümin Köktaş

Haziran 2015, 223 sayfa

Bu çalışma, Batı'da klasik liberal siyaset felsefesinin doğuşunda teolojinin rolünü incelemektedir. Çalışmanın amacı, her düşünce sistemi gibi liberalizmin de, teoloji ve metafiziğe borçlu olduğunu ve liberalizmin doğuşunda Hıristiyanlığın önemli bir rol oynadığını göstermektir. Nihâi olarak bu çalışma erken modern dönemde liberal siyaset teorisinin, Hıristiyan ilahiyatından alınan bazı önkabuller üzerine kurulduğunu iddia etmektedir.

Anahtar Kelimeler: liberalizm, siyasî ilahiyât, siyaset felsefesi

To JOHN LOCKE

whose works, unfortunately, do not get the attention they deserve in Turkey
although he is important enough to be the father of
modern political systems of England and USA.

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This thesis aims to be a modest contribution to the synthesis of reason and religious belief in political theory. The inspiration of this thesis is taken from John Locke, late Ottoman *hürriyetpervers* and Mustafa Akyol. Therefore, firstly I would like to express my gratitude to those who spent their lives to achieve this synthesis.

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Of course, for the mistakes in the thesis, it is me who is responsible.

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1. INTRODUCTION

Political theology became gradually popular as a sub-field of both political science and theology with the advent of postmodernism¹. With the revival of religions on the

¹ Some examples are *Journal of Political Theology*; Johannes Baptist Metz, *Faith in History and Society* (New York: Crossroad Publication, 2007); Johann Baptist Metz, *A Passion for God: the Mystical-Political Dimension of Christianity* (New York: Paulist Press, 1998); Jacob Taubes & Dana Hollander, *The Political Theology of Paul* (Stanford: Stanford University Press, 2004); Oliver O'Donovan, *The Desire of the Nations: Rediscovering the Roots of Political Theology* (New York: Cambridge University Press, 1996); Graham Hammill & Julia Reinhard Lupton, *Political Theology and Early Modernity* (Chicago: The University of Chicago Press, 2012); Jürgen Moltmann, *On Human Dignity: Political Theology and Ethics* (Philadelphia: Fortress Press, 1984); Dorothee Sölle, *Political Theology* (Philadelphia: Fortress Press, 1974); Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame: University of Notre Dame Press, 1981); Ted Jelen, *The Political World of the Clergy* (Westport: Praeger, 1993); Stanley Hauerwas, *Against the Nations: War and Survival in a Liberal Society* (Minneapolis, Minston Press, 1985); Stanley Hauerwas, *The Peaceable Kingdom: A Primer in Christian Ethics* (Notre Dame, The University of Notre Dame Press, 1983); Giorgio Agamben, *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government* (Stanford: Stanford University Press, 2011); Giorgio Agamben, *Opus Dei: An Archeology of Duty* (Stanford: Stanford University Press); Simon Critchley, *Faith of the Faithless* (London: Verso Books, 2012); Daniel Elazar, *Exploring Federalism* (Alabama: University of Alabama Press, 1987); Glenn A. Moots, *Politics Reformed: Anglo-American Legacy of Covenant Theology* (Columbia: University of Missouri Press, 2010); Daniel Elazar, *The Covenant Tradition in Politics* (VI Volumes containing *Covenant and Civil Society: The Constitutional Matrix of Modern Democracy*, *Covenant and Constitutionalism: The Great Frontier and the Matrix of Federal Democracy*, *Covenant and Commonwealth: From Christian Separation through the Protestant Reformation*, and *Covenant and Polity in Biblical Israel: Biblical Foundations & Jewish Expressions*) (New Brunswick: Transaction Publishers, 1995-1998); David Novak, *Natural Law in Judaism* (Cambridge: Cambridge University Press, 1998); David Novak, *Covenantal Rights: A Study in Jewish Political Theory* (Princeton: Princeton University Press, 2000); David Novak, *The Jewish Social Contract:*

worldwide scale after 1970s, there is an increase in the number of political theology studies, but still, it is a marginal field in political science. Actually, some of the great works of political philosophy, especially in the early modern age, are works of political theology². The goal of political theology is, simply, to analyse how theological concepts and ideas relate to politics. In this sense, this study is a study of political theology. It examines the theoretical relations between Christianity, Protestant Christianity in particular, and classical liberalism. It aims to show that classical liberal political philosophy was founded by early modern writers on theological grounds by using conspicuously theological premises.

1.1 Statement of the Problem

Modernity is generally seen as a sharp break from Middle Ages. This understanding that modernity is something very *modern*, e.i, brand new, has been the basic obstacle to search for the links between modernity and what preceded it. The traditional secularist argument that modernity must necessarily develop in parallel to secularism³, which is

An Essay in Political Theology (Princeton: Princeton University Press, 2005); David Novak, *The Sanctity of Human Life* (Washington, D.C.: Georgetown University Press, 2007); David Novak, *In Defense of Religious Liberty* (Wilmington: ISI Books, 2009); Jeremy Waldron, *God, Locke and Equality: Christian Foundations in Locke's Political Thought* (Cambridge: Cambridge University Press, 2002). For some introductory works to political theology, see: Elizabeth Philips, *Political Theology: A Guide for the Perplexed* (London: T&T Clark International, 2012); Peter Scott & William T. Cavanaugh (Ed.), *The Blackwell Companion to Political Theology* (Malden: Blackwell Publications, 2004); Michael Kirwan, *Political Theology: An Introduction* (Minneapolis: Fortress Press, 2009).

² For some examples, see: John Locke, *Two Treatises of Government* (1689); John Locke, *A Letter Concerning Toleration* (1689); Samuel Rutherford, *Lex Rex* (1644); *Vindiciae Contra Tyrannos [Defenses of Liberty Against Tyrants]* (Its pseudonym writer is Stephen Junius Brutus, but it is considered to be written by Philippe du Plessis-Mornay); Christopher Goodman, *How Superior Powers Ought to be Obeyed by Their Subjects and Wherein They may Lawfully by God's Word Be Disobeyed and Resisted* (1558); Theodor Beza, *De Jure Magistratum* (1575); Francis Hotman, *Franco Gallia* (1573), *Le Reveille-Matin des François* (anonymous, 1573-74); George Buchanan, *De Jure Regni Apud Scotus* (1579).

³ This argument was set forth by thinkers such as Auguste Comte, Herbert Spencer, Emile Durkheim, Karl Marx and Sigmund Freud among others. In 19th and 20th century, they believed that societies across the world would secularise in parallel to modernity to such an extent that religion will fade away in the future.

quite reductionist, was in fact not scientific, but almost entirely ideological. It bears the influence of vulgar materialism, positivism and progressivism⁴. It is linked with vulgar materialism since Anglo-Saxon modernity is eminently nonsecular; it has many distinctively religious themes⁵. It is linked with positivism since Anglo-Saxon modernity has started in a way that the Scripture was accepted as a certain source of knowledge. Although ancient and medieval mindset which is very much intermixed with metaphysical ideas disappeared in the modern age, Christianity remained in its place. Metaphysical remnants of Platonic philosophy and of Aristotelian physics were still prevalent in the Middle Ages in the Christian World, but with Newtonian physics, metaphysical ideas gradually faded away, but the strong influence of Christianity lingered much longer in many places in Europe. Lastly, it is linked with progressivism that harbingers that humanity is progressing into a better future – no need for religion. Anglo-Saxon modernity, in the first phase of it, although enjoying a belief that science will make life easier, did not necessarily distanced religion from everyday life. However,

This traditional secularisation thesis was strongly challenged and questioned in the last decades of the second half of 20th century. After this strong challenge to the secularisation thesis caused by the awakening of religions on the worldwide scale, Peter L. Berger argued that all the literature on the secularisation thesis is mistaken. Moreover, Rodney Stark and Roger Finke have argued that the scholars should bury secularisation thesis. For more on this debate, see: Pippa Norris & Ronald Inglehart, *Sacred and Secular: Religion and Politics Worldwide*, (New York: Cambridge University Press, 2004)

⁴ Secularisation thesis was feverishly argued by writers whose names are written above. Among them, Auguste Comte is the founder of positivism; Karl Marx bases his social theory on dialectic materialism and Sigmund Freud argues in this book, *Totem and Taboo: Resemblances between the Psychic Lives of Savages and Neurotics* (1913), that religion is the reflection of a collective guilt, thereby developing a materialist interpretation of the religious phenomena. Except Freud, all other writers mentioned above harbor progressivist themes in their thoughts.

⁵ Unlike French modernity which was mostly influenced by anti-cleric *philosophes* such as Voltaire, Dennis Diderot and Jean le Rond D'Alembert, theologians and clergymen have played remarkable roles in the advent of English and American modernities. Some examples are John Locke, Isaac Newton, Richard Hooker, John Dalton, Michael Faraday, Robert Boyle, John Witherspoon, John Adams, Benjamin Franklin, Thomas Jefferson and so on. Nevertheless, there were people like Jean Bodin (1530-1596) in France who advocated for the religious tolerance and for that a state might have more than one religion as early as 16th century.

it lasted until 19th century when Charles Darwin exerted a great influence in favour of atheism on all branches of science. Darwin's theory of evolution distanced British intelligentsia from religion and caused a rapid spread of atheism among the Anglo-Saxon intellectuals⁶. In addition to that, the human reason became more and more instrumentalised in 19th and 20th centuries as was argued by Max Horkheimer's seminal book, *The Eclipse of Reason*. But until 19th century, Anglo-Saxon modernity was closely interlinked with Christianity.

Bearing this point in mind, the problem of this thesis is whether Christianity has played a role in the birth of classical liberal political philosophy or whether classical liberalism, as the central system of ideas of political and of economic modernity, was a sharp break from Middle Ages, and thus, Christianity has played no role in its birth. In other words, did Christianity make the emergence of classical liberal political philosophy more difficult by curbing the nascent winds of liberty in the early modernity, or to the contrary, did it play a fostering and motivating role for liberalism? This study is an attempt to be a contribution to the answer of this question.

1.2 Background of the Problem

Some parts of this problem were addressed in various works before. The relation between theology/religion and politics, the nature of this relation and the relation between Christianity and politics, are widely-discussed topics of philosophy. Writers such as Eric Voegelin, Emilio Gentile, George Moyser, Robert Neelly Bellah, Gilles Kepel and Philip S. Gorski⁷ have written on these topics. Michael A. Gillespie's seminal work

⁶ Darwin's legacy was appreciated by one of his followers, Joseph Carroll, who argued that Darwin's theory of evolution has permanently and fundamentally changed Western understanding of the world. See: Carroll Joseph (Ed.), *On the Origin of Species by means of Natural Selection*, (Ontario: Broadview, 2003)

⁷ Some works of these writers: Eric Voegelin, *The New Science of Politics: An Introduction*, (Chicago: Chicago University Press, 1987); Eric Voegelin, *Modernity Without Restraint: The Political Religions* (Ed.: Manfred Henningsen), (Columbia: University of Missouri Press, 2000); Eric Voegelin, *Science, Politics and Gnosticism*, (Washington: Regnery Publishing, 1997), Emilio Gentile, *Politics as Religion*, (Princeton: Princeton University Press, 2006); Emilio Gentile, *God's Democracy: American Religion after September 11*, (Westport: Praeger Publishers, 2008); George Moyser (Ed.), *Politics and Religion in*

titled *The Theological Origins of Modernity*, Carl Schmitt's pioneering book titled *Political Theology* and Şakir Kocabaş's argument that every theory is founded on some very basic unverifiable presuppositions gave this work its direction by helping the aforementioned research question take its ultimate shape. S. J. Barnett's book titled *The Enlightenment and Religion: The Myths of Modernity* became helpful to avoid the common exaggeration of the role that deists played in the Enlightenment, thereby being helpful to investigate more for the ignored influence of heartfelt Christian writers in the birth of liberalism.

Atilla Yayla's and Mustafa Erdoğan's works were very useful to understand the birth of liberalism and to contextualise it in modernity. H. J. Hillerbrandt's edited book titled *The Protestant Reformation* was a great compilation of the political texts of reform leaders which, along with Carter Lindberg's *The European Reformations*, was beneficial to track liberal themes in the thoughts of reformers. Jeremy Waldron's *God, Locke and Equality: Christian Foundations in Locke's Political Thought* and Nader Hashemi's *Islam, Secularism and Liberal Democracy* examined political theology of John Locke and paved the way for this work towards discovering Locke's theological premises like absolute equality of man in the state of nature and his hierarchical ontology based on the Christian idea of *imago dei*. Glenn A. Moots, Daniel Novak and Daniel Elazar have written on covenantalism which contains the theological foundations of modern social contract doctrine. Glenn A. Moots' book titled *Politics Reformed: Anglo-American Legacy of Covenant Theology* is particularly significant to give a general assessment of

Modern World, (London: Routledge, 1991); George Moyser (Ed.), *Church and Politics Today: The Role of the Church of England in Contemporary Politics*, (T. & T. Clark Ltd., 1985); Kenneth Medhurst & George Moyser, *Church and Politics in a Secular Age*, (Oxford: Oxford University Press, 1988); Robert N. Bellah, *Religion in Human Evolution: From the Paleolithic to the Axial Age*, (Massachusetts: The Belknap Press of Harvard University Press, 2011); Robert N. Bellah, *The Broken Covenant: American Civil Religion in Time of Trial*, (London: The University of Chicago Press, 1975); Robert N. Bellah, *Beyond Belief: Essays on Religion in a Post-Traditionalist World*, (California: University of California Press, 1991); Gilles Kepel, *The Revenge of God: The Resurgence of Islam, Christianity and Judaism in the Modern World*, (Cambridge: Polity Press, 1994); Philip S. Gorski et al., *The Post-Secular in Question: Religion in Contemporary Societies*, (New York: New York University Press, 2012).

the topic as well as showing the influence of late reformation/early modern Protestant theologians on Locke.

Later, while going further on Locke, Locke's main works such as the *First and Second Treatises on Government*, *A Letter Concerning Toleration*, *An Essay Concerning Human Understanding*, and *Essays on the Law of Nature* were meticulously examined. John Dunn's various works investigated about what Locke, on the large scale, aimed at, and set forth that his ideas had close relation with Christian theology. Similarly, Frank van Dun argued that liberalism and Christianity has the same ontology, the basis of which was for the first time founded by John Locke. Steven Forde in his various works have written on the relations between natural law, theology and Lockean philosophy. İsmail Çetin's work titled *The Understanding of God in Locke's Thought* investigated for a part of this relation. Hasan Y. Başdemir's seminal work titled *Liberalism: Moral Foundations* and Mümin Köktaş's doctorate thesis titled *Scottish Enlightenment: A Perspective of Civil Society* were greatly helpful to see the fact that morality was the foremost field of study in early modernity. Cennet Uslu's book titled *Natural Rights and Natural Law: The Philosophical Foundations of Human Rights* has shown the critical relation between natural law and liberalism. This relation was thoroughly investigated in this work since Christian doctrine of natural law provided the proto-liberal philosophers with the basis on which they would ground their proto-liberal political ideas.

While investigating on the relations amongst the doctrines of natural law, natural rights and liberal political theories, Thomas Hobbes' *magnum opus* titled *Leviathan* became quite helpful to juxtapose his materialistic political philosophy with the philosophy of Locke. Leo Strauss' *Natural Right and History* was beneficial in making this juxtaposition. Murray N. Rothbard's book titled *Ethics of Liberty* has shown the strong relevance of Thomistic doctrine of natural law with modern legal philosophy. Alexander P. d'Entreves' two works, *Natural Law: Introduction to Legal Philosophy* and *The Medieval Contribution to Political Thought: Thomas Aquinas, Marcilius of Padua, Richard Hooker*, are excellent in demonstrating how much modern theories of liberty are

indebted to Christian theology. Aquinas' *Summa Theologiae* helped tracking the marks of some of Lockean ideas and his theological axioms.

Lastly, David Hume's masterpiece, *A Treatise on Human Nature*, was a turning point for me in seeing how big the theo-philosophical challenge before the natural law. Max Horkheimer's *Eclipse of Reason* followed that. These two great books helped me see the inconsistencies not only of the doctrines of natural law, but also of Locke's political theory. The conclusion made in the end of the last chapter depended heavily on these two books.

1.3 Purpose of the Thesis

The overall purpose of this thesis is to find out how Christian theology has fostered the birth of classical political liberal philosophy by excavating the theological foundations of classical liberalism. Since the theological origins of classical liberalism are not centered in one place, this purpose comprises of some sub-categories, each of which are more like sub-aims of the thesis. Although they are related to each other to the extent that they support the fundamental argument of this thesis, each sub-categories are about somewhat different topics. In this sense, this study has, among other things, compiled the theological ideas and themes that either directly became the fertile ground on which liberalism would flourish or indirectly provided proto-liberal and liberal philosophers, theologians and jurists with the inspiration with which they would construct their theories.

Keeping the fundamental purpose of the thesis in mind, the first sub-aim of this study is to show how a religion can have doctrinal impact on political theory. The traditional prevalent paradigm in social sciences has put strict barriers between politics and religion, as discussed earlier. But this study depends on the axiom that ontological and moral aspects of social scientific theories are inseparably interrelated with either metaphysics or with religions. The moral and ontological aspects of classical liberal political philosophy, at least at the times of its emergence between 16th and 18th centuries, lie in the Christian theology. The ramification of this fact is a challenge to the aforementioned prevalent paradigm. Actually, it is also reasonably possible to argue that

a social scientific theory will be more sound if the ontological, existential and moral questions, the questions that every single individual encounter with and feel himself compelled to respond if he does not deliberately overlook, are answered.

Secondly, this study aims at showing that Protestantism played a significant role in the birth of classical liberalism. It is quite conspicuous that first proto-liberal and liberal writers, about whom there will be given much detail in the study, were Protestants. Liberalism rooted in Protestant countries such as England and Scotland faster than in Catholic countries such as France and Italy. France, a strictly Catholic state in 17th and 18th centuries, went through great socio-political upheavals in early modernity, and later as well, while liberal themes were silently brewing in England and Scotland. France was seemingly attracting more attention on the global scale during the age of Enlightenment with her revolutions and her brandishing the flag of *liberté* against an authoritarian monarch and its close aide, the Catholic church; however, it was Voltaire, the representative figure of French Enlightenment, who crossed the channel and went to England to see what made a relatively silent and peaceful nation to prosper not only economically but also intellectually. When French saloons were filled with French *philosophes* discussing anti-clerical and radical ideas, many British writers have already written influential books harbingering an age of religious and political liberty. The wave of atheism during the Enlightenment among the French philosophers was the result of the resistance of French monarch and of French Catholic clergymen against the spreading of Protestantism, but it was not the case in England and Scotland where miscellaneous Protestant denominations replaced Catholicism in a relatively peaceful fashion. There were intense religious conflicts at certain times in England, like the tenure of Bloody Mary for example, but, comparing with France, the political atmosphere was more peaceful in Britain. This difference between France and Britain partly shadowed the fact that Protestantism has played a remarkable role in the birth of classical liberalism. Indeed, a strong inspiration of liberalism in early modernity, if not also afterwards, was from Protestantism.

Thirdly, this study aims at demonstrating how theological ideas and themes borrowed from Christianity in general provided some early modern writers with the terminology that would lay the foundations of modern liberal political philosophy. History of political thought cannot be divided into detached parts like Middle Ages and modern age. Many of the modern political ideas have their antecedents in Middle Ages though in disguise. Actually, there are few new ideas in philosophy, by implication, in political philosophy. As Whitehead once argued, Western philosophy is comprised of footnotes written under the ideas of Plato. In this sense, the precedents of modern liberal ideas are discernible in the late Middle Ages, mostly in the works of theologians. The great works of late medieval theologians such as Philippe du Plessis-Mornay, Samuel Rutherford, Richard Hooker and so on are rarely cited in the history of political thought; nonetheless, it is not a difficult job to discern conspicuously political ideas that bear quite a salient resemblance with the ideas of liberal philosophers such as John Locke. It would already be unreasonable to think that early modern philosophers such as Locke has created their ideas out of nothing. What early modern proto-liberal and liberal writers did was to materialise the late medieval ideas of theologians, jurists and thinkers. In this sense, liberal political philosophy is indebted to Christianity more than generally assumed. Later on, it will be claimed that Locke's works can better be defined as works of liberal political theology, not as liberal political philosophy. Locke harbours conspicuously Christian themes and axioms in his works and he does it deliberately and believingly, not for fear of a religious authority.

Fourthly, this study aims at demonstrating that social contract doctrine is rooted in a medieval theological concept, namely *covenant*. Protestantism revived a new interest in the Scripture studies, particularly in its exegesis, in the 16th century. Holy writ was widely read and re-interpreted by the Protestants. This revival of biblical studies fostered a re-examining of many of biblical concepts such as ecclesia, vocation and covenant which are to be articulated in this study. One of these concepts, covenant, has been used with a political connotation by John Calvin and his followers. It was later used by miscellaneous Protestant denominations such as Huguenots in France to defy the encroachment of political authority in their religious realm in 17th century when the

traditional barriers before the monarchs were bizarrely retreated and an inclination towards a kind of semi-tyranny appeared. Covenanters of 17th century took good advantage of the political attraction of this new theo-political term. Later on, this change in the usage of the biblical term “covenant” will lay the ground of modern contractarianism.

Fifthly, this study investigates the fundamental theological basis of classical liberalism: natural law doctrine. Legal philosophy and political theory are inseparably intermixed into each other since the oldest ages. Political philosophers have felt compelled to answer the question about what the law and the maker thereof would be. Early modern age was the heyday of the doctrines of natural law, and proto-liberal theologians and jurists have written important works on legal philosophy. Those works would later serve as the most basic foundation of classical liberalism at the hands of John Locke.

The last aim of this study is to be a modest contribution to the classical liberal political theory. The last pages of this study aims at showing that law inherently means dogma; it is not something to be conclusively proven with reason. Taken Hobbesian, Lockean, Humean, Kantian and Horkheimerian arguments on law, on natural law in particular, together, it becomes evident that a law system has to be based on some kind of a dogma. This conclusion caused the conclusionary remarks of this study to be on the discussion of the possibility of an Islamic liberalism and on the possibility of a legally pluralist liberal political system which is argued to be the implementation of Islamic liberalism. This study ultimately argues that it is possible; actually, the theory of public justification in liberal tradition is already heading into that direction.

1.4 Research Design

This thesis is a qualitative study. Many works of political theory, and theological works containing political ideas have been examined to track the marks of relevant ideas in the history. Therefore, no surveys or statistics were provided. There has been made an extensive reading, firstly, of classical sources of political theory; secondly, of works of political theology; thirdly, of the secondary and other collateral works written on the topic to investigate for the relation between Christian theology and political liberalism.

1.5 Assumptions, Limitations and Scope

The foremost assumption of this thesis is that every theory has very basic unverifiable presuppositions in its center. This is the area of belief. These presuppositions are believed in, not reasoned. Therefore, they are mostly obtained from either theology of a certain religion or a certain system of metaphysics. In the case of classical liberalism, this thesis argues that these presuppositions have mostly been taken from Christian theology. More secondary assumptions of this thesis are, firstly, the Weberian argument that ideas have important roles in shaping what Marx called as superstructure; secondly, that history cannot be divided into separate ages that are independent from each other; that history continues more smoothly than generally supposed; that forms and shapes may often change in the history but contents of them rarely change.

The limitation of this study is the superficiality of each topic handled under each chapter. Since the theological foundations of liberalism is quite a long issue, this study became a descriptive picture of the issue. Nonetheless, it has made its point; yet, still, every single chapter of this study might have been a topic for a separate study.

This thesis examines the role of Christian theology in the birth of classical liberal political philosophy in the West. Therefore, this study will not handle the theological inspirations of liberal writers after the birth of classical liberalism. To put it differently, only the influence of theology in the 'birth' of classical liberalism was examined. Liberalism emerged already as classical liberalism; other traditions in liberalism such as social liberalism or anarcho-capitalism emerged many decades after classical liberalism. So, this thesis will only examine the theological foundations of liberalism in the years it emerged, and only in the West, nowhere else. Liberalism, firstly, although not given the name 'liberalism', has taken its classical shape at the hands of John Locke. Therefore, John Locke will be the focus philosopher of this thesis. Besides, relevant works of the writers such as Samuel Rutherford, Richard Hooker, Philippe du Plessis-Mornay who are not liberal but had important impact on the shaping of classical liberalism due to their *theo-liberal* ideas were also examined. Since liberalism emerged in this first place in England, this thesis will focus on England as well as touching sometimes upon other

relevant countries. In short, the time interval that this thesis will examine is the period between Aquinas and Enlightenment. As for a more focused time interval, it will be between 1500 and 1700.

1.6 Summary

The first chapter is introduction. In the second chapter, the relation between religion and theology is examined in two sections. Firstly, the nature of this relation is studied and secondly, historical course of the relation between Christianity and politics is narrated. The purpose of this chapter is to give a general introductory information of the complicated relation between religion and politics.

In the third chapter, the birth of classical liberal political philosophy is examined to see when and how exactly liberal philosophy emerged in the West. Therefore, to some extent, it determines the time period on which much of this thesis will focus.

In the fourth chapter, Protestant foundations of classical liberalism are investigated. The basic argument of this chapter is that Protestant Reformation in 16th century laid the fertile ground on which liberal themes and ideas will flourish. Firstly, Protestantism made a strong impact on the evolution of notions of individuality, liberty and equality in the Western mindset. Secondly, Protestantism fostered humanism which is an important element of classical liberal philosophy. Thirdly, Protestant ethics, as Max Weber famously argued, formed the spirit of economic liberalism. Lastly, Protestantism has affected the birth of religious toleration in Europe. It was not an intellectual effect of Protestantism; it is quite evident that reformation caused war more than peace in the short term. But in the long run, historical lessons drawn from religion wars and the secularisation triggered partly by the reformation helped the idea of religious toleration emerge in the Western intellectual and theological circles.

In the fifth chapter, the theological foundation of modern social contract doctrine is investigated. This doctrine is not only an important element of modern democracy, but also quite important in political liberalism since it argues that a government should be based on a contract made among the individuals. It is argued that these ideas has silently

but protrudingly been taken from covenantalism of 16th century reformers, from Calvinist theologians in particular. Tripartite covenant in the Scripture among God, people and some prophets such as Moses has become the main source of inspiration for modern social contract theorists.

In the sixth chapter, political theology of John Locke is analysed. His theological premises such as his hierarchical ontology based on Christian doctrine of *imago dei*, his interpretation of holy writ and his observance that holy writ does not say a word about political regimes, his rejection of monarchy based on his re-interpretation of the Scripture, doctrine of the law of nature and the results of these theological premises such as his idea of absolute equality of men in the state of nature, his idea of government based on the consent of the ruled, theory of natural rights of individuals and limited government are scrutinised. It is argued that Locke has borrowed his basic premises from a re-interpreted Christian theology.

In the seventh chapter, the most basic foundation of classical liberal political philosophy, doctrine of natural law and theories of natural rights are examined. The goal of this chapter is to show that doctrine of the law of nature became a fertile source of liberal themes and ideas in 16th century. In 17th century, these liberal themes and ideas are collected, systemised and transformed into a full-fledged theory of limited government, which could be called as the first liberal political theory, by John Locke. To see how doctrine of natural law has given birth to the theories of natural rights that would become the milestone of Locke's liberal political theory, the historical course of natural law doctrine is analysed in the sections on natural law in antiquity, Thomistic natural law, the thought of natural law in reform leaders and the secularisation of natural law in early modernity. Later, Locke's theory of natural law, the foundations of his political theory and inconsistencies therein are examined. David Hume's criticism against natural law and Max Horkheimer's theory of the instrumentalisation of reason are considered in terms of the inconsistencies of Lockean political theory. It is argued in the end of this chapter that these inconsistencies might be obliterated only with a legally pluralist liberal political theory.

In the eight chapter which is the conclusion, a general assessment of this study is provided. The possibility of Islamic liberalism and a legally pluralist liberal political system is discussed.

2. RELATION BETWEEN THEOLOGY/RELIGION AND POLITICAL THOUGHT

Relations between theology/religion and political thought is one of the most controversial and exhaustively studied topics of social sciences. Since it is difficult to draw the boundaries of these two basic institutions of humanity, religion and politics, it is tricky to examine how and in what conditions they get into relation.

Politics could be defined in the broadest sense as “the activity through which people make, preserve and amend the general rules under which they live (Heywood, 2002: 4).” In a radically broad sense, it is seen as something existing in every corner and sphere of social and private life (Heywood, 2002: 10).⁸ Religion is “a system of beliefs and rituals related to the sacred, which gathers its believers around a moral community (Bellah, 2011: 1).” Therefore, religion cannot only be seen as the same thing with belief in God (Bradley, 2009: 270); although there is no belief in God in a system of spirituality, if it deals with the sacred, it is included in the field of theology. Since politics seems to be interested only in the profane and the religion in the ethereally and sacred, on the surface it may seem that the field of religion is radically different from that of politics (Firth, 1981: 583). But the case is not so clear. Religions have legal principles in various proportions and some part of these rules may directly be about worldly matters. The lust for power that was called by St. Augustine (2003) as *libido dominandi* could attract the

⁸ Politics until recently used to be defined as state activities. For example, Yıldız (2013: 268) defined politics as “the set of activities that aim to solve the problems of a society by obtaining the power embodied in the government; or the art of statecraft.” But especially with the advent of postmodernism and with the effect of Foucaultian understanding of politics –power relations–, politics began to be taken in a much broader sense.

clergy as much as the politicians. Politicians may be eager to abuse religion to gain power and legitimacy. Besides all these possibilities, the realm of politics has grown so broad throughout the history that almost all that interested religion also became objects of political science.

The broadening of the field of political science was gradual. In the pre-modern era, politics was mainly restricted to the royal palaces. The people whose overwhelming majority lived in the villages could not have been aware of the political correspondence between the dynasties and of the royal intrigues. However, with the invention of printing machine, ideas began to move rapidly and the opening of the coffee houses furthered this phenomenon. With the emergence of newspaper in Europe and with its expanse, as well as with the emergence of the ideologies in 19th century, politics started to penetrate very much into everyday life of the individuals. Ideologies gradually politicised many aspects of the culture and spiritualised politics. After 1970s, the second wave of feminism, with the motto “The private is the political (Heywood, 2003: 243)” and Foucault’s argument that all social structures such as language and culture contained power relations (Urhan, 2013: 249-250) broadened the field of political science even further till its last limit and made almost all constituents of social life objects of political science. Likewise, Duverger (1995: 18), by writing “Everything, or almost everything is partially political; nothing, or almost nothing is completely political.”, indicated to the difficulty of drawing a demarcation line between politics and religion. Therefore, the relation between religion and politics, and by implication, the relation between religion and political thought is quite complicated.

2.1. Nature of the Relation between Theology/Religion and Political Thought

The relation between theology/religion and political thought, or, in a more analytical way, between the theological and political is basically the object of study of philosophy. Although their relation is complex, it could simply be said that religion, as one of the most important elements in human life that fashions one’s set of meanings, is destined to shape political thought and praxis inevitably. This was stated by Aronoff saying that religion and politics are interconnected since the inception of mankind, by Balandier

saying politics is always interrelated with the sacred (Balandier & Aronoff; cited by Lewellen, 2011: 92). Voegelin, Kantorowics, Assmann and Luckmann are doubtful whether politics can function without ever touching any religious ground; this is also the case in apparently secular societies. Giesen and Suber (2005: 95, 134) goes further and says that all kinds of politics have spirituality inside it, adding that “sacred core of politics” should be excavated. According to him, political reality has a *pre-political*, transcendental ground on which any kind of politics is based. This transcendental ground does not have to be religion; religion is only one type of this transcendentalism.

Giesen says that many philosophical arguments may be found supporting his claim that all kinds of politics function through a transcendental reference. For that, he mentions many writers ranging from German idealists to social philosophers:

Perception of reality presupposes a categorical frame (Kant); the order of objects is constituted by a transcendental subject (Hegel); the exception is constitutive for the rule (Wittgenstein); the profane exists only in distinction to its opposite, the sacred (Durkheim); social order has to be contrasted to some limited reference (Turner); action cannot be conceived of without reference to an autonomous source of agency (Parsons); constitutions are set by a sovereign (Schmidt) (Giesen & Suber, 2005: 96).

Similarly, according to Fromm (1995: 114-116), man should be believing in something before he has any idea. In other words, man should have a belief in something before reasoning. Kocabaş (2013) argues that every theory was constructed upon some unverified presuppositions, by implication, upon some dogmas believed. Lastly, Tocqueville (2000: 407) argues that every society, as a requirement of its nature, has a set of unquestioned dogmas. These dogmas always exist in a society and they are what make a crowd of individuals a society. Therefore, but for dogmas, there will be no society since common social code of conduct will not emerge. These arguments that go beyond reductionist claims of positivism indicate that social reality can only be constructed with reference to any kind of transcendentalism. Therefore, every kind of social order can exist with reference to any kind of spirituality and of the sacred. Since

politics functions within a constructed social order, it inevitably functions on a sacred, transcendental ground.

The immortality of the sovereign is an example for this transcendentalism. Since immortality requires transcendentalism, sovereign brings transcendentalism with itself. Without a sovereign, there could be no political normative order, by implication, no political order. This is the discovery of the sacredness in modern secular politics in which state is seen as the absolute sovereign (Giesen & Suber, 2005: 99).

The prevalent paradigm in the literature argues that modernity excluded religion from the public life, that made it only an issue of the conscience, and that the clergy had to accept this situation over time. For example, Toprak (1981: 6-14) argues that the relation between religion and politics in a society differs depending on whether the society in question is secular or not. In a nonsecular society, religion becomes almost the sole source of political activities and of political legitimacy. Religion fashions the political power and authority. The opposition parties oppose to the political power with religious discourse and religious arguments. In these societies where the religious was integrated into the political, religion also secures the social integration. Religion also interferes in the education and judicial policies since it is involved in all aspects of social life. In such a society, politicians are seen as figures who undertake religious roles by the people. In a secular society, however, the case is different. The purification of political terms from religious connotations open room for the political. The political legitimacy is not derived from the sacred; it is based on consent and social contract. Social integration is provided by the educational institutions of modern state instead of moral principles of religion that penetrate into all aspects of daily life. Religion becomes a matter of conscience by losing its visibility and importance in the public sphere. What Weber called as the “disenchantment of the world” and Nietzsche as the “cooling down of what surrounds us” is the secularisation that grew parallel to the modernity.

There are also writers who oppose this paradigm and argue that politics functions on a transcendental ground even in societies in which organised religion, belief in God and in hereafter are weakened. There is an enthusiasm that points out to the existence of a kind

of sacredness in apparently secular politics where religion is not visible (Lewellen, 2011: 96). In secular societies, the intervention of organised religion into politics is quite rare; however, as a result of pullback of religion from social reality, the metaphysical aspects of ideologies started to answer the fundamental questions of human existence. Because modern political systems are grounded much or less upon political ideologies or because the modernity itself has a metaphysical dimension (Gillespie, 2008), there is a sacredness and transcendentalism in the center of modern politics although it apparently seems secular. Therefore the claim that religion and politics are completely separated from each other in secular societies indicates to a reduction of a complex social reality. Here the word religion does not only include organised religion, but also includes all kinds of sacredness and transcendentalism such as political and civil religions.

As a result of the questioning of secularist paradigm that argues that religion and politics have grown gradually more and more separated since the Enlightenment, Smith (cited by Gorski et al, 2012: 165) has come to say that a *post-secular social science* should be founded. According to him, this post-secular social science should be based upon the premise that man is naturally a “liturgical animal”. From this perspective, Smith argues that we have never been secular; even atheists, as a requirement of human nature that is inclined to believe in something, have beliefs in this and that. Smith argues that the scientism paradigm that strictly categorises ideas as theological, social-scientific, philosophical and ethical should be questioned for these fields are inseparably overlap each other and form an umbrella-like whole.

While the greatest reason why religion and politics, and by implication, theology and political thought are interlinked with each other is that they both naturally are interested in the human existence, the second reason is that the symbolism which both religion and politics contain overlaps each other. All or almost all symbols have political contents and symbolism is bivocal; not only it deals with human existence, bearing some characteristics about one’s concept of the self, but also it is political since it works within a group and serves as a bond among group members (Lewellen, 2011: 140-141). Symbolism is diffused in all aspects of politics. Symbolism, which has the ability to

sanctify the power, is naturally seen as natural and taken subliminally. Human beings tend to perceive the symbols as concrete objects. Government, political parties and state are symbolic constructions in human mind; they are not concrete and these institutions already keep their permanence by means of these symbols (Lewellen, 2011: 95-96).

In fact, quite earlier than postmodern age when scientism paradigm began to weaken gradually, in 1922, Carl Schmitt (1985: 45) shocked his readers by arguing, in his book titled *Politische Theologie*, that all notions of modern political theory are secularised theological concepts. According to Schmitt, the concepts of clockwork universe and of an uninterfering God, which are the results of Newtonian physics and Descartes' cartesianism, have caused the notion of miracle to be eradicated from social reality and given rise to the emergence of deism, which laid the ground on which modern constitutional state would function (Schmitt, 1985: 36). Schmitt also said that any kind of politics has a metaphysical kernel (Schmitt, 1985: 51); but his ideas were not taken seriously due to his cooperation with Nazis in the Second World War. However, particularly since 1970s, Schmitt's arguments have received more attraction.

It is not difficult to take notice of the metaphysical or religious themes in the modern, apparently secular politics. Glittering ceremonies of political leaders, motives on the chairs of political leaders indicating to sacredness and supernaturality, baptism of British queen during her coronation, Japanese belief that emperor himself is sacred, American presidents' citing the name of God while inaugurating their office and so on. It became a sensational event when John Kennedy was elected as the first Catholic president of USA in 1960. English Puritans, who realised the great significance of political symbols in the eyes of the people, wanted to prevent people from witnessing the 'execution of the sacred' and executed Charles I behind the stage, although it had been decided that the execution would be made open to public, since they were feared of the sanctity of British crown (Giesen & Suber, 2005: 106-107). Besides these tangible sacrednesses, there are more subtle sacrednesses, whose examples might be charismatic leadership phenomenon, sanctification of the constitution, widespread belief in progressivism,

exaltation of a people's ancestors, strong belief in the power of the public opinion etc (Giesen & Suber: 134).

In addition to them, Christianity in the West, Anglicanism in England in particular, is accepted as an important constituent of the political identity. In USA, the doctrine of “*Vox populi vox dei*. (Voice of people is the voice of God.)” was utilised to strengthen the basis of democracy (Schmitt, 1985: 49). There are claims that the doctrine of trinity underlies the tripartite separation between legislative, executive and judiciary; that the cabinet where the ballot box is put was created with inspiration from the cabinet of confession in Christianity; that the irresponsibility of the presidential office in parliamentary systems has heavenly inspiration. The most trustworthy gauge throughout the world to separate the political left from political right is still religion. On the right of the political center is Christian democrats in Catholic countries, and conservatives in Protestant countries. Christian democrats work in collaboration with the church and advocate for a democracy along with allegiance to the church (Yılmaz, 2001: 131-134). Despite the pre-impression that money which is a purely profane object cannot be intermixed with religion which deals with sacredness, it is argued that the American dollar is a religious symbol with all the symbols thereon implying a relation with American civil religion (Gentile, 2006: xi).

A remarkable point about the relation between religion and political thought is the distinction between civil religion and political religion made by Emilio Gentile who coined the term “sacralization of politics”. According to him, this phenomenon, the sacralisation of politics, is a *sui generis* characteristic of the modern age and could be seen, more or less, in all kinds of political order. In the full sense, it can be seen in Marxist and Leninist political movements and regimes that depend on pure rationalism, vulgar atheism and dialectic materialism. From this perspective, Gentile argues that it is not true to call a political regime or a movement as secular depending on its attitude towards organised religion. In democracies, the sacralisation of politics gives birth to *civil religion*, whereas in totalitarian regimes, to *political religion*. According to Gentile, civil religion is, simply, the sacralisation of a collective unity. Civil religion does not

need to adopt the ideology of a certain political movement, accepts the separation of state affairs from church affairs, has a theistic presupposition that there is a supreme being. It determines the general principles of morality and palatable beliefs, thereby playing an integrationist role in society. It does not interfere in the autonomy of the individuals and may co-exist with other existing religions. In all Protestant countries, civil religion exists in different proportions, and its best example is American civil religion. As for political religion, it is the sacralisation of a radical political agenda. Political religion does not recognise autonomy of the individuals and may not co-exist with other religions. It fosters obedience of the citizens to the political cult which is created to implement the political agenda as well as sanctifying the use of violence and force against the enemy that is usually created out of nothing. The best example is the fascism of Nazi Germany (Gentile, 2006: 139-140).

While the abstract interaction between religion and political thought is such, their practical interaction is a little different. Since politics is an activity of taking decisions, it is carried out by a group or groups. As these groups carry their ideas to the political arena, religion is therefore carried to the political stage (Moyser, 1991: 3). Duman (2013: 442) argues that every religion wants to influence the society and political authority. Similarly, Firth argues that any religion should develop its own political aspect so as to become an important and viable social movement. Besides, a micro-politics emerges among the members of a religious community. In the center of this micro-politics is the political authority which deals with the distribution of sources, administration of commonwealth, regulation of the activities of the members, stating opinions about various topics etc. In addition to these practical requirements, there is one more field for politics on the practical arena: doctrinal disagreements. Every religion is inevitably divided into sects which differ in doctrinal interpretations. The division is followed by intra-frictions. Whether religion or politics will affect the other more is dependent on circumstances of the time. The friction between *Sunni* and *Shi'a* is more related to the political disagreements (Evkuran, 2012: 275) whereas the division of Catholic and Protestant is more related to the theology, viz. the re-interpretation of Christianity (Weber, 2010).

It is also important in the relation between religion and politics to touch upon the notion of “*tedeyyun*⁹”. Instead of saying that any kind of religion is naturally and very closely interconnected with politics, it is better to argue that a particular *tedeyyun* of a religion might be in close relation with politics or vice versa. Since sacredness and religiousness is not embedded in the objects around us (Evkuran, 2012: 45), *tedeyyuns* differ in their involvement in politics depending on to what they ascribe sacredness.

Besides, in the field of sociology of religion, there are significant ideas in concerning the relations between religion and politics. Durkheim, who became the founder of sociology of religion with his work on suicide (2011), says that religion is one of the oldest institutions, that gives collective consciousness to the individuals of a particular society, and thereby play an important role in the formation of a society (Aktay & Köktaş, 2007: 33-35). According to Parsons, a structural functionalist deeply influenced by Durkheim, since the societal values and norms have regulatory role for interpersonal relations (Poloma, 2012: 161), religion in a society has an integrationist effect. According to anthropologist Lewellen, religious rituals have similar functions. They bind members of a society with bonds that go beyond daily conflicts and donate the society with mystical powers of the ancestry and supernatural world (Lewellen, 2011: 95). According to Marx, religion is a narcotic that veils power relations and class conflict based on economical substructure. It is an illusion, a phantastical construction, opium of the masses (Türköne, 2013: 443-445). Weber, who opposes these ideas of Marx, in his book titled *Protestant Ethics and the Spirit of Capitalism*, narrates how a religion can trigger economic development. According to Weber, Calvinism that encourages industriousness and ascetism as well as the accumulation of capital, became the impetus of the bourgeoisie entrepreneurship. Weber establishes his thesis on his observation that Protestant societies were wealthier than the Catholic ones at the time he wrote his book (Weber, 2010). In addition to his arguments, Weber also tries to refute Marx’s paradigm of dialectic materialism by showing the strong impact of ideas, religious ideas in particular, on what Marx called as economic substructure.

⁹ *tedeyyun*: A particular understanding of a religion in a particular time and place. Therefore, every kind of religious group has its own *sui generis tedeyyun*.

The main argument of the works that examine the relations between religion and politics is that official or dominant religion in a country tend to support the current political regime. However, it appears that it is often overlooked that almost all religions emerge as a resistance against the entrenched political and social order; when they get standardised and raise the number of their believers, they start to support the order that develops in parallel to themselves. A religion may have three roles in *supporting* a political regime:

- Government may be directly based on the religion as in theocracy.
- The governing elite may get legitimacy from the religion.
- Religion may serve as a ground for conventions, beliefs and structures that are manipulated by those who want to capture the political power (Lewellen, 2011: 93-97).

Firth calls this function of religion, the function of supporting a political regime, as “canopy syndrome”. According to him, religion may serve as a protector for the social and political order like an umbrella or canopy. The writing on US dollar, *In God We Trust*, and on British banknotes, *D. G. Reg. F. D. [By the Grace of God, Queen, the Defender of the Faith]*, strengthen social integration by giving a continual reference to an omnipotent God. Although belief of the people in the religion is not very strong, religion plays a role in strengthening the legitimacy of rulers and maintaining public order (Firth, 1981: 585). Likewise, according to Kalaycıoğlu (1984: 192-193), religion may provide political authority with legitimacy. Religion has the ability to give a meaning to history and legitimise historical events such as occupations and wars. At the same time, religion may also become a strong source of opposition (Lewellen, 2011: 93). For example, religion served as a stimulus for third world countries to drive the coloniser states out of their country, especially after the Second World War .

Many examples could be given for the tangible interaction of religion and politics. Firstly, the fact that religion plays a different role in societies that have a class of clergy than those who do not have clergy should be stated (Lewellen, 2011: 93). Religion may produce resistance to the laws of a country such as that members of a religious

community does not want to recruit in the army. Christian Democrats in Italy and Germany, Islamic Republican Party in Iran, political movement of National Outlook (“*Milli Görüş*”) in Turkey are very concrete examples for the relation between religion and politics. The best example to show how a religion could have an impact on a political thought and agenda is the settlement policies of Israeli governments on the lands that were arguably promised them by God before more than two thousand years. The religions that have holy books are claimed to be more assertive in terms of their relations with politics since they tend to be holistic. Holistic religions are so comprehensive that they may have a say about almost all aspects and deeds of human life (Firth, 1981: 584-588).

Until now, the nature of the relation between religion/theology and political thought, and between religion/theology and politics is examined. It is argued that religion and political thought as well as religion and politics, although they seem to differ from each other in terms of what they deal with, have always been closely interconnected with each other since the inception of mankind. Now, the relation between a particular religion, that is Christianity and political thought will be examined throughout the history.

2.2 Historical Course of the Relation between Religion and Political Thought in Europe

2.2.1 The Relation between Religion and Political Thought in the Antiquity

Religion is generally ranked at the top of hierarchy of values in almost all societies – a reality that forces the politicians to obey its overt principles, at least apparently (Dumont, 1970: 32). Considering this basic principle, it could be argued that religion has impact on a ruler in four different ways as follows (Firth, 1981: 586):

- The ruler might be worshipped as a god.
- The ruler might be seen as having inspiration from god.
- The ruler might be seen as a transmitter for God’s words.
- The ruler might be seen under divine protection and legitimacy.

The king which has both divine powers and worldly authority in himself is a bond between the people and universe in the eyes of his subjects. Without him, there could be no cosmic order, no social peace and even no human life. The case does not change depending on whether the king is depicted as god or son of god or servant of god. This kind of image of king is the cipher of cosmic order and therefore, he is sacred (Bellah, 2011: 232).

In antiquity, there was generally the concept of the God-king; the god was the king, and the king was the god at those times. In the oldest states, the rulers themselves were accepted to be god. Egyptian pharaoh was the son of God Osiris and he was God Horus himself. It was believed that the God of Horus was reborn with every new pharaoh. Later, this understanding changed a little and the rulers have come to be depicted as sons of God. Chinese emperors were sons of the skies (Kapani, 2001: 68). Likewise, in ancient Mesopotamia, kings called themselves as servants of God (Bellah, 2011: 221).

In ancient Greece, Homeros (c. 850 BC) thought that the origin of the state was divine. Rulers were sons of God called Jupiter (Akabay; cited by Daver, 1993: 8). In Plato's Republic, all citizens should endeavour to resemble to deity as much as they could. The goals of life such as virtue, happiness and quietude could only be obtained in this way. Since the philosopher-king should act in the same way, the republic would be ruled by wise rulers who "love to see the truth", endeavour to obtain the permanent happiness and perfect virtue (Plato, 2013: 185). What Plato meant with wisdom, loving to see the truth and the idea of goodness is a kind of spiritualism and transcendentalism. Plato, at the same time, thinks that the laws should ban some of the poetry and other arts which diffuse wrong ideas about the Gods, thereby daring to criticise the mythology of ancient poets that became religion of the Greeks over time (Plato, 2013: 67-74). Therefore it could be argued that the state is responsible to maintain the soundness of the religious beliefs in Plato's utopian republic. Aristoteles (2012: 213) argues that the expenditure made for religion should be met from the treasury since it is a civil service. Therefore Aristoteles implies that the clergy are civil servants. Besides these philosophers who saw the acquirement of virtues as goals of life in ancient Greece, there are also materialist,

atomist thinkers such as Democritus, according to whom there is no transcendental thing; only material exists (Weber, 1998: 35-36). After the collapse of Athenian democracy, Alexander the Great called himself as both king and God (Tannenbaum & Schultz, 2011: 103).

From the sudden death of Alexander the Great in 323 BC until the rise of Roman Empire in 1 AD, the main characteristic of Hellenistic age is escapism. Epicureanism, Stoicism and Cynicism are escapist thoughts that filled the intellectual arena after the collapse of Athenian democracy and of Alexander's great empire (Brinton, 1963: 96). Of these thoughts in Roman Empire, the most pervasive and influential one was Stoicism. High ranking classes in the empire were mostly from the stoics. Furthermore, it is argued that no political thought apart from Stoicism was so much prevalent among the elite until the deism of 18th century (Brinton, 1963: 95).

The Stoics believed in one God who is just, merciful, omnipotent and controlled the whole universe (Cevizci, 2012: 98-100; Brinton, 1963: 95; Oppy & Trakakis, 2009: 127). The leading figure of the Stoics, Cicero, who was also the inventor of the word "religion" (Reichley, 2002: 22), built his theory of law on his understanding of God. According to him, law is a natural power that is embedded in the nature and reached by reason; it is therefore the order of God. Although the positive law is not constructed upon that natural law, this does not change the truth that the natural law is the order of God. A ruler who does not obey this law cannot provide justice, loses his legitimacy and becomes a tyrant over time. If the laws are made in accordance with the natural law, the state will be a right state and functions correctly. Otherwise, conflicts will pervade the state. The concordance between good man and good citizen can only be provided with the harmony of the positive law with the natural law; otherwise good men cannot be good citizens (Tannenbaum & Schultz, 2001: 110-111). Sabine argues that the real significance of Cicero is that he has set forth the theory of natural law that would keep its influence until 19th century (Sabine, 1969: 157).

Cicero developed an understanding of legal egalitarianism and universalism with his emphasis on the reason and order that God embedded in the nature. According to Cicero,

there is an inclination of goodness in the human nature, which will unveil over time. This inclination is reflected on the political arena as the trust in the public opinion. A general agreement, *consensus omnium*, is possible among all nations, races and human beings (Tannenbaum & Schultz, 2011: 122-126). Likewise, another significant figure of the Stoics, Seneca (4 BC-65 AD), mentions about “universal reason” (Seneca, 2007: 31). It is with this universalism that Roman Empire could develop concepts such as cosmopolitanism, universal fraternity, world citizenship and could bring millions of people from different ethnic groups and from different religions together (Ebenstein, 1996: 53; Cevizci, 2012: 102).

Before passing to the medieval Christian world, there is one more noteworthy philosopher concerning the relation between religion and political thought, viz. Plotinus (205-270 AD). The medieval thinkers who search for rational basis for religious beliefs resorted to philosophy of Plotinus till Aristoteles was discovered in late Middle Ages. Plotinus developed a theory of emanation which argued that all the creatures emanated from God in a hierarchical way. The import of this ontological hierarchy, at the top of which is god and at the bottom of which is materials, is its contribution to the legitimisation of doing philosophy in Christian and Islamic theology as well as legitimisation of the medieval monarchies (Cevizci, 2012: 113).

2.2.2 Early Impact of Christianity on the Western Political Thought

It was Christianity who led to the biggest change in the political thought of Roman Empire. In fact, Christianity was not so different from Stoicism in terms of ethics (Foucault, 2011: 221). *The Meditations*, the work of leading Stoic philosopher and Roman emperor Marcus Aurelius (121-180 AD) was welcomed with great respect among the first Christians (Brinton, 1963: 95). According to Tannenbaum and Schultz, Christianity adopted egalitarian and universalist ideas of Stoicism (2011: 119). The strong influence of Cicero on the first Christian philosophers such as Lactantius¹⁰, who

¹⁰ Lucius Caecilius Firmianus Lactantius (c. 250 - c. 325). He was a friend and counselor of Emperor Constantine and the tutor of his son, Crispus. Therefore, he was influential in the Christianisation of Roman Empire. By his writings, he aimed to show the futility of pagan beliefs and the reasonableness of

is called as “the Christian Cicero (Nicgorski, 2010: 179)”, is therefore revealing (Nicgorski, 2010: 107). However, in terms of the relation between politics and religion, Christianity had a groundbreaking effect by flourishing as an organised religion. But the organisation of Christianity as hierarchical religious institutions is a somewhat later phenomenon since the first Christians were apathetic towards politics (Gray, 1995: 7). The single goal of the first Christians who adopted an indifferent attitude towards the politics was to preserve their religious community and to spread Christianity in the empire (Türköne, 2013: 447).

One of the reasons for this passive attitude was the words of St. Paulus (5-67 AD) in the Bible. Paulus narrates in the Bible that he had discussions with Epicurean, Stoic and other philosophers in Ephesus, Athens and in some other Greek cities, that he saw Athens full of idols and criticised it, that he then went to Rome and took permission to teach Christianity to the Romans for two years (Bible, Acts 17). In the 1st century when Romans heard Christianity for the first time, St. Paulus made following recommendations in the Bible to the first Roman Christians, probably to prevent them from being harassed by the Roman authorities:

Everyone must submit himself to the governing authorities, for there is no authority except that which God has established [*Omni potestas a Deo*]. The authorities that exist have been established by God. Consequently, he who rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. For rulers are hold no terror for those who do right, but for those who do wrong. ... For he is God’s servant to do you good. ... Give everyone what you owe him: If you owe taxes, pay taxes (Romans 13:1-7)

Christianity. His works were the first attempt to systematise the Christian theology in Latin. His works include *Epitome Divinarium Institutionum*, *De Ira Dei*, *De Mortibus Persecutorum*. He has been generally regarded as the one who incorporated some major parts of Stoicism such as natural law into Christian theology. For more, see: Healy, P. (1910). Lucius Caecilius Firmianus Lactantius. In *The Catholic Encyclopedia*. New York: Robert Appleton Company. Retrieved on May 5, 2015 from New Advent: <http://www.newadvent.org/cathen/08736a.htm>

Except this passage, there are some other remarks in various parts of Bible recommending obedience to political authorities (Colossians 1:15-16, Titus 3:1-2, Hebrews 13:17, Peter 2:17-18). Moreover, Jesus seems to be indicating to a separation between political affairs and religious affairs by saying “Give to Caesar what is Caesar’s, and to God what is God’s (Matthew 22:21).” Türköne argues that this saying of Jesus on its own may not be supporting the claim that Christianity is supportive of the laicism, because there are contradictory verses such as “No one can serve two masters (Matthew 6:24).” Another verse having a political aspect in Bible is “Jesus said, ‘My Kingdom is not of this world.’ (John 18:36)”, which gives to the believers an eschatological expectation. In Acts 4:26, it is narrated that kings of the world gathered before Christ, which has insinuating ramifications for the relation between religion and politics. In Galatians, St. Paulus says: “You are all sons of God through faith in Jesus Christ. ... There is neither Jew nor Greek, slave nor free, male nor female, for you are all one in Christ Jesus (Galatians 3:26, 28).” These remarks indicate to the egalitarian character of Christianity. Besides, in some parts of Bible, there are verses that criticise the accumulation of wealth and the motive to earn as well as recommending asceticism, frugality and passivism (Luke 12:15; Matthew 5:3, 6:19; Mark 10:23; Ephesians 5:3, 5).

The first Christian groups in Roman Empire seemed to be apathetic to Roman political order and institutions, and therefore, they suffered much agony. But, in 311, the Empire declared its impartiality towards Christianity and emperor Constantine declared his conversion to this new religion. In 378, emperor Theodosius made Christianity the official religion of the empire (Tannenbaum & Schultz, 2011: 121). By this way, Christianity played the role of a melting pot for different ethnic groups in vast territories of the empire and became a conciliatory medium between the occupiers and the occupied (Bedouelle, 2003: 54).

The great Christian philosopher, St. Augustine (354-430), who witnessed the fall of Roman Empire, is significant since he, for the first time, used ancient Greek philosophy for supporting Christian theology (Cevizci, 2012: 122). Until St. Augustine, Christians had thought that Greek-Roman institutions were unsuccessful; therefore they had neither

developed a political doctrine, nor had they needed one. St. Augustine met the need of Christianity that became the official religion of the empire to reach a compromise with politics. According to Augustine, state is the result of man's fall from the heaven due to the original sin and it is compulsory to prevent man from sinning further. In his seminal work titled *The City of God (De Civitate Dei)*, he interpreted the main themes of Greek and Roman philosophy in accordance with Christianity. This book has for more than a millenium given a political doctrine to the church that would be the highest political authority (Tannenbaum & Schultz, 2011: 119, 122-123).

In the *City of God*, St. Augustine argues that there are two kinds of states: City of God and City of Man. It is the love of God that brings citizens of the city of God together (St. Augustine, 1977: 593). But the City of Man was founded on a murdering of brother, e.i. the murdering of Abel by Cain (St. Augustine, 1977: 600). St. Augustine develops an eschatology by means of this differentiation. According to him, the history is progressing from the City of Man towards the City of God which will be founded by the descent of Jesus (St. Augustine, 1977: 852). The idea that the history is progressing towards a determined point is for the first time that is known developed by St. Augustine.

St. Augustine's concept of City of God was understood as church whose leader was the Pope in the Middle Ages. At the same time a Christian theology was developed. God was at the center of this Christian unity and pope was the closest office to God; therefore pope was considered as inerrant. As a result, St. Augustine made the secular political institutions dependent on the church by placing them inside the Christian theology with his doctrine. That would lay the political order of the next millenium in Europe. In addition to that, Pope Gelasius (death 496) developed the *Doctrine of Two Swords* which argued that all kinds of legitimate political power stem from God. The church takes one of the swords that represents political power in his hand, and gives the other to the political authority to serve the church. Therefore, worldly authority takes its legitimacy

from the church. At the same time, the doctrine of *Donation of Constantine*¹¹ which gave the church the authority to excommunicate the kings was set forth. By means of these three doctrines and of the fact that there was not a central authority in the feudal Middle Ages, secular political authorities were strictly dependent on the church in medieval ages (Tannenbaum & Schultz, 2011: 127-128, 137-139).

While these events happened in the Western Roman Empire, the case was somewhat different in Eastern Roman Empire. From the 4th until 10th century, the Orthodox Eastern Church of Christianity whose center was located in Constantinople was bound to the empire. Emperor appointed bishops and took doctrinal decisions. Religion-state relations of this type was later conceptualised by Weber as *Caesaropapism*. According to Caesaropapism, the political ruler controls almost all aspects of religion, and religious institutions became almost totally dependent on the political authority politically, economically and doctrinally. The best example of Caesaropapism, after Byzantium, is Tsarist Russia (Banner, 2010: 627).

Christian philosophy went into centuries-long standstill after the death of St. Augustine in 430 (Russell, 2004: 83). In 12th and 13th century, power of monarchs in Europe was gradually rising and there was unease that Catholic¹² church was abusing its power. The compromise between church and political authorities was on the edge of a crisis. At that time, Aristotelian philosophy entered again into European intellectual circles with the works of some Muslim and Jewish philosophers such as Avicenna (1126-1198) and

¹¹ According to the doctrine of *Donation of Constantine*, the Roman emperor donated the empire to the Pope . By implication, the rulers take their political authorities from the pope. See: Donald G. Tannenbaum & David Schultz, *Siyasi Düşünce Tarihi: Filozoflar ve Fikirleri*, (Ankara: Adres Publishing, 2011), p. 138.

¹² The term *Catholic* was derived from the Greek word καθολικός (*katholikos*), which means universal “and means that the Christian church transcends nationalities, languages, and regions. Christians are united by the spirit of Christ, regardless of national, ethnic, or language difference. This idea of a catholic church contrasts with both pagan tribal religions and the Christian churches identified with a specific region or country (such as Greek Orthodox, Russian Orthodox, or the Church of England) (Sheldon, 2001: 53).”

Maimonides (1135-1204) (McClelland, 1996: 105). According to Cevizci, in the first period of Middle Ages, which is called as patristic period, idealist philosophy of Plato, through new Platonism of Plotinus in particular, was Christianised whereas in the second period of Middle Ages, which is called as scholastic period, Aristoteles was reinterpreted and Christianised by means of the works of mainly Muslim philosophers. Despite some aspects of Aristotelian philosophy that seems incongruent with Christianity due to its strictly rationalistic character, Thomas Aquinas (1225-1274) achieved to reach a synthesis between Aristotelianism and Christianity (Cevizci, 2012: 138-139).

By abandoning Pavlus' and Augustinus' premise that human nature is evil and sinful, Aquinas holds that human beings are rational and therefore he is optimistic about human nature. In his *magnum opus*, *Summa Theologiae*, he undertook the task of proving the rationality of Christianity and natural law that is embedded in the nature (Solomon & Higgins, 1996: 145). Thus he destroys the Augustinian argument that *raison d'être* of state is the innate wickedness of man. Aquinas adopts the Aristotelian argument that *raison d'être* of state is the fact that man is a social and political animal, *zoon politikon*; therefore, state is a compulsory institution. The first goal of political authority is to provide peace and harmony for the well-being of the people (Strauss & Cropsey, 1987: 253-254). Although Aquinas paved the path to the separation of religious affairs from the political affairs, he is persistent on that the political authority should be dependent on the church. He seems undecided in many places of *Summa Theologiae* when it comes to the relation between the church and the political authorities (Tannenbaum & Schultz, 2011: 148).

In the late medieval scholastic period, the process of opening more room for secular political authorities continued. John Duns Scotus (1266-1308) enlarged the room for reason further at the expense of revelation. But it was William of Ockham who triggered the spread of nominalism that would pave the way to the naturalism of Renaissance leaving the medieval theocentrism behind. William destroyed the Thomistic synthesis of reason and revelation by improving and advocating his nominalist doctrine. His importance was that he rejected medieval realism about the universals and argued that

philosophy and theology totally are different fields. He advocated for a radical empiricism by arguing that philosophy should not aim a rationalist theology; rather, it should aim at the acquirement of the knowledge of the particulars. According to William, neither the existence of God, nor his nonexistence can be proven by reason. Therefore ontological, teleological and cosmological proofs for the existence of God should be set aside; we should meditate on what God has created, thereby enhancing our knowledge about the nature. The main reason for the underdevelopment of sciences except theology in Middle Ages is the success of realism in *problem of universals*¹³ (Cevizci, 2012: 155, 159-163).

Dante Alighieri (1265-1321) and Marsilius of Padua (1275-1342) carried on the process of secular powers' getting independent from the papal authority. At that time, the *doctrine of direct descent of power*, a doctrine that argued that power descended to the kings directly from God, and the notion of *divine right of the kings* were set forth

¹³ *Problem of universals* is the name of a philosophical problem that was first introduced by Plato's radical realism and was set forth as a full-fledged problem by Aristoteles in the field of logics but left unsolved. The question is whether the concepts we use, the names of the types and species, correspond to real beings in the outer world. Mainly three answers are given to this question: 1) Realism: General concepts, namely the universals have realities distinct from the realm of phenomena. Therefore, there is a realm of ideas or of forms, which has its own peculiar reality and is distinct from the realm of phenomena. 2) Nominalism: Universals are only terms that are produced by our mind's reductionist inclination to better conceive the reality and therefore do not correspond to any reality in the phenomenal world. Only particular phenomena have reality. 3) Conceptualism: It is a synthesis of both paradigms. Universals are contained in the particular phenomena as their essence; however, mind understands universals by abstracting them from particular things. The significance of the answer of this problem is in its directing our attention to either to the nature, and by implication to the acquirement of knowledge of particulars, or to the realm of ideas or of forms that would cause a rise in the interest in metaphysics. Those who adopt the realist paradigm teleologised and metaphysicised philosophy by contempting the acquirement of empirical knowledge of the particulars. On the other hand, those who adopt nominalism that would start to get diffused in late Middle Ages, paved the way to the birth of empirical sciences such as biology, chemistry and physics, all of which are offsprings of philosophy of nature, by emphasising the acquirement of knowledge of particulars (See: Ahmet Cevizci, *Felsefe Sözlüğü*, Ankara: Ekin Publishing, 1996, p. 515). The reflection of the diffusion of nominalism in late medieval period is the secularisation of the source of legitimacy of the states and the opening room for 'apparently' secular and worldly politics.

(Türköne, 2013: 448). Dante rejected the *doctrine of two swords* by reading Aristoteles in a way that he opposed to the dominance of the Catholic church over the worldly authorities and advocated for the independence of secular powers from the church. According to Dante, worldly power does not take its authority from the church or pope; therefore, the church has no authority to interfere in the affairs of secular powers. This is the first great opposition against the political power of the Catholic church. As for Marsilius of Padua, he furthered this opposition against the political power of the church in his work titled *Defensor Paci* (Defense of the Peace) in which he, for the first time in the history of Christianity, developed a theory that subjugated the Catholic church to secular political authorities. According to Marsilius, the biggest benefit of the secular political power is the maintenance of the peace. In a society where secular power is endeavouring to provide and maintain peace, if the church is not subject to this power, there will be unease due to the would-be conflict between two rival powers; peace will be severely damaged. Therefore he advocates for Caesaropapism by arguing that the church should be subject to the secular political authority, that pope should not interfere in secular matters, that the political authority should be able to control religious institutions and appoint bishops of the church (Tannenbaum & Schultz, 2011: 157-161).

Before passing to Renaissance and Reformation Ages, the reason why Middle Ages was more closely examined should be put. Middle Ages was a time when religion and political thought were inseparably interconnected in Europe. From the fall of Western Roman Empire in 5th century until the collapse of Eastern Roman Empire in 15th century, in Europe, kings had taken their authorities from pope and there was a close relation between the church and political institutions. At the end of Middle Ages, in the age of Renaissance, ancient Greek and Roman works were re-examined and a boom was witnessed in the interest toward the nature. This interest flourished along with more and more studies in physics and with gradual pullback of metaphysics from intellectual works. First modern scientists such as Copernicus, Galileo, Bacon, Newton laid the ground for modern science. At that time, the rising hostility against the Catholic church exploded with Martin Luther and John Calvin, among many other reformers, and many reformist movements have sprung in a few decades sweeping across the whole Europe.

2.2.3 Christianity and Political Thought after the Protestant Reformation

Many reformers thought that the church as an institution was at the center of all social degeneration in Europe. Martin Luther (1483-1546), who received a nominalist education and was a German university professor, accused Roman Catholic Church of being a batch of superstitions and having diverted from original Christianity that Jesus brought to humanity in Bible. Pope did not care about his opposition at the first place. But the more his movement spread across German cities, the more he attracted attention of the Catholic authorities and Europe witnessed many movements aiming to reform Christianity in 16th century (Tarnas, 1993, 233-240).

Luther questioned all the religious conventions that developed over centuries under the roof of Roman Catholic Church; he discarded some of them, and renewed some others. He harshly criticised the mediator role of the clergy between the believers and God as well as setting the doctrine of *priesthood of all believers*, thereby causing some individualisation in Christianity and rejecting the doctrine of the infallibility of the pope. According to Luther, every individual Christian can and should understand the Scripture on his own, independent from all kinds of mediators. He also advocated for the doctrine of absolute equality of all Christians before God whoever they are, thereby insinuating the refusal of the religious authorities of Catholic Church. He argued that God was omnipotent, omniscient and merciful; that human nature was sinful and wicked. As a result, pope declared him as a heretic since he abandoned Thomistic Catholic Christianity and adopted Augustinian theology (Tarnas, 1993: 234-239).

Protestant leaders in Europe formed worldly political power centers in their opposition against Catholic authorities. Political authorities utilised Protestant movements as well to protect their authority from papal intervention. Therefore, in many parts of Europe, secular political authorities collaborate with Protestant movements against Catholicism, which helped the reform wave spread faster. This was the practical political result of Luther's doctrines. The intellectual political result of them was an implication of political equality due to the impact of the doctrine of the priesthood of all believers.

Furthermore, it is claimed that Luther contributed to laying the ground for constitutionalism with his writings (Tannenbaum & Schultz, 2011: 192, 196).

As for John Calvin (1509-1564), the second figure of Reformation, he was a radical Protestant who was mainly in agreement with Lutheran doctrines and ideas. According to Calvin, there are two kinds of government as worldly government and spiritual government. Spiritual government looks after the needs of the souls whereas the worldly government cares for the daily secular affairs. Therefore worldly government is not wicked; rather, it is compulsory. Moreover, according to Calvin, the basis of worldly government is sacred since it takes its legitimacy from God. Besides, Calvin founds the worldly government on a *covenant* between God, people and ruler, which contributes to the formation of terminology for modern social contract philosophers (Tannenbaum & Schultz, 2011: 198-201). Nevertheless, since the legitimacy of worldly power descends directly from God, the ruler should by any means be obeyed. Cruel rulers and tyrants are appointed by God to punish the sinfulness of the people. Therefore, the people cannot oppose against the tyrant; tyrants can only be punished by God (Kışlalı, 2010: 53-54).

In England, Calvin's theology became more influential than that of Luther for a couple of reasons. The Englishmen deported out of their country for religious reasons dwelled mainly in Geneva and in other Calvinist lands on exile, thereby being profoundly influenced by Calvin's theology. Geneva and other Calvinist cities were closer to England than mainly German Lutheran cities. But the import of Calvinism into England by these Englishmen on exile firstly and by the British political authorities later differentiated the implementation of Calvinism in Britain from that of in Geneva. British Calvinism would flourish without dictatorial tendencies (Lindberg, 2006: 117-120).

Protestant reformation prompted a reaction in Catholic authorities. Pope Paul III convened three ecumenical councils in the northern Italian cities of Trento and Bologna (1545-7, 1551-2, 1561-3) so as to discuss what should be done against Protestant reformation. Being one of the most important councils in the history of Roman Catholicism, Council of Trent became the embodiment of what would later be called as the Counter-reformation – a movement to repel Protestant reformation back, as well as

condemning Protestantism and renewing the spiritual, moral and educational aspects of Catholic doctrine. Counter-reformation would cause a fear and rage in Protestant countries (Lindberg, 2006: 112).

After Protestant reformation and Counter-reformation following it, a great war broke out in Central Europe between Protestant and Catholic states, but also including rivalry of France-Habsburg Empire. Lasting between 1618 and 1648 for thirty years, a series of wars devastated Central and Southern Europe, showing the danger of religious fanaticism to the participants and observers leaving a deep mark in favour of religious toleration on the European mindset. It also guaranteed the *lebensraum* of Protestant peoples, a phenomenon which eliminated the threat of Catholicism to much extent in the eyes of the Protestant rulers and fostered political liberty in Europe (Parker, 2006).

Many Europeans who became Protestant became gradually rich by involving mainly in trade and industry. According to Weber, this Protestant minority later became the vanguards of bourgeoisie with their ascetic professional work discipline and with their impetus for earning more. Protestant ethics, Weber (2010) argues, plays a vital role in the emergence of capitalism.

The significance of reformation in the relation between religion and political thought is, as partly practical and partly intellectual, that it resulted in the long term in the emergence of religious toleration and, as an unintended consequence, its paving the path along to the secularisation of many spheres of life in Europe. The doctrinal conflicts among the denominations that appeared after the reformation caused much bloodshed, which in turn resulted in the birth of the idea of religious toleration to end the bloodshed. Individualist interpretations of Christianity that reformers developed as well as Calvinist idea of covenant contributed to the formation of modern political terminology. Liberalism, which is the first political and economic system of ideas of modernity, would firstly flourish on Protestant countries. Therefore it is reasonable to argue that liberalism and Protestantism are interlinked. This point will be elucidated in detail in the chapters to come.

After the founding of religious basis of modern political thought by Martin Luther, John Calvin, Huldrych Zwingli, Thomas Müntzer and many others, modernity was, to some extent, to be founded on this basis with the ideas and doctrines of Thomas Hobbes, John Locke, Isaac Newton, Voltaire, Montesquieu, Adam Smith, David Hume, Immanuel Kant etc. But since the topic of this work is the role of religion in the birth of classical liberalism in the West, the relation between religion and political thought in the modern age will not be examined here; it will be rather examined in the main body of the text in more details.

2.2.4 Postmodernity and the Revival of Religions on the Political Arena

When it comes to postmodernity, it is generally accepted in the literature that religion is undergoing a global revival, a phenomenon that was called by Gorski as '*postsecular*' (Gorski et al, 2012), and by Kepel as '*la revanche de Dieu* (the revenge of God)' (Kepel, 2004). Lewellen (2011: 99) argues that the goal of religious revivalism is to rebuild the golden age lived in the past. There are many reasons for the revival of religions in the postmodern age. The disappointment caused by world wars, weakening of trust in the reason by the spreading of Freudian psychoanalysis, diffusion of Nietzschean nihilism, weakening of the social attraction of ideologies, environmental problems and so forth. According to Berger (1985: 199-203), the unease caused by technology, *iron cage* of bureaucracy, failure of secular ideologies in solving the problem of theodicy are main reasons of this revivalism.

The phenomenon of religious revivalism caused by postmodernity is generally a painful process. A considerable proportion of religious revivalist movements across the world is engaged in violence. The reason for that could be the fact that religions, as well as nationalism, have played remarkable roles in the thrust of colonisers from the third world countries, particularly after the Second World War. Religion may directly serve as a political movement when the local people are politically weakened and colonised. This phenomenon might also be deliberately created by the local intellectuals (Lewellen, 2011: 98). In such a case, religious revivalism would transform into a socio-political movement of resistance and, in many cases, it will be entangled into violence. Miles

(1996: 526) observes that religions across the world, instead of fostering harmony, are producing conflict and violence. Huntington (1997) who has the same observation argues that there will be clash in the 21th century among the rival civilisations whose boundaries are mostly determined by religious fault-lines.

After the examination of historical account of the relation between Christianity and political thought, now the birth of liberal political philosophy is to be shortly examined to contextualise political liberalism in modernity. Thus, what kind of a role Christianity might have played in its emergence will be clarified.

3. THE BIRTH OF CLASSICAL LIBERAL POLITICAL PHILOSOPHY IN THE WEST

The first liberal themes may be found in ancient Greek and Hellenistic philosophical movements such as Sophism, Epicureanism and Stoicism. It is stated that there were individualist concepts in the thoughts of Athenian Sophists who were attacked by Plato and, partly, by Aristoteles (Gray, 1995: xii, 5). It is argued that the Epicurean emphasis on the individual happiness has a liberal inclination (Çaha, 2001: 20). Stoic philosopher and Roman emperor Marcus Aurelius, mentions about the ‘universal unity of all men’ due to the participation of all men in ‘divine logos’ – an argument that would later be the liberal principle of universality. Another Stoic philosopher, Cicero, improved the Aristotelian ideas and developed a full-fledged doctrine of natural law and reached the idea of universality with his emphasis on human reason. Therefore, Friedrich von Hayek regards Cicero as the main authority for modern liberalism. Likewise, since Bible emphasise equality of all men before God and individual responsibility, Christianity contains liberal themes (Gray, 1995: 6-8). Ideas of Muslim philosophers in Middle Ages might be said to have contributed to the ground on which modern liberalism flourished. Those ideas were mostly accepted and discussed by liberal philosophers in the West (Çaha, 2001: 21-22).

One should wait until 17th century to see the first liberal ideas in the modern sense although in ancient Greece, in Rome and in Reformation period, some liberal themes could be found. In this sense, liberalism, as the first and central doctrine of modernity, goes in parallel to modernity itself. It, too, began to flourish by the dissolution of feudal structures in Europe (Çetin, 2002: 80).

Liberalism has taken quite different courses in different places, maybe not more than other ideologies. For example, English liberalism is quite distinct from continental liberalism, that of France in particular. There is an evident contrast between these two traditions. While English liberalism has developed amicable to Christianity in England due to Protestantism, in Catholic countries, particularly in France, it developed hand in hand with anticleric prejudices. While English liberals did not need to attack on religion for religious toleration, French liberals attacked on organised Catholic church since the church allied with monarchy and aristocracy, and left no room for other Christian denominations as well as other ideas it has seen as heretic (Gray, 1995: 16-17). Therefore, British liberals such as John Locke emphasised the law of nature, equality of all men before God, the freedom of belief, limited government and government based on consent whereas many French liberals have taken an anticleric, anti-Christian stance as crystallised in Voltaire's famous exclamation "Escrazes l'enfame!".¹⁴ As for American liberals, they were mostly Puritan Englishmen emigrating from England and therefore American liberalism developed in a somewhat similar course with English liberalism. Americans fought a war of independence with England in 1776 and, upon winning the war, they declared the *Declaration of Independence*. This declaration profoundly influenced French Revolution in 1789 and the French declaration titled *La Declaration des Droits de l'Homme et du Citoyen*. In French Revolution, the rising class of Europe, viz. bourgeoisie, captured political power by using force from the hands of the monarch, aristocracy and Catholic church – an event whose impact would sweep across Europe in a short time (Çetin, 2001: 36-37). Therefore, economic, social and political factors have also played important roles in the birth of liberalism but as the focus of this study is the philosophical and theological factors, the stress will be on the latter. Likewise, according to Mises, liberalism emerged first in England, then passed to America with emigrating English Puritans and, afterwards, spread across whole Europe with the effect of French Revolution in 1789 (Mises, 1985: 1).

¹⁴ "Crush the infamous thing!"(implying the Catholic Church).

Since the country which played a significant role in the birth of classical liberalism is England, this study will mainly examine the role of Christian theology in the birth of English liberalism. John Locke's works are generally seen as the first systematic explanation of classical liberalism even though he did not use the word 'liberalism' for his political theory. Since Locke developed his ideas on theological premises, a study examining the role of Christian theology in the birth of classical liberalism must at the first place focus on his philosophy; therefore this study will mainly examine how Locke developed his liberal political theory as well as other liberal philosophical ideas grounded on theological axioms.

Although homeland of liberalism which is amicable to religion is England, the word *liberal* as a political movement was not used until 1812 when the Spanish *Liberales Party* was founded (Gray, 1995: xi). Liberalism, as a full-fledged system of ideas, took its shape in 19th century, that is, the century of ideologies. At the same time, liberal ideas witnessed a great diffusion in 19th century, and capitalism, a name firstly used by socialists for the economic doctrine of liberalism, became the dominant economic doctrine in Europe in 19th century (Heywood, 2003: 25; Tok, 2012: 123).

Whether the doctrinal essence of liberalism is political or economic has been a topic of controversy in the literature. According to Yayla, given its historical course, liberalism firstly emerged as a political doctrine with the goal of strengthening individuals vis-a-vis the states and the collectivities as well as with the goal of limiting powers of governments. But this early liberalism has also an economic aspect theorised by Adam Smith and John Stuart Mill. Yayla (2003: 17-18) argues that political and economic aspects of liberalism support each other; it is possible to reach market economics departing from the principle of limited government or vice versa. It is further argued that political, economic and social aspects of liberalism are inseparable from each other; if one aspect does not exist, others will either work improperly or they will be wiped off over time. Accordingly, in a country where there is no economic liberalism based on free market economy, socio-economic groups do not emerge and therefore, there will be no social rivalry. By implication, political rivalry will not flourish and there will be no

democracy. In short, political liberalism and capitalism are two aspects of the same whole (Çaha, 2001: 37-46).

According to Erdoğan (1998: 148), classical liberalism has many positions whose starting points are different from each other: scientific economics, utilitarianism, natural rights, Kantian deontology, social contractarianism and evolutionism. As for Yayla (2003: 23-24), there are three sorts of liberalism: social contract liberalism set forth by Hobbes and improved by Locke, natural law liberalism embodied in the philosophies of Locke and Rothbard, evolutionary-traditionalist liberalism to which Hume, Smith, Spencer and Hayek contribute, and which rejects constructivist rationalism, and rather fosters the doctrine of spontaneous order. The common point of all these three liberalisms is that they are against the centralisation of political power as well as domination of the individual by a group, collectivity or state. Therefore, classical liberals advocate for ruling (government) with laws, embodied in the principle of the rule of law, not for the ruling of a specific person or group. This study, therefore, will primarily focus on Lockean natural law liberalism that is amicable to religion and will not examine other liberal traditions.

Legal philosophy has played a vital role in the birth of classical liberalism – a subject that will be examined in detail in following chapters. In classical liberalism, law may exist in three ways: it either is embedded in human nature, or was given to man by God, the first being secularly and the second being religiously inclined. Apart from these two views, there is one more, evolutionary-traditionalist view, that argues that law is not something made; rather, it gradually develops over time. Accordingly, ideal law is not something that is posited by someone or by a group; but it is a bundle of experiments that accumulate over time. Due to these three understandings of law in the classical liberal tradition, classical liberals distance themselves from the democratic principle that law in democracies is made by the society. According to classic liberals, there is no such a unity called society that is harmonious in itself and has will; therefore the discourse that law is made by the society in democracies is a nonsense (Yayla, 2003: 30-31). The

fact that the tradition of natural law in classical liberalism is inspired to much extent from Christian theology will be examined in detail in the chapters to come.

Lastly, with all these characteristics, the question whether liberalism is an ideology or not should be touched upon. It could be argued that liberalism has an impartial stance among different systems of ideas by arguing that individuals should be able to make their own choices without external pressure and that they should be able to lead a life in the way they want within the framework of laws. It would perhaps be fair to call liberalism as a meta-ideology. But it is also true that liberalism, which has, again, an impartial stance between different understandings of morality, also has strong roots in morality.¹⁵ According to Heywood, moral aspect of liberalism could be understood from its values that it has put so much emphasis that they became principles of liberalism. These values are individuality, liberty, reason, justice, toleration and diversity (Heywood, 2003: 27). Galston (1988) lists some values such as social peace, state of law, diversity, equality of citizens, moderateness, prosperity, opportunities for individual progress, social justice, being open to the truth, respect for private life, impetus to work and having love for truth as the moral values of liberalism. This topic will be examined more in the chapters to come.

After the classical liberalism of 19th century, a new kind of liberal tradition called social liberalism flourished, mainly by the economic ideas of John Stuart Mill. This tradition was sophisticated by Leonard T. Hobhouse, Thomas H. Green, John A. Hobson in the second half of 19th century and in 20th century, later it was called as modern liberalism or social liberalism or American liberalism. What is called as neo-liberalism was a reaction from classical liberal tradition by some philosophers such as Hayek and Nozick

¹⁵ For the moral foundations of liberalism; see: Hasan Yücel Başdemir, *Liberalizm: Ahlakî Temeller*, (Ankara: Liberte Yayınları, 2009) and Mümin Köktaş, *İskoç Aydınlanması: Bir Sivil Toplum Perspektifi* (Yıldırım Beyazıt University: Doctoral thesis, 2010). While Başdemir's book is on the moral foundations of liberalism on the general sense, Köktaş's doctorate thesis is on the Scottish Enlightenment and clearly demonstrates the important roles of moral philosophers such as Adam Smith and Francis Hutcheson in the emergence of Scottish Enlightenment which is an important source of reference that many liberal philosophers such as Hayek benefited from.

to this social liberalism in the second half of 20th century. These late traditions of liberalism has very little to do with theology; they are almost completely secularly oriented. Therefore, in this study, since the role of theology in the birth of classical liberalism is to be examined, these traditions will not be taken into account.

4. PROTESTANT FOUNDATIONS IN CLASSICAL LIBERALISM

4.1 The Advent of Protestantism and Its Early Trajectory in England

The word ‘Protestant’ stems from an official document titled *Protestatio* which was signed in the aftermath of some events among those who protested against Catholicism at Speyer in Germany in the very beginning of the first quarter of 16th century (Lindberg, 2014: 176). According to another account, the word ‘Protestant’ appeared in 1529 when German princes, gathering in Diet, protested against Pope’s attempt to curb the newly-born anti-Catholic faction called Lutheranism and they were to be called as Protestants after this protest (Bedouelle, 2003: 99). Similarly Erbaş argues that the word ‘Protestant’ was used upon gathering of some people and forming a group, distinguishing themselves from both Catholics and Orthodoxes in a parliament in Speyer in Germany in 1529 (Erbaş, 2007: 59).

As the reformist leaders preserve the basic tenets of Catholicism, it is argued in the literature that Protestant Reformation is tantamount not more than a re-exegesis of Bible. According to that argument, this re-exegesis could be summarised in the well-known Protestant maxim ‘*sola fides* (faith only)’ (Hillerbrandt, 1968: xxii).

The most prominent leader of reformation, Martin Luther (1483-1546) has received a nominalist education; he denied the existence of the universals that had been the basic doctrine of Scholastic realism (Gillespie, 2009: 113). He emphasized that faith is a connection between God and man and that the most significant element in theology is faith (Lindberg, 2014: 70). His view of reality as composed of particulars due to his denial of the existence of the universals and his defiance against Catholic authorities

stressing the import of individual faith shows that he was a man of revolutionary character. The rejection of the virginity of clergy and the rejection of the indulgences¹⁶ were two of the ideas that he stood for and that shocked Catholic authorities.

Although it was Luther who first ignited the reformation, there were other reformers such as Jean Calvin (1509-1564), Thomas Müntzer (1489-1525), Huldrych Zwingli (1484-1531), John Knox (1513-1572)¹⁷, Theodore Beza (1519-1605) and Johannes Bugenhagen (1485-1558), and each reformer became influential firstly in a particular part of Europe and secondly in America. The common ground of all these reformers was their criticism against the degeneration of Catholic authorities, examples of which were meddling of traditions with religious practices, meaningless liturgical ceremonies and degeneration of clergy; however, there were disagreements between them as well. Basic disagreement was, as is in every reform process, whether the reform should be conducted gradually or be radical (Lindberg, 2014: 108). For instance, Luther argued for

¹⁶ “The evolution of the *doctrine and practice of indulgences* should be understood with reference to their connection with the sacrament of penance and the doctrine of purgatory. Within this conceptual triangle, sins were viewed as being absolved in the sacrament of penance, but left a detritus of personal guilt to be cleared through “satisfaction”—acts of penance, such as going on pilgrimages—after the actual sins had been forgiven. Then, if this accumulation of guilt were not discharged by the time of a person’s death, he or she would need to undergo temporary, but intensely painful, cleansing in purgatory. Indulgences were seen as mechanisms for eliminating the burden of guilt. ... Martin Luther’s Augustinian Order in the mid-15th century who issued the reminder “Repentance is better than indulgences”. To set against that, the 1517 indulgence preached by Johann Tetzel, against which Luther protested in the Ninety-Five Theses, was accompanied by the declaration “Nor is it necessary for those who contribute to the fund for this purpose to be contrite or to confess”. Thus Luther’s role—in which he was not alone—can be seen as one of calling into question the ongoing process of expanding the power of papal indulgences beyond due limits. In its 25th session, in December 1563, the Council of Trent invoked Scripture, in Matthew 16:19 and 18:18, in defense of the principle of indulgences, but banned their sale (Mullett, 2010: 261-62)”

¹⁷ According to Köktaş (2010: 84-85), if Scottish reformation is to be ascribed to only one person, as German reformation is famously ascribed to Martin Luther, that person would be John Knox who exerted a great influence on the Scottish understanding of Christianity and on Scottish national culture. Being influenced by John Calvin, Knox had a feverish iconoclastic tendency, crashing down all the idols and the like in the churches, arguing they are the symbols of paganism. Knox and his friends applied many Calvinist beliefs in Scottish churches.

a more gradual reform than what Calvin stood for; Luther championed *sola scriptura* (scripture only) whereas Müntzer advocated *sola experimenta* (experiment only). According to Müntzer, Bible was just a part of the God's word – other parts were nature and history (Lindberg, 2014: 144-148).

The wind for reform reached Britain after spreading firstly in Central and Western Europe. It is argued that reformist ideas were brought into England mainly by intellectuals and dispersed by them too. The first English Protestants were young scientists from Cambridge such as Tyndale, Barnes, Cranmer; printers who had strong relations with continental Europe and translators of Bible in the first half of 16th century. Almost all of the future martyr leaders of English Protestants would be from Cambridge University. English reformation was, at the same time, a phenomenon of language – the destruction of monopoly of the Catholic doctrine was possible only by means of translations. The words 'priest' and 'church' have never been used in the first English translations of Bible (Lindberg, 2014: 301-307). The Tyndale translation of Bible, one of the first English translations of Bible, was printed by the inspiration of Lutheran theology in Germany in 1525. The translation made its way to Britain fastly and, although not welcomed by the official authorities, was met by public enthusiasm. In his translation, Tyndale used some specific Greek words in an anti-Catholic sense (Hillerbrand, 1968: 240). Therefore, English reformation gives the impression of a gradual socio-theological transformation rather than a revolutionary uprising (Lindberg, 2014: 302).¹⁸

The person who is generally taken as the starting point in the intellectual history of Protestant reformation in England is Henry VIII who was excommunicated by the Pope due to his divorce from his wife and his marriage to a second wife. After excommunicating Henry, Pope provoked Catholic monarchs of Europe to form an alliance against Henry. Fearing of such an alliance, Henry tried to find friends amongst

¹⁸ There are scholars such as Haigh, Scarisbrick and Duffy who argue that English reformation is, to a great extent, a top-down imposition of an official agenda of the British government. See: Carter Lindberg, 2014, p. 302

German Lutherans and this has facilitated the spreading of Protestantism in England. In the first way, Lutheranism spread amongst Cambridge and Oxford academia; in the other way, Protestant ideas and books were carried by merchants trading between the continent and the island. Thus, John Foxe attributes the success of the reformation to printing machine (Lindberg, 2014: 305-306).

After Henry VIII, Edward VI has ascent to throne at the age of nine and Protestantism has spread quite fastly in England under the auspices of advisors of child Edward. In the first place, all the laws that distinguish Protestants from Catholics in a negative way were abolished. In Edward's tenure, it was Cranmer who deserves to be called as the architect of Protestant reformation in England. Having served as the archbishop of Canterbury during the reign of Henry VIII, Cranmer exerted much effort to reconcile Lutherans and Calvinists in England. His prayer book, his declaration composed of 42 articles and his project on the revision of the Church Act constituted the backbone of English Protestantism (Lindberg, 2014: 314). Henry perhaps did not, but Cranmer did read works of Luther; both were admirers of Philip Melancthon, a reformist leader. Moreover, Cranmer corresponded with Heinrich Bullinger (1504-1575) and with some other reformers as early as 1536. Considering books of Bullinger as significant works, Cranmer let them be printed in England. He offered prestigious positions to some reform leaders such as Jan Laski, Martin Bucer, Peter Martyr Vermigli. These reformers would move to and settle in England during reigns of Edward and Elizabeth Tudor, and would work in partnership with English church. At that time, works of Calvin and Bullinger were extensively read and studied. The English edition of Calvin's *magnum opus*, *Institutio Christianae Religionis* (Institutes of the Christian Religion) was prepared by the son-in-law of Cranmer, namely Thomas Norton (Moots, 2010: 69-70).

Mary Tudor, succeeding Edward, followed strictly anti-Protestant policies, due to which she aroused an anti-Catholic hatred. Remaining five years in the throne, Mary Tudor was succeeded by 45-year tenure of Elizabeth I (1558-1603). In that period, Protestantism in England took root and England became one of the leading nations in Europe. Choosing all of his close advisors from among Protestants, Elizabeth, in all that sectarian conflict,

followed a conciliatory approach by summarising it in her renowned saying, *Video et taceo* (I see but I don't interfere), thereby developing a *via media* (middle path) policy. Elizabeth thought that England needed peace for development after the disorder of the reigns of Edward and Mary. Therefore she preferred to refrain from any kind of sudden changes and followed moderate policies. By the policy of *via media*, he pleased both the rural Catholic majority and urban Protestant minority; at the end of the day, she achieved to maintain a relatively peaceful political atmosphere. By tolerating the differences, she preserved the national unity. In 1563, Unity Act was approved in England and Christian sects gained official acceptance. Elizabeth's conciliatory policies disturbed radical Protestants – for example, Puritans who passionately argued to abolish all sorts of Catholic ceremonies and liturgical forms. In the same period, there were also some other denominations such as Presbyterians who rejected to go under the control of an archbishop and defended the equality of clergy, and as Congregationalists and Separatists who argued that religious authorities should remain under the control of local authorities (Lindberg, 2014: 312-322). In such a denominational diversity, the reason why Anglo-American world was influenced by Calvin and Bullinger most was the deportation of Scottish and English Protestants to continental Europe by Mary Tudor who was called as *Bloody Mary* by the Protestant Britons and who enjoyed lethally hostile feelings against all kinds of Protestant denominations. Those exiled Protestant Englishmen and Scots were mostly resided in Geneva where they were deeply influenced by Calvinist theology and, after returning to England, endeavored passionately to spread Protestantism on the island (Moots, 2010: 51).

There are opinions in the literature that argue that Anglicanism by itself is a *via media*, a reconciliation between Catholicism and Protestantism (Erbaş, 2007: 40). The first systematic definition of Anglican church is *Apology of the Church of England* published by John Jewel who served as the archbishop of Salisbury in 1562. This book would exert much influence on Richard Hooker, the writer of one of the most influential works of Anglicanism, namely *Of the Lawes of Ecclesiastical Polity*. In this book of Hooker, the

theory of ecclesiastic¹⁹ and civil law depending on reason and law of nature, a theory that Hooker developed to answer the Puritan claim that all kind of creeds that are absent in the Bible are supersititious, would deeply influence Locke while developing his political theory (Lindberg, 2014: 322-323). Similarly, Kirby argues that Jewel played a transitory role between Hooker and Calvin. Hooker discussed with Cranmer about the division of state affairs from religious affairs. Cranmer stated that the existence of the division between these affairs was evident but he didn't know where to draw the demarcation line, adding that this division was not in the nature of the things but it had to be found in positive law and in the conventions (Gibbs, 2003: 245-246). But Hooker was in favour of the parliament's right to interfere in religious affairs, for example, the right to determine the true exegesis of Christianity, by implication, the official theological doctrine (Eppley, 2003: 286). However, Locke would later improve the arguments of his mentors, one of whom was Hooker, and would argue that the division between state affairs and religious affairs was in the nature of things.

In England, Roman Catholicism, relatively, wasn't annihilated by radical steps but faded away by gradual reform and bottom-up socio-theological change. Reform was carried out by slight official steps and each step was tolerable. In fact, these gradual changes could not be perceived as a genuine theological reform at the time and therefore, the public could not know if the steps would continue (Lindberg, 2014: 300).

The general result of the Protestant reformation is the dismemberment of the medieval Roman Catholic Unity (*Corpus Christianum*). As a result of this breakup, although there were tens of smaller denominations, at least three theological fractions emerged: Lutheran, Calvinist and post-tridentine Roman Catholic Church. Political authorities,

¹⁹ This term ecclesiastic or ecclesiology is "used to describe the ideas and practices of church government, especially in the Western, Catholic Church. In Protestant Christian churches, this is sometimes referred to as "church polity." It describes the governing structure of the church, whether Episcopal (bishop-led), Presbyterian, congregational, or papal (pope). Developed largely by medieval canon-law writers, ecclesiology determined the respective power of the pope, bishops, priests, religious orders, church councils, and other church organizations. As the administration of the church is always developing, this discipline of ecclesiology is a growing, changing field (Sheldon, 2001: 91)."

many of whom were local governors, some monarchs or German princes supported the reformation from its inception in the areas that these churches were located since they were tired of political and economic tutelage of Pope. When these movements became stronger and established their own churches, local state and church united their powers and newly-founded churches re-socialise and discipline local people in accordance with its theology. This process, which is called as *confessionalisation* in the literature, was named as *Christianisation*, *culturalisation* and *governmentalisation* by Foucault and continued between mid 16th century and mid 18th century. Since each Protestant denomination created its own theology, thereby its own friends and enemies, new collective identities emerged. Confessionalisation paradigm stress the significance of religion in the political and social developments of early modern age (Lindberg, 2014: 356-357).

Barnett, in his book *The Enlightenment and Religion: The Myth of Modernity*, argued that the role of deists in the European Enlightenment was exaggerated in the literature, that the pioneers of Enlightenment in Europe were reformer *philosophes* in France and Protestant Englishmen in England. To put it another way, the roots of English Enlightenment come much more from Protestantism than from deism. This statement invites the argument that roots of classical liberalism should be looked for in the intellectual fissure that Protestantism brought about.

Considering all that, Glenn A. Moots (2010: 133) claims that many ideas and notions of modern politics such as the notion of the separation of state affairs from religious affairs, the rejection of tyranny as tyranny is the abuse of public trust by the political authority, the right to resist against tyranny developed under the influence of reformed Christianity by the theologians such as Martin Luther, John Knox, Philippe de Plessis-Mornay, Samuel Rutherford etc.

After this short introduction on Protestantism and its trajectory in England, the effect of Protestantism on the formation of basic values and notions of classical liberalism such as individualism, liberty, rationality and equality are to be examined in a concrete way in the following chapter and, in the end, how the notion of religious tolerance formed as a

result of the sectarian wars that were triggered by the religious fanaticism that proved to be detrimental in the eyes of most Europeans of the Enlightenment age will be investigated.

4.2 The Impact of Protestantism on the Evolution of the Notions of Individuality, Liberty and Equality

It is a leitmotif in the literature that Protestantism has a liberating spirit by stressing the individuality of religion and conscience of the individual as well as defying Catholic authorities and many of centuries-old Catholic rituals (Arnhart, 2013: 159). This liberating soul of Protestantism is crystallised in some remarks of Luther who passionately argued that it was not the indulgences or sacraments²⁰ that saved the souls of the Christians, it was faith only (*sola fides*) that save a Christian's soul, that God's Grace was decisive in this salvation, and that what Christians had to take into consideration while constructing their understandings of Christianity was only the Scripture (*sola scripture*). In this sense, Protestantism's understanding of Christianity

²⁰ "From the Latin word *sacramentum*, meaning an oath or vow, a sacrament in Catholic theology is a rite, ordained by Christ or by the Apostles after Him, channeling divine grace to the believing Christian. From the 12th century the sacraments were assembled as a group of seven, and the Council of Florence (Firenze, 1414–18) confirmed a list, endorsed by the Council of Trent, made up of baptism, confirmation, penance, the eucharist, marriage (or matrimony), holy orders (or ordination to the priesthood), and the anointing of the sick (or "extreme unction"). Three of these, conferring permanent effects, baptism, confirmation, and holy orders, could not be repeated, and matrimony, conferred by the couple on each other, with the priest as witness, could be reconferred only on widows and widowers. (Annulment was a canonical statement to the effect that, because specified conditions for a valid marriage, such as voluntary consent beforehand and consummation afterward, had not been met, none existed.) Martin Luther dealt systematically with the sacraments and their number in the 1520 "Babylonian Captivity of the Church" and, while reducing the certain number of sacraments to baptism and the eucharist, showed some hesitancy over the status of penance. The other Churches within Protestantism recognized baptism and the eucharist as the two sacraments instituted by Christ. Divisions arose over baptism, and whether it was to be administered to infants or to adult believers, and over the eucharist and particularly the nature of Christ's presence in it, whether there was an actual or "real" presence, as both Lutheran and Catholic eucharistic theology maintained, or a spiritual and memorial significance, as Huldrych Zwingli taught (Mullett, 2010: 404-405)."

seems to be clearing the individual off his constraints that Catholicism has put in centuries. Luther said that it was not reading, understanding and theory that make a person theologian, but it was living, dying and damnation (Lindberg, 2014: 55). These statements of Luther, considering the lowness of the level of literacy at that time, aimed to take the monopolistic authority that theology provided from the hands of literate Catholic clergy and place it in the consciences of lay men who could only believe in God but could not read Bible. By assessing all conventions by Biblical criteria, Luther argued that magnificent freedom of Christianity is present within the framework of Biblical injunctions (Lindberg, 2014: 69). In order to make it read and understood by lay German people, Luther translated Bible from Latin into German while hiding out in a castle from the hunt of Catholic authorities for a couple of months. Luther also provided explanatory notes on his translation of Bible for facilitating its being comprehended, and printed some special Bibles in extra big letters for the people whose sights were not that good. It is possible to discern a democratic inclination in Luther's criticism on the theological elitism. Luther also said he wanted to write in German rather than in Greek and Latin.

It is argued that many doctrinal attitudes of Protestant reformation by themselves contributed to the formation of democratic values. This democratic tendency of Protestantism is embodied in Luther's translation of Bible, in his stress on universal education to eradicate illiteracy and in his doctrine of the priesthood of all believers. In his translation, Luther, never translated the Greek and Latin word 'ecclesia'²¹ as *Kirche* (church in German), but translated as *Gemeinde*, *Gemeine* or *Versammlung* (community, congregation and meeting in English respectively) (Lindberg, 2014: 89, 363). After

²¹ *ecclesia* is the transliteration of the Greek term "ἐκκλησία" which simply means assembly in Greek. It is understood traditionally by the Catholic Church as a full-fledged hierarchical institution and this understanding was harshly criticised and attacked by reform leaders who argued that it should be understood not as a concrete institution, but as a community of believers. Therefore all reform leaders translated the Latin term "ecclesia" as "community" or "assembly" while translating the Scripture into their local languages. "The most common classical usage of *ekklesia* and its cognates was as a political term, meaning an assembly of citizens. In the Greek city-state the citizens were called forth by the trumpet of the kerux (herald) summoning them to the *ekklesia* (assembly). The *ekklesia* was the ultimate power in the constitutional government of the Greek city-state (Ward, 1958: 164)."

nearly a century, John Locke (2012: 35) would share the same conception of *ecclesia* with Luther and would write “We will define church ... as community of people who voluntarily gathered by their own will to pray to God together.”

Erbaş (2007: 123) similarly argues that there is a strong individualistic inclination in Protestantism and that Protestantism handles the issue of belief in individualistic terms. According to Erbaş, each Protestant is a Bible practitioner. Hillerbrand argued that the stress of Protestantism on Bible and faith, and the Protestant tenet that each Christian ought to read and understand Bible on his own enhanced the responsibility of individuals and thus strengthened them. According to him, the spirit of Protestantism became more effectual than its doctrines; Protestant discourse claimed that religion ought to be individual and constructing, thereby creating an atmosphere of freedom. At the same time, an individualised theology of any religion is expected to include less human regulation which further fosters its liberating facet (Hillerbrand, 1968: xxiii-xxiv). Similarly, Max Weber (2010: 85) argued that English Puritanism, a denominational branch of Calvinism, formed one of the roots of individualism by breaking the bothering network of traditions surrounding the individuals.

Enlightenment regards Luther as a hero of freedom in all spheres of life and as a liberator from the authoritarian practices of Catholicism. Louis Blanc rightly asserted that the questioning of Pope would irresistibly result in the questioning of the kings. In this sense, one of the most important scenes of the age of Enlightenment was Luther’s challenge against Pope and local political authority in his speech at Worms diet in 1521 (Lindberg, 2014: 17). In parallel with that, Moots (2010: 131) argues that Protestants firstly protested against the abuses of Papal authority and then turned their polemics to the abuses of political authorities. Luther declared that the only political authority on earth were secular authorities, that those authorities took their power from God, that Pope had no political authority and therefore he had no superiority over the secular authorities, but the secular authorities had no right to make regulations regarding the Christians’s souls (Erbaş, 2007: 51). In his work titled *The Freedom of A Christian Man*, Luther (1968: 4-6) said “A Christian is a perfectly free lord of all, subject to none. A

Christian is a perfectly dutiful servant of all, subject to none.” In another page of his work, he said “One thing, and only one thing is necessary for Christian life, righteousness and freedom.”, in another one, he said “... since faith alone justifies, it is clear that inner man cannot be justified, freed or saved by any outer work or action at all.” Despite all the passion of his ideas, Luther rejected the idea that political authorities and governments should support religion by arguing that it was only God’s word that should be used against Catholicism, not force (Lindberg, 2014: 105-106).

Müntzer, who pioneered in the opposition against political authorities, said “*Die Macht soll dem gemeinen Volk gegeben werden.*”²² in his renowned preach before the castle of Allestadt in Germany (Lindberg, 2014: 21). It is also possible to find some democratic themes in the declaration that consisted of 12 articles and that was signed in the Peasant’s Uprising in 1524-1525, the leader of which was Müntzer. It says: “... the entire community should choose and appoint a minister, and that we should have the right to depose him should he conduct himself improperly.” In the second article of the declaration, it was written that the only means of connecting to God was the Scripture, that the community only recognised the authority of the Scripture and did not accept the human additions to Christianity. In the third article:

It has been the custom hitherto for men to hold us as their own property, which is pitiful enough considering that Christ has redeemed and purchased us without exception by the shedding of His precious blood, the lowly as well as the great. Accordingly it is consistent with Scripture that we should be free and we wish to be so. Note that we want to be absolutely free and under no authority (Hillerbrand, 1968: 65).

In the seventh article, it is written: “We will not hereafter allow ourselves to be further oppressed by our lords. What the lords possess is to be held according to the agreement between the lord and the peasant (Hillerbrand, 1968: 66)”. Hillerbrand (1968: 64-67)

²² “The power should be given to the public in general.”

rightly asserts that this declaration seemed to be quoted from Luther's works from its beginning till its end.

The leading figure of English reformation, Richard Hooker, in his book titled *Of the Lawes of Ecclesiastical Polity* (1593), argued that freedom was inherent in the nature of men. In the same book, Hooker (1968: 280) advocated for representational and consent-based government:

The most certain token of evident goodness is, if the general persuasion of all men do so account it. ... the universal consent of all men is the perfectest and the strongest in this kind, which comprehendeth only the signs and tokens of goodness. ... The general and perpetual voice of men is as the sentence of God Himself.

In these words, ensuring of popular consent of the public in political administration, a totally political idea, equals to religious virtue and develops an approach close to the antique Roman thought of "*Vox populi vox dei.*" In another part of the same book, Hooker (1968: 290) said:

At the first when some certain kind of regiment was once approved, it may be that nothing was then further thought upon for the manner of governing, but all permitted unto their wisdom and discretion which were to rule; till by experience they found this for all parts very inconvenient, so as the thing which they had devised for a remedy did indeed but increase the sore which it could have cured. They saw that to live by one man's will become the cause of all men's misery. This constrained them to come unto laws, wherein all men might see their duties beforehand, and know the penalties of transgressing them.

Hooker, who was later to be called by Locke as 'judicious Hooker' in Locke's *Second Treatise on Government*, points out to the limited governance and rule of law as good political regimes by arguing that people concludes from the historical example that it is too painful and troublesome for them to go under the rule of one man. What is more striking is that these arguments were made in a book on theology by a leading Anglican

theologian. The Glorious Revolution would prove Hooker, and Locke would later realise that the interests of Protestantism overlapped with the interests of religious and political freedom in Europe (Dunn, 2011: 37). In *Second Treatise on Government*, Locke had the secondary intention, among other things, to provide more freedom for the Protestants (Dunn, 2011: 48).

Protestantism, not only in England, but also in France was a source of inspiration for the anti-monarchist movements. Philippe du Plessis-Mornay (1549-1623) who was a French Protestant and was a member of an anti-monarchist group called *Monarchomachs*, in his book titled *Vindiciae Contra Tyrannos* (Vindication against Tyrants), developed religious arguments against a monarch who violates the civil code of his country, thereby becoming a tyrant and found reasons to kill him (tyrannicide) in the Scripture. The book which was printed originally in Latin in 1581 and later in English, revealing enough, in 1689, the year in which Glorious Revolution took place, and which was collected and burned by Cambridge and Oxford Universities was a harsh criticism of the regime of monarchy and contained many democratic arguments. Under the subtitle “Kings are made by the people”, Mornay says “We have shown before that it is God that does appoint kings, who chooses them, who gives the kingdom to them: now we say that the people establish kings, put the scepter into their hands, and who with their suffrages, approves the election.” Considered comparatively with the political atmosphere of 17th century Europe, these ideas seem to be quite revolutionary. Then, Mornay finds some concrete examples from the history such as that Israeli kings like Solomon, Rehoboam and Ozias were elected by the socially-respected people of the Israelis and the Israeli community approved the election thereafter as well as Cicero’s words saying that Roman emperors ascent to throne by election. In another part of the book, Mornay (1968: 231-232) argues:

Briefly, for so much as non were ever born with crowns on their heads, and scepters in their hands, and that no man can be a king by himself, nor reign without people, whereas on the contrary, the people may subsist of themselves, and were, long before they had any kings, it must of necessity follow, that kings

were at the first constituted by the people... To conclude in a word, all kings at the first were altogether elected, and those who at this day seem to have their crowns and royal authority by inheritance, have or should have, first and principally their confirmation from the people. ... The whole body of the people is above the king. Now, seeing that the people choose and establish their kings, it follows that the whole body of the people is above the king; for it is a thing most evident, that who has established him, and he who receives his authority from another, is less than he from whom he derives his power.

Afterwards, Mornay (1968: 233), arguing that a king resembles to the captain of a ship that is collectively owned by the sailors, says that in the way that captain is responsible for the security of the crew, the king is responsible for the security of the people, not for more; and therefore the king should not be esteemed more than a lay man among the people. According to Mornay, “there are an infinite sort of people who live without a king, but we cannot imagine a king without people.” Apparently, he overtly rejects the regime of absolute monarchy and advocates for representative government. Moreover the narrative how a king for the first time became king has striking resemblance with the origin of social contract doctrine that would later be developed by Hobbes, Locke and Rousseau.

According to Moots, *pre-political* individuals in Mornay’s *Vindiciae* are equally free and consent to a government for the sake a specific benefit that is absent in the nature. It is possible to find antecedent arguments of natural rights philosophers in some of Mornay’s writings such as:

In the first place every one consents, that men *by nature* loving liberty, and hating servitude, born rather to command, than obey, have not willingly admitted to be governed by another, and renounced as it were the privilege of nature, by submitting themselves to the command of others, *but for some special and great profit they expected from it* (quoted by Moots, 2010: 123).”

Quentin Skinner similarly opines that Mornay's terminology is precursor to the natural rights philosophers. In *Vindiciae*, Mornay claims that property is the foundation of government, a point that would later be made by John Locke, Jean Jacques Rousseau and Thomas Jefferson by finding supporting evidence from Old and New Testaments and champions for the right to property on a theological basis. He argues that king and people are equally responsible before the divine law. Moots (2010: 123) asserts that these arguments are antecedents of the 17th century constitutionalism based on natural rights. How the doctrine of the law of nature and natural rights framed within divine law gave birth to modern constitutionalism and classical liberalism will be examined in the chapters to come.

Reformation was also liberating for the women. Reform leaders and their followers mentally transformed the controversial Catholic thinking about sexuality and women. For centuries, Catholicism ordained virginity of the clergy and regarded sexual intercourse without aiming to have a baby as sinful. Luther stressed the normality, even the necessity of sexual intercourse between the couples and intended to break the Catholic ban on the marriage of the clergy by marrying to a woman even though being a priest himself. Many priests, nuns and monks followed this practice of Luther, getting married, thereby shocking the Catholic authorities. Luther said that "Men cannot do without women." Reformers were incited to see marriage not as a religious rite but as a secular phenomenon. It was by means of these changes that divorce became legally possible in Europe. Moreover, as the disobedience is much more dangerous and effective if someone who is never supposed to show any disobedience does not obey the rules, some women in the age of reformation became very effective by disobeying some Catholic rules. Later, these developments will foster the liberal tendency that sees the women and men as equal partners (Lindberg, 2014: 366-370).

Besides all that, since Protestantism is not a monolithic phenomenon, it is possible to find undemocratic, even extremely anti-democratic themes in the reformation age among the Protestants. Calvin, for example, founded a strictly theocratic state in Geneva. In this regime that some researchers called as *Bibliocracy*, Calvin decreed laws that dictated the

citizens to obey even the ethical and liturgical rules of Bible (Lindberg, 2014: 255). But, considering only these practices, it will be a reduction to say that Calvinist theology is theocratic. Between Calvin's theology and the application thereof is a great difference.

It would be a correct assertion to claim that the source of this liberal courage embodied in the examples above is Protestantism. According to Moots, for instance, Calvin opened the way of resistance against tyrants by obeying the conscience and God if ordainments of a tyrant contradicts with divine law. Calvin is the precursor of John Bradshaw who exclaimed "Resistance to tyrants is obedience to God" while being executed by Charles I and, of John Knox who remarked that he found the ultimate authority in the conscience (Lindberg, 2014: 62). Lindberg (2014: 362-364) claims that Calvinism, which asserts that church is not an institution but a community of believers that wish to gather around a creed, has contributed to the development of social contract theory. According to him, stressing the authority of God and the Scripture rather than that of the kings and church, eroded the authority of kings and princes. Constitutionalist arguments that developed after this erosion would later constitute basic tenets of liberalism such as limited government and the rule of law. Religious equality could contribute to political equality, which would foster the formation of liberal democratic ideas. The roots of human rights and constitutional law going back to the age of reformation is a new topic in the literature. Likewise, Erbaş (2007: 132-133) argues that there is a connection between Protestantism and modernity; Protestantism contributed to the pluralistic and laic atmosphere of modernity. It is also argued that Protestantism fosters the formation of civil society by promoting to be member of political parties, syndicates and other similar organisations.

4.3 The Rationalist Aspect of Protestantism: Questioning the Traditions

None of the reform leaders has asserted that all aspects of religious doctrines were concordant with reason. All leaders affirmed that there were some elements in the holy writ that could not be confirmed by reason. It is also very clear that Protestantism distanced itself from the philosophical realism of Thomas Aquinas and returned, to a certain extent, to Augustinian theology who put stress more on faith and revelation than

on reason. What is meant by rationalism here is that, given the questioning character of Protestantism, reformation triggered and fostered the process of rationalisation of religion, which is evidently a modern phenomenon. The most striking and common feature of reform leaders are that they questioned almost everything theological, social or political. In an age of tradition, radicalism could only be started by reason, and in this sense, Protestantism had a rationalist character. Erbaş (2007: 124) argues that faith was not generally seen as contradictory with reason in Protestantism. The first reform leaders attacked on the sacred office of Pope and on many Catholic sacraments but preserved many others such as Trinity. However, for decades, every Protestant contemplating on religion had the tendency to discard some sacred notions. Iconoclasm²³ was a significant characteristic of the reformation era. In many Protestant cities of Europe in 17th and 18th century, there were also many believers of a purely rational religion, namely deism. Locke, who was a sincere Protestant, would endeavor to show the English intelligentsia and clergy that Christianity is congruent with reason by writing a book titled *The Reasonableness of Christianity as Delivered in the Scripture* in his late age. The Protestant stress on the reason therefore is best crystallised in the questioning of centuries-old Catholic conventions and deeming the Scripture as the single theological authority. In this way, reform leaders refuted many of the Catholic liturgical ceremonies and had their own liturgies such as Luther's use of musical instruments in the churches to increase the spirituality of the prayer. According to Lindberg (2014: 183), liberalism would inherit this rationalism and anti-formalism. Plus, Lindberg (2014: 190) argues that reformers started the modern phenomenon of deporting the sacred from the daily life. In his work, *The Freedom of a Christian Man*, Luther (1968: 27) wrote "we should boldly resist those teachers of traditions". The attacks of some reform leaders on Catholic theology by getting married is aforementioned. One of the most striking expression of reformation, in terms of questioning the traditions, was the marriage of firstly Andreas

²³ "Iconoclasm," from the Greek meaning the breaking of icons, or images, was a widespread Reformation response to the presence of religious images, especially depictions in statues and pictures of the deity, Christ, and the saints—and was based on the assumption that the objects in question were idolatrous and forbidden in Scripture, in Exodus 20, and Deuteronomy 4 (Mullett, 2010: 256)."

Karlstadt (1486-1541) and then Martin Luther. The marriage of Karlstadt became a sensational event across Europe. Soon many priests would get married and the abolition of the ban on the marriage of the clergy became one of the most significant reasons why many clergymen in Europe supported reform leaders (Lindberg, 2014: 95-99).

Another rationalist aspect of the reformation was its iconoclasm. Luther and his reformist friends removed icons and images from the churches and burned sacred oils. Karlstadt, asserted in his book titled *On the Abolition of the Images*, that God prohibited all kinds of images in Old Testament as well as the concrete idols. Luther warned against the idols in the hearts and said that it was of more import to demolish the idols in the hearts (Lindberg, 2014: 104). Likewise, Calvin deemed the sacraments of the Middle Ages as superstition and banned many of them (Bedouelle, 2003: 100).

4.4 Humanism of the Protestant Reformers

European humanism was generally categorised as Italian humanism and northern humanism. Whereas Italian humanism, developed by thinkers such as Petrarch, Salutati, Boccaccio in Italy with the inspiration of antiquity, was elitist, northern humanism whose apex was Desiderius Erasmus (1466-1636) was more respectful to the Scripture and Christianity, more inspired by the church fathers, and therefore could reach more people (Gillespie, 2009: 77-79, 95). The stress on education, which was very salient in Scottish Enlightenment, and on the moral equality of all people in the liberal tradition goes back to the northern humanism as well as Stoicism. For example, Locke has compiled his pedagogic letters and printed them as a book titled *Thoughts on Education*. Luther introduced many innovations in education. According to him, education is necessary to serve both to God and to the people. Secular authorities must compel the children to become teachers, doctors, lawyers, preachers and priests; because a people cannot exist without them. The prevailing ignorance that Luther saw when he visited Saxony for work encouraged him to write two catechisms in which he explained fundamentals of Christian faith and basic prayer types. In these catechisms is Decalogue, fundamental tenets of Christianity and the prayers of Christ. He wrote two catechisms; short one for lay people, long one for the churches (Lindberg, 2014: 125-127). Besides, northern

humanism, that aimed to discard traditional prayer types from the churches and the annihilation of the ecclesiastical degeneration, adopted changes that people also wanted and contributed to the Protestant reformation by the works of some thinkers such as Johannes Reuchlin (1455-1522) (Gillespie, 2009: 95). Gillespie sighs (2009: 293) that “we do not understand the way in which our Christian past has shaped the individualism and humanism at the heart of liberalism.” Therefore, there are intriguing inspirations and connections between northern humanism, Protestantism and liberalism. Gillespie indicates to a subtle understanding of history that time cannot be divided into separate parts such as antiquity, Middle Ages and modern age. Philosophical ideas does not often disappear or appear; bulk of them were developed in the oldest times transformed into new kinds which many of us see as new ideas. Time might be going on in a much more smooth way, without interruptions, with very few big changes, than human beings often suppose by dividing it into separate sections.

Desiderius Erasmus, a Catholic humanist, aimed to combine pagan literature with the Scripture and reach a synthesis that he called as *Philosophia Christi* (philosophy of Christ). Erasmus did not have the concept of self-willing and self-creating man of Italian humanism. In his mind, man was respectful to God but could gain ethical values by his endeavors. Thus, northern humanism was more modest than Italian humanism (Gillespie, 2009: 99).

Almost all reform leaders were affected by humanism. The humanist tenet to return to the classical sources (*ad fontes*) was easy to be discerned in the thoughts of reform leaders. Therefore, reform leaders were mostly good at classical languages, viz. Greek, Latin and Hebrew, and interested in languages. This was the result of their desire to understand the Scripture in its original languages to be able to develop best exegesis of it, thereby revealing what was added to it throughout the history (Lindberg, 2014: 240-241). Besides, reform leaders were influenced by the classical works. Luther, for example, argued that everybody should learn about the classics and history. He learnt Aristotelianism and logic in an Augustinian monastery and strong rhetoric in his works is easily discernible. Plus, Faculty of Literature from which Luther has received his

education in Erfurt University was one of the centers of humanist movement; nominalism was also strong there. Lindberg argues that reformation was a movement stemming from the university as an institution, and to show the impact of humanism on Protestantism, he points out to the remarks of Bernd Moeller saying “Without humanism, there would be no reformation.” Medieval humanists had called Luther as “Our Martin” until the Diet of Worms²⁴ (Lindberg, 2014: 56-57). After the diet of Worms, since being wanted by the Papal authority, Luther hid in a castle about one year, translating Bible from Latin into German. Then, his intimate friend Melanchthon, the son of nephew of a well-known humanist thinker named Johannes Reuchlin and a humanist himself too, led the reform movement in Germany. His humanism and admiration of the classics was to such an extent that, instead of his original German surname ‘Schwarzerd’, which means black earth, he used the Greek translation thereof, ‘Melanchthon’, and was widely known in the history with that name (Lindberg, 2014: 71).

Another reform leader, Huldrych Zwingli, influenced by the classics, interrupted his education on Scholastic theology and tried to understand Erasmus’ Greek translation of New Testament without considering the traditional exegeses. The basic tenet of his reform was that the Scripture was in the center of all sorts of theological issue. Attacking on the practice of indulgences, on idols in churches and on Scholastic theology, he aroused considerable reaction in a short time in the first years of his priesthood. It is claimed that Erasmus had remarkable influence on Zwingli (Lindberg, 2014: 166-172).

Likewise, Moots argues that the most of the reform leaders were humanists themselves. According to him, northern humanism is characterised in general by Protestantism and by Britain in particular, and enjoyed considerable respect for the classics. Margo Todd (quoted by Moots, 2010: 119) remarked that Puritan humanism was “biblical in its apologetic, eclectic in its sources, mundane in its concerns but religious in its goals,

²⁴ Diet of Worms was a formal assembly in the city of Worms, Germany, where Luther declared that the sole foundation of the Christian faith was the Scripture and therefore, the Scripture should be translated into local languages (Mullett, 2010: 308).

practical in its methodology, and activist in its approach.” Leading modern historian of natural rights, Richard Tuck, asserted that Calvinists were better humanists than the Catholics. Calvin’s successor in Geneva, Theodore Beza, was called as the greatest Latin poet by Montaigne. Both Bullinger and Calvin received humanist educations. Although Luther was wrongly caricaturised by calling reason as ‘the devil’s whore’, he regarded classic works compulsory for an education in theology. Calvin was a heartfelt humanist, deeply influenced by the individuality and natural law tradition of Renaissance. Years later, Thomas Jefferson would try to buy his library that he left behind in Geneva. Calvin advocated for natural law in the conclusion part of his seminal work *Institutes of the Christian Religion* (Moots, 2010: 119-121).

Although the reform leaders were profoundly influenced by humanism, bitter polemics between Luther and Erasmus, the most prominent leaders of reformation and northern humanism respectively, seems bizarre and gave rise to an impression that reformation and humanism were at odds with each other. This quarrel did not happen because Luther was anti-humanist but happened because of the disagreement between Luther and Erasmus about whether the reform should be carried out fastly or gradually and, secondly, of the disagreement about the fate, which means that the quarrel was due to the secondary reasons. Whereas Erasmus was in favour of a more gradual reform, Luther advocated for a faster one. The polemics started as a normal discussion, but later transformed into a harsh bickering with insults. Luther, at the later phase of his thought, argued that man could not be saved only with his virtue; it was God that would save him, stressing the significance of divine grace on the salvation of mankind while Erasmus asserted more on the free will and virtue. Gillespie says that he is confused at the emphasise on the quarrel between Luther and Erasmus whereas they had much more in common. Both harshly criticised Scholasticism, stood up for a reform against Catholic church, rejected philosophical realism in the problem of universals, being inclined to the ontological individualism and interested in the classical languages to understand the Scripture in its original form. It was evident that Luther was influenced by humanism; as he accepted the humanist tenet that Bible should be read in its original languages, he learnt Hebrew and Greek. Other humanist leaders such as Valla and Pico also had

influence on Luther. Therefore, it was expected at the beginning that Luther and Erasmus would unite against Roman Catholic church. When Luther, after 1515, rejected the principle of human independence and got into polemics with Erasmus about the fate, whether a Christian would be saved by his deeds or by God's grace, many were shocked (Gillespie, 2009: 135-136). Another disagreement between them was, although they agreed on the degeneration of Catholic authorities, that Luther saw this as a doctrinal problem whereas Erasmus argued that the problem was more in the human nature than in the doctrine; therefore Erasmus recommended a reform on the education as the restoration of ethical values and virtues. This difference of Erasmus was conspicuous in his being a Catholic even after the Protestant reformation. He underlined ethics, virtues, solitary life and graduality of reform (Gillespie, 2009: 96-97). Short term winner of this quarrel seems to be Luther, but on the long run, Erasmus' arguments proved to be more successful. Instead of apocalyptic and theocentric part of Luther's theology, Erasmus' moderate understanding of Christianity prevailed throughout the Protestant lands of Europe. In England, for instance, Arminians who were deeply influenced by Erasmus got socially stronger and Erasmus' influence spread across the island (Gillespie, 2009: 139).

4.5 The Impact of Protestant Ethics on the Emergence of Economic Liberalism

The thesis that Protestant ethics constituted the spirit of capitalism was firstly developed by German sociologist Max Weber. Weber (2010: 23), narrating his thesis in his groundbreaking book titled *The Protestant Ethics and The Spirit of Capitalism* published in 1905, observed that "capital owners and the employers, even the educated high-strata of the working class, the personnel that took high level technical or commercial education in modern sectors" bear Protestant features and then started to investigate the relation between Protestantism and capitalism, asking the question why Protestants were more inclined to have the motive to earn more. According to him, while Catholics idealise being otherworldly, stressing more on the liturgical ceremonies, Protestants were chasing after worldly aims. Weber (2010: 29), quotes a passage from a modern writer, revealing the distinction between economic approaches of two sects:

The Catholic is calmer, content with less motive to earn; even though he has little income, he prefers the most secure lifestyle possible to a risky one that could bring him honour or wealth. The proverb, with some ridicule inside, says “Either eat good, or sleep well.” Accordingly, while Protestants are eating very well, Catholics want to sleep in tranquility.

Then, Weber argues that, even though, Protestants seemed to be inclined to eat good in 20th century, this was not the case in the past; Protestants were thrifty people spending little money for worldly tastes. Another writer that Weber (2010: 33) quotes is the author of *The Spirit of the Laws*, Montesquieu, who said in his book that Englishmen were the most famous people in the world in three aspects; religion, commerce and freedom. Later on, Weber (2010: 36-39) mentions Benjamin Franklin who chides his friend who says to him that he will retire and let others earn; Franklin urges him to earn as much as he can. Weber (2010: 55) says “the pioneers of the Western economic development is neither inconsiderate and unconscientious speculators, nor ... They are those who were sophisticated in severe life conditions, were economical as well as being venturous, were before everything trustworthy, dedicated themselves to their jobs in the full sense of the word with bourgeoisie notions and tenets.” He (2010: 55-60) further argues that those pioneering people were secularised after Industrial Revolution; while preserving the motive to earn more and more, they lost the Protestant piety which stimulated this motive in the first place – a phenomenon that beclouds the relation between Protestant ethics and material wealth.

Afterwards, Weber, in the chapter he named as *The Notion of ‘Vocation’ in Luther*, argues that Luther linked the German word for vocation (*Beruf*) with sacred duty given to man by God, thereby led to a mindset that saw worldly professions as holy duties that had to be carried out with care, starting a process of rise in the Western material wealth. “According to Luther, monastic lifestyle, besides having no rightful place for God, is a product of lovelessness isolating itself from the worldly and individual duties. For all that, worldly vocational occupation seems for him to be a reflection of the love of neighbour.” As a result of this change in the perceptions, a conviction “that

accomplishing worldly duty in any kind of circumstances is the only lifestyle that pleases God, that divine will is in this direction, and that every profession has the same value before God” took root in the mindset of the Protestant Europe. Therefore, Weber (2010: 63-65) thinks that this change in the conception of worldly professions in the European mindset is one of the most weighty results of the reformation.

Likewise, Lindberg argues that the material wealth in Europe is linked to the spirit of Protestantism. Two of the biggest and most prevalent medieval religious orders, the first being Franciscans, depending on Luke 6:20-21 that says “Blessed are you who are poor, for yours is the kingdom of God. Blessed are you who hunger now, for you will be satisfied.”, and the second being Benedictines, depending on Matthew 5:3-4 which says “Blessed are the poor in spirit, for theirs is the kingdom of heaven. Blessed are those who mourn, for they will be comforted.”, extolled poorness and entrenched the conviction in the European collective memory that destitution was lovelier to God than wealth. The result was an ethics of pauperism in the Middle Ages, many monks living merely on beggary, dedicating themselves to God without possessing any property. The poverty was such in the 15th century that it became a remarkable social problem. Tax accounts of medieval European cities shows that the social class called as the needy was about 30%-70% of the population. Luther attacked on the sanctification and idealisation of pauperism, and found theological justifications for social wealth. He made this by linking prayer and profession in the German disposition firstly and then, in a spreading way, for other Protestant peoples. For example, he used the conceptions of prayer and wealth overtly in relation to each other in the introduction of 1523 Leisnig laws (Lindberg, 2014: 110-115). While medieval Catholicism was preaching to people about the beauty of destitution and urging them to buy indulgences, at the same time enriching the church, Luther introduced social projects such as churches’ having chests for collecting donations for the poor and supporting the education of children of the destitute. Bugenhagen who is known as the northern reformist and had great influence on converting the Scandinavian peoples into Protestantism, urged for real favours such as the improvement of social status of one’s neighbour or the poor instead of Catholic buffooneries such as monastic practices and indulgences. In some German cities, any

king of beggary, including that of the monks, was banned. Like Luther, Calvin and Zwingli worked to relieve the socio-economic problems (Lindberg, 2014: 115-123).

Luther's aim was to render some aspects of Christian life materially fertile; it is possible to see his aim throughout the catechisms he wrote. According to him, the Christian life was a duty. In both the German and English languages, the words meaning profession (*Beruf* and *vocation* respectively) was derived from theological concept of divine calling (*rufen* and *vocate* respectively). For Luther, vocation was a Christian responsibility carried out inside the daily life, not outside it. Christians are called not to the heavenly service alone, but to worldly service too. In Luther's thought, there was a tendency that Christians should exert their religious effort to the things that aimed to improve something of this world, not to things of no worldly use. Luther and Calvin argued that God called man into this world, not outside of it. The relations between German words such as *Gabe* (gift) and *Aufgabe* (duty); *Word* (word, God's word), *Antwort* (answer) and *Verantwortung* (responsibility) were the reflection of Luther's playing with the German language. By implication, some German words such as vocation (*Beruf*) and duty (*Aufgabe*) that had theological connotations and were used to exalt the heavenly work of the clergy became incorporated into daily use by preserving their religious connotations. From then on, all types of worldly professions such as motherhood, smithery, citizenship, studentship, workmanship and so on became related to the theological connotations of these aforementioned German words, which would result in that the worldly professions would be carried out by divinely-motivated enthusiasm. Years after Luther, the classical type of medieval Christian who paid no extra attention to his work, but created new extra jobs such as the dedication of his life to God without marriage or materially-useless monastic deeds, was gone and instead, there came a new Christian type who aimed to please God through making his profession in the best way possible. Luther gave examples of a father washing his baby son's diaper, a brewer brewing good bier, a maid wiping floor, arguing that it was these vocations that were the original vocations of mankind, not the ones of the monks, nuns, priests, bishops, archbishops, ministers, popes, dominies, shavelings, parsons, chaplain, pastors, clerics and other clergy that were originally not in Bible but invented by Catholic authorities

over centuries. Luther argued that believers should do the vocations that were originally given to them, not the ones that they could not afford to do (Lindberg, 2014: 127-129).

According to Erbaş, it is a leitmotif in the literature that Luther's ideas shaped modern economic understanding, capitalist ethics and work discipline as well as work ethics. For example Luther said "People are serving God while they are doing their vocations because they are serving their neighbours. Cobbler, blacksmith, farmer ... all are equally blessed priests and ministers; and all should be beneficial to all others by means of their vocations and official duties; by implication he would have done much work for the material and spiritual wellbeing of the community (quoted by Erbaş, 2007: 150)". After Luther, Protestants, Puritans in particular, combined the material and religious aspects of economic activity. Dod and Clever, for instance, wrote that market was created by God. Greenham said that accepting the market price without any complaint was an indication of the fact that the accepter's heart was under true influence between his companions and God (Erbaş, 2007: 151). Likewise, Hillerbrandt (1968: 23) argues that the professions that were deemed as worldly in the Middle Ages were seen as opportunities to gain God's love after the Protestant reformation. Dawson says that social historians such as Weber and Troeltsch showed successfully how much Industrial Revolution was indebted to Puritanism. Dawson (2003: 190) writes:

Protestant ascetism of 17th and 18th centuries did not direct people into isolation from the world and into giving all their assets to the poor and church, as was the case in the Middle Ages. While instilling constant task of industriousness and thriftiness, at the same time, it strictly curbed self-indulgence, curbed spending what was earned and any kind of extremism. Thus a new kind of social man took shape: hardworking, honest, abstemious types of businessman whose only interest was to gather in account departments that are their working places and in meeting-house of their religious orders; new types of man who are as frugal on themselves as they are on their workers and who dedicate themselves to their professions with a religious enthusiasm ... These are the people who provided the activating power

of the Industrial Revolution and the founders of the economic power of Britain and United States of America.

Besides, Dawson (2003: 192) points to the fact that modern science was to some extent inspired by the reformation. Accordingly, the pioneers of science in England was not saloon frequenters or *philosophes* like in France, but the pious children of petty tradesmen and of craftsmen. For example, one of the first modern scientists, Joseph Priestley (1733-1804), was a Unitarian theologian and clergyman; another one, John Dalton (1766-1844), was a headteacher in a Quaker school; another, Michael Faraday (1800-1879), was a member of the Sandemanian religious order. In short, in England, not only liberalism but also modern science was shaped, to some extent, by religious inspiration till the Darwinist and atheist atmosphere of the late years of 19th century. According to Dawson, “passionate spirit of Puritanism” constituted the driving force of Industrial Revolution.

4.6 Birth of Religious Toleration as a Result of Exhaustion from Religion Wars

Basicly, two dynamics have played role in the development of principle of toleration of liberalism: historical experiences and reformed Christian theology. This section examines how the exhaustion from religion wars after the reformation period triggered widespread discussion of religious tolerance, and thereby contributed to the birth of firstly religious and then political tolerance, which fostered liberal democracy. The liberal principle of tolerance in Europe, along with its theological roots that are to be analysed in the next chapter, is the product of a long process of sufferings. Although it is difficult to determine whether the historical experiences played a greater role or it is the reformed Christian theology that had the greater impact in the birth of this principle, it could be put forth that lessons derived from the bloody historical experience preceded the theological arguments. It seems that historical experience has shown the people hazards of religious fanaticism, which called to the minds that religious tolerance could be inherent in Christianity – an argument that would be later asserted by John Locke. The result is the gradual emergence of liberal principle of tolerance that facilitates a multi-religious, multi-cultural and multi-ethnic society to live in peace.

Even when Europeans started to become secularised in the early modern era, religion was dominant in all spheres of life, close to the extent that that it was in the Middle Ages. However, religion was not an integrative force any more; on the contrary, it fueled dissociation. Europe witnessed bloody wars fought along denominational and sectarian lines throughout many decades in the early modern period. Peace in France could not be achieved until the Huguenots²⁵ were deported out of the country. In England, each monarch from a particular denomination mostly cracked down on his opponents. English monarchy became Presbyterian, Separatist, Anglican, Catholic and Anglican again respectively and in each of these tenures, there were sectarian conflicts.

Hashemi points out to the severity of religious intolerance of post-reformation era and underscores the fact that Christianity was the most intolerant of all world religions until fairly recently. Voltaire (1924; quoted by Hashemi, 2009: 72) reasonably said “Of all religions, the Christian without doubt the one who should inspire tolerance most, although up to now, the Christians have been the most intolerant of all men.” In the Middle Ages and early modern era, Christianity reminded anyone of witchhunts, inquisitions, tortures, exiles, persecutions, fanaticism and sectarian conflicts. According to Perez Zagorin, the religious chaos and violence that was brought about by Protestant reformation in 16th century, was the first time when theories of religious tolerance started to be discussed in the West (Hashemi, 2009: 72).

Lindberg (2014: 375-376) similarly argues that tolerance was not a feature of the reformation era. On the contrary, the result of reformation was sectarian conflicts. For the emergence of religious tolerance, one must wait for the lessons derived from the Thirty Years War (1618-1648). The religious intolerance was so severe that even Erasmus, the pinnacle figure of northern humanism, was an anti-Semite to a surprising

²⁵ Huguenots were French Protestants who suffered the harassment and slaughter of Catholic French authorities. Many Huguenots were massacred in the religion wars of France in mid-16th century. After many conflicts, they achieved to secure some freedom in having and practising their religion with the Edict of Nantes in 1598. However, upon their making alliance with English crown and revolting against French authorities, Edict of Nantes were revoked in 1685 and they were deported out of France (Mullett, 2010: 246-47).

extent. Similarly Luther, although having recommended brotherly treatment to the Jews in his tractate titled *Jesus Christ was born as a Jew*, in the late phases of his lifespan, would have hatred against Jews and call for the immolation of their houses, synagogues and books; and it was not something having to do with racism; it was pure religious fanaticism.

The number of wars fueled by religious fanaticism after reformation, between 1562-1595 in France only, was eight. After the Thirty Years War, central Europe was bitterly devastated and this devastation was seen as the cause of difficulties that Germany had to achieve its territorial unity between 1650 and 1850 (Erbaş, 2007: 85-88). After Thirty Years War, Europe became politically more divided and it was accepted that monarchs could have their individual religions imposed within their territories (the principle of “*Cuius regio, eius religio.*” meaning “Whose realm, his religion.”) As a result, local churches went under state control and the notion of nation-state grew stronger after 1648 (Bedouelle, 2003: 109-111).

Reformation and post-reformation anecdotes of execution, exile, torture and conflict caused by religious fanaticism are myriad. Servetus, one of the most striking examples of reformation intolerance was burned out of blasphemy by Calvin and his companions in Geneva in 1553. Sebastian Castello would say “Burning a blasphemous is not to defend a doctrine, but to murder a man.” and render the case of Servetus a renowned example of religious intolerance in the European mindset for centuries. Years later, John Foxe would write a book titled *The Martyrs* in which he listed and told the stories of religious intolerance, viz. tortures, executions and so forth. This book could be regarded as the first spark of reaction against the ongoing religious intolerance (Lindberg, 2014: 261-262). As a history of cruelty of religious fanaticism, this book exerted great influence on the collective memory of Christian Europe.

To understand the violence fueled by religious fanaticism, it is significant to take good notice of the perplexity caused by the breakup of centuries-old *Corpus Christianum* in a few decades. Central and Western Europe which were under one single theological authority, viz. Pope, were divided into dozens of various denominations who tried to

solve the doctrinal problems by force that led to much bloodshed. The theological fanaticism of the clergy of reformation and post-reformation era was so severe that Melanchthon was recalled in his deathbed by sighing that, at last, he got rid by his death of what he called “*rabies theologorum* (craziness of the theologians)” (Lindberg, 2014: 358). A writer who wrote on his book only D. E. as his name used a term ‘the prostitution of religion’ in this book published in 1710 to describe how religion was being abused to veil violent individual ambitions (Barnett, 2003: 96). The sufferings caused by religious fanaticism taught Europeans that people may gather around secular ends, especially against Ottoman Muslims, without transcendental aims that kept *Corpus Christianum* together. Therefore, reformation incorporated the problem of coexistence of various denominations in Western culture (Lindberg, 2014: 359-361). Those who were accused of perversion and blasphemy were mostly amongst Enlightenment thinkers who had liberal themes in their thoughts. In a list titled *Index Librorum Prohibitorum*²⁶ that Catholic church published and included the religiously-detrimental books that were banned, most of the writers were from among the Enlightenment intellectuals (Çiğdem, 2013: 14).

²⁶ “Index of prohibited books. The invention and rapid dissemination of printing evoked a new awareness on the part of the Catholic Church’s leadership of the need to control book production, and in 1501 Pope Alexander VI (r. 1492–1503) ordered the establishment of a system of prepublication licensing in ecclesiastical provinces of Germany. The Fifth Lateran Council also passed legislation on the inspection of books. Following the establishment of a universally applicable Index of Prohibited Books (*Index Librorum Prohibitorum*) by Pope Paul IV in 1557 and 1559, in February 1562 the Council of Trent turned to the revision of Pope Paul’s list, which had proscribed all of Desiderius Erasmus’ writings and which two leading Jesuits, Petrus Canisius and Diego Lainez, criticized for its excessive rigor. A revised version was published by Pope Pius IV in the bull *Domini Gregis* of March 1564, and in 1571 Pope Pius V set up the Congregation of the Index, whose scope and authority were confirmed by Pope Sixtus V. This Congregation consisted of a number of cardinals, a Dominican as secretary, and theological consultants. Works placed on the Index were viewed as endangering faith or morals and, on pain of excommunication, Catholics, unless for special reasons, were forbidden to read or even own them. (In 1966 the Index was brought to an end by Pope Paul VI [r. 1963–78].) (Mullett, 2010: 259-260).”

Reform leaders were differentiated in their stances towards religious tolerance. Luther, for example, stated that he found the use of force wrong unless the theological disagreements led to an uprising and wrote:

The murdering, burning and torturing to death of this miserable people in such a sorrowful way, which aggrieves me too, is not true. We should allow everybody to believe what they want. If his belief is wrong, he will be punished with eternal fire of the inferno. Well, if they are not guilty of insurrection or dissidence against the government, why we make them martyrs? We could achieve very little by devastation (Lindberg, 2014: 210).

The reason of the bitter quarrel, including insults, between Luther and Müntzer was the disagreement of tolerance and method of the reform. Luther criticised the revolutionary tendency and radicalism of Müntzer and accused him of being deprived of sentiments of goodness, politeness and love. While Müntzer was advocating for the eradication of unbelievers by using force of the political authority, Luther opposed that idea and argued that the duties of political authority were to prevent insurgencies, maintain public order and peace. According to Luther, if any authority was given to the princes to dictate any doctrine, the peace would be jeopardised. As a result of Müntzer's revolutionary sermons, nearly 7000 peasants gathered in Frankenhaus, Germany. The rebellion was suppressed by the Hessen and Saxon soldiers, Müntzer were beheaded and his head was exhibited on a stake for warning against any kind of revolutionary dissidence (Lindberg, 2014: 149-153). Luther meticulously abstained from linking his reform movement with violence. As for Calvin, as aforementioned, he set up a theocratic dictatorship in Geneva and imposed his understanding of the Scripture on the Genevans. In his book titled *Ecclesiastical Ordinances*, he (Hillerbrandt, 1968: 177) wrote:

If there shall be anyone who lays down opinions contrary to the received doctrine, he is to be summoned. If he recants, he is to be dismissed without prejudice. If he is stubborn, he is to be admonished from time to time until it shall be evident that he deserves greater severity. Then, he is to be excommunicated and this action reported to the magistrate. If anyone is negligent in attending worship so that a

noticeable offense is evident for the communion of the faithful, or if anyone shows himself contemptuous of ecclesiastical discipline, he is to be admonished. If he becomes obedient, he is to be dismissed in love. If he persists, passing from bad to worse, after having been admonished three times, he is to be excommunicated and the matter reported to the authorities.

In his *Vindiciae Contra Tyrannos* (1579), Philippe du Pressiy-Mornay, rejects Luther's argument –but without mentioning his name– that God's word cannot be exalted through using force; and argues that weapon and worldly authority should act to preserve the church and believers if it is needed, that who dies during that kind of action, will be already a martyr and that Turks already spread their belief by that means (Du Plessiy-Mornay, 1968: 224-225).

In case of England in terms of religious tolerance, it is not different from the European trend. As soon as the reformist ideas reached the island, Britain gradually sank into theological quagmire and chaos. Each monarchy mostly belonged to a different denomination from his predecessor and either exiled its theological opponents into the continent, or harassed them, or confiscated their property, or directly murdered them. The most bloody of the monarchies was that of Mary Tudor²⁷ who slaughtered so many Protestants that she came to be called as Bloody Mary in just five years (1553-1558). Mary Tudor's anti-Protestan policies and his attempts to obliterate Protestant denominations by using force left deep marks on the British Protestant mindset and many Englishmen started to harbour a hatred against Catholicism. But at the same time, many too have realised the detriments of the encroachment of governmental authority

²⁷ Mary Tudor was a descendant of Tudor dynasty in Britain. She was famous with her strict Catholicism and her cruelty against English Protestants. Though remaining only five years on the throne, she caused much bloodshed across the country. Many of future reform leaders of England escaped from England or were exiled in her tenure. This departure of these people would make them to live in Calvinist cities such as Geneva and, upon being profoundly influenced by Calvin's and Bullinger's theology, they would strive to strengthen English reformation movements after the tenure of Mary Tudor. Therefore, Mary Tudor's harsh anti-Protestant policies led to the strengthening of English reformation movement (Lindberg, 2010: 308-309).

into divine matters (Lindberg, 2014: 316). This socio-political disorder would continue until the early 1700s when Locke would try to find a solution to the chaos into which he was born.

In conclusion, although it is a formidable task to demonstrate how the questioning of monopolistic Catholic theology contributed to the birth some liberal themes and it is quite tricky to track the marks of the ideas in the history, without falling into the trap of reductionism, it could be correct to argue that many principles of classic liberalism such as liberty, rationality, individualism, equality, humanism and tolerance are either inspired, in different proportions, from Protestantism or bear the marks of the collective experience gained from the events triggered by Protestantism.

5. THEOLOGICAL ORIGINS OF MODERN SOCIAL CONTRACT DOCTRINE: COVENANTALISM

Contractarianism, or the social contract theory, is a separate tradition that could be listed under liberal political philosophy in the general sense since it advocates for the government based on consent and the rule of law. Contractarianism is also the underlying element of modern democracies and provides the main linkage between political liberalism and modern democratic theory. According to the contractarians, the legitimacy of the government is dependent upon the tenet that the ruled give their consent to the government. Therefore, a legitimate political government should gain consents of as many people as possible.

5.1 The Idea of Contract in the History of Political Thought

Contract, the idea that relations between individuals should be based on consent, and its reflection on politics existed long before modernity. Uslu, for example, (2013: 223) argues that the idea of contract existed in Old Testament, Roman Law and feudal ages. Similarly, Bertrand Russell says (2004: 396) that the idea that the basis of government is contract can be deduced from the works of Thomas Aquinas, but the notion of contract in the modern sense was firstly introduced by Hugo Grotius. Therefore, although there has been a general understanding that suggests that a piece of property is sold with the consent of the possessor and purchaser, that an act is done with the consent of the parties involved, that the act of marriage is done with the consent of both parties, which has existed since the oldest times of humanity, the idea of social contract was systematically put forth for the first time in the modern era.

It was Thomas Hobbes who for the first time handled the theory of contract at the dawn of modernity. He argues in his *Leviathan* that individuals, upon having seen the fact that life is short, bad and dirty in the state of nature, have felt compelled to found the state upon a social contract, thereby creating the government. Accordingly, the foundation of state is a contract among the individuals and government. After Hobbes, John Locke has taken the theory of social contract and made this theory one of the basic elements of his political thought. According to Locke, individuals have entrusted their right to punish to the government with a social contract which guaranteed their fundamental rights and gave the government only the task of protecting their fundamental rights. It was Jean Jacques Rousseau who handled the theory of social contract giving it the greatest significance in his political thought in the modern age. He argued that government is based on general will which is the total amount of the consents of the subjects.

It has been claimed by some writers such as Glenn A. Moots, David Novak and Daniel J. Elazar²⁸ that although it was Hobbes who handled the idea of social contract systematically in the modern age, neither he nor Grotius invented this idea out of nothing, but they borrowed it from medieval Christian and Jewish theology.

²⁸ Some books of these writers include: Daniel J. Elazar, *Exploring Federalism* (Alabama: The University of Alabama Press, 1991), Glenn A. Moots, *Politics Reformed: Anglo-American Legacy of Covenant Theology* (Columbia: University of Missouri Press, 2010), Daniel J. Elazar & John Kincaid (Ed.), *Covenant, Polity and Constitutionalism* (University Press of America, 1983), Daniel J. Elazar, *The Covenant Tradition in Politics* (VI Volumes containing *Covenant and Civil Society: The Constitutional Matrix of Modern Democracy*, *Covenant and Constitutionalism: The Great Frontier and the Matrix of Federal Democracy*, *Covenant and Commonwealth: From Christian Separation through the Protestant Reformation*, and *Covenant and Polity in Biblical Israel: Biblical Foundations & Jewish Expressions*), (Transaction Publishers, 1995), David Novak, *Natural Law in Judaism* (Cambridge: Cambridge University Press, 1998), David Novak, *Covenantal Rights: A Study in Jewish Political Theory* (Princeton: Princeton University Press, 2000), David Novak, *The Jewish Social Contract: An Essay in Political Theology* (Princeton: Princeton University Press, 2005).

5.2 The Birth of Covenantalism and Its Impact on the Development of Modern Democracy, Constitutionalism and Federalism

According to David Novak, a Jewish political theorist, there is a theo-political agreement made between God and Moses, asked to the Jews at that time whether they would accept and they accepted. Accordingly, God has chosen Moses as the ruler of Israelites, offered his proviso to them from the mouth of Moses, said that he would punish them if they did not obey his rules and Israelites accepted God's proviso. This agreement called covenant became foundation of the state of Israel whose ruler was Moses (Novak, 2005). Afterwards, Novak (2000) begins to tell about *covenantal rights* that individuals have in this state.

Daniel J. Elazar (1991), another Jewish political theorist, argues that the idea of federalism has its roots in Bible. Accordingly, the word 'federal' was derived from the Latin word 'foedus' which means simply 'covenant'. Therefore, federalism as a political system has taken its inspiration from covenantalism.

According to Moots (2010: 15), covenant makes what he called as Biblical religion political for two reasons. Firstly, "The promise of judgment and expectation of covenant faithfulness makes religion ethical and therefore political." Secondly, covenantalism argues that there is a tripartite agreement among the people, God and ruler, which relates earthly order to divinity and written in Bible. The attributes of these relations make covenant "a political theory par excellence" (Moot, 2010: 22). This covenant is narrated in Genesis of holy writ. According to Genesis, God has promised to Abraham in a covenant that He would bless Abraham's descendants and this covenant was claimed by both Christians and Jews, both of whom have seen themselves as the descendants of Abraham (Moot, 2010: 24). Interesting enough, Locke indicates in his *Reasonableness* (1999: 21) to the fact that God has made a covenant with Abraham in the Scripture although he didn't say he took the idea of social contract from covenantalism.

Moots (2010: 65) argues that there were two forms of covenant before modernity as passive and active. The impact of passive form of covenant on politics was embodied in

the Latin saying “*Salus populi, suprema lex*” meaning “The well-being of the people is the supreme law”. Therefore, the ruler is strictly responsible for the welfare of subjects. The impact of active form of covenant on politics was revolutionary. Accordingly, tyranny is the violation of Bible and therefore, an eternal resistance against tyranny should be demonstrated. Members of this tradition such as John Bradshaw who tried Charles I of England, Benjamin Franklin and Thomas Jefferson would shout as “Resistance to tyrants is obedience to God” for two centuries. Furthermore, Franklin and Jefferson wanted this passionate sentence to be the motto of America at the time of its foundation. In the resistances against authoritarian regimes in early modernity and during Enlightenment, this slogan became much more effectual than the slogan “Resistance to tyrants is the assertion of our natural rights” and “Resistance to tyrants is the restoration of nomos” which were also utilised at that time.

According to Moots (2020: 65-66), Heinrich Bullinger and John Calvin were ready to implement the covenantal theory to the politics, but it was John Knox who has taken this theory in a radical way and implemented it to politics. When Mary Tudor who was a Catholic ascent to throne, Knox claimed that the covenant was broken and called inferior and lesser magistrates of England to resist against her. Firstly, he did not call Scots to this resistance, but after Scots converted to Protestantism, he published a warning for the Scots as well. The most important development in civil covenantalism is the printing of Philippe du Plessis-Mornay’s *Vindiciae Contra Tyrannos* (1579). It was followed by other significant works such as Theodor Beza’s *De Jure Magistratum* (1575), Francis Hotman’s *Franco Gallia* (1573) and *Le Reveille-Matin des François* (1573-1574) by an anonim writer. According to Plessis-Mornay, there are two covenants that show that the power of a monarch stems from both God and people: The first covenant is between God and king, and the second covenant is between king and the people. The first covenant gives to the people the right to resist if king turns his face to somewhere else from God, and the second covenant compels the king to work for well-being of people. Interesting enough, again, Locke also has the same justification of resistance in his political theory.

Moots (2010: 66) argues that the theory of covenant was more egalitarian than the mainstream political thought of the time into which it was born and was “more desirous of consent” as the legitimate basis of government. For example, Scottish Presbyterian priest Samuel Rutherford (1600-1661), depending on covenant theology, said that he wanted a king elected by the public. Similarly, Christopher Goodman (1520-1603), who was an English reforming clergyman and writer, has regarded the election of the king by the public as a requirement of covenant theology and argued that it was the public who should decide who should be the king or prince if the public in question are the people of the God. No need to say that what is meant with consent in the political sense at that time is different from what consent means now. The suffrage was generally limited with the elites; however, the fact that the reformers worked with sub-kingdom civil unities formed something similar to federalism and decentralise sovereignty, which was important in preventing tyranny. The concept of civil covenant between the ruler and the people kept rulers alert about the abuses of power. The writer of *Vindiciae Contra Tyrannos*, Philippe du Plessis-Mornay, asked why the ruler held the sword in his hand if he would not punish the wicked and reward the good, thereby serving to God.

Mornay also argued that the “crown is rooted in the consent of the estates.”²⁹ Goodman, in his book titled *How Superior Powers Ought to be Obeyed by Their Subjects and Wherein They may Lawfully by God’s Word Be Disobeyed and Resisted* (1558), argued that a tyrant should be killed (tyrannicide) under the covenantal model. He persistently argued that Christians would have disobeyed God if they obeyed a tyrant. According to Goodman, the slackness of common people prepares their own devastation (Goodman; cited by Moots, 2010: 67). Furthermore, Mornay made a list of attributes that defines a tyrant; these were ignoring the counselors, extreme taxation for his luxurious spenditure and illicit trial of individuals (Mornay; cited by Moots, 2010: 68). If looked closely, it is possible to see a defense of right to life and to property here on the covenantal basis. George Buchanan’s book titled *De Jure Regni Apud Scotus* printed in 1579 was a work of political theory that advocated on covenantal grounds for the idea that kings are

²⁹ Estate here means one of the three groups that form British parliament. Three estates are, firstly, the heads of the church; secondly, the nobility; and thirdly, the commons.

responsible for the well-being of their subjects (Moots, 2010: 84). Another covenantalist, Samuel Rutherford, in his book titled *Lex Rex* in 1644, showed some examples from Old Testament to prove the existence of the covenant between legitimate king and his people (Rutherford; cited by Moots, 2010: 87).

Covenant theology played an important role in the deposition of Charles I and in the execution of him as well as contributing to the legitimacy of this revolution. Covenantalism also prepared the ground for a proto-constitutionalist model of government and became a source of inspiration for two national covenants in Scotland in 17th century, one in 1638, and the other in 1643 (Moots, 2010: 82). The national Scottish covenant was signed by noblemen, gentry, clergy and burgesses, and triggered the birth of covenanter movement. The idea of covenant was also important to stress the conditionality of political authority (Moots, 2010: 89). With the signing of Scottish national covenant, covenantal theology became implemented for the first time.

According to Moots, reformed Protestantism did not invent constitutionalism or popular sovereignty. But it was by means of covenantal theology of 16th century that the abuses of political power were condemned depending on the holy writ. John Knox (1513-1572) furiously attacked on the doctrine of divine right of the kings and advocated passionately for the election of the kings, again, depending on covenantal theology. In his book titled *Summary of the Second Blast of the Trumpet*, Knox writes “It is not birth only nor propinquity of blood that maketh a king lawfully reign above a people ... but in his election must the ordianance which God hath established in the election of inferior judges be observed (Knox; quoted by Moots, 2010: 86).”

Moots (2010: 68) argues that covenantalists were the greatest defenders of liberty in 16th century although their arguments fell short to make a defense of liberal democracy. American Protestants tried to build a purer covenant on the continent since there was a vast land without any political tradition. Köktaş argues (2014: 126) that Puritans in America have sophisticated the theory of covenant. Furthermore, when Europeans invented social contract doctrine, since American Protestants were familiar to the covenantal terminology due to the effect of Calvinism on the continent, before soon they

adopted the doctrine of social contract. For example, Moots argued that the clergy in New England of America adopted doctrine of social contract very quickly by means of the theory of covenant which appeared a hundred years before Hobbes' and Locke's political doctrine of social contract (Moots, 2010: 115). Mornay's *Vindiciae*, Rutherford's *Lex Rex* and many other works of covenantal theology were written before Locke's works and, Moots says, there are some signs which show that Locke was influenced by the works of theologians and writers of reformed theology in 16th and 17th centuries, by *Vindiciae* and *Lex Rex* in particular. For example, Thomas P. Peardon says, considering the introduction that Locke has written for his *Second Treatise*, that it can easily be claimed Locke was familiar with *Vindiciae*. Plus, Locke wrote the title of *Vindiciae* on his catalogue of private books he made in 1681. Francis Schaeffer says that influence of Rutherford on Locke is evident; however, John Coffey, the writer of Rutherford's biography, rejects the claim that there is a clear influence. There is no evidence that Locke had Rutherford's book *Lex Rex*. Nonetheless, Moots finds the similarity between the arguments of Locke and those of Mornay and of Rutherford striking (Moots, 2010: 118).

It would be odd that a philosopher of Locke's calibre did not read such important works. Therefore, Locke must have read, at least, the most prominent works of the covenant theology such as *Vindiciae*, *Lex Rex*, and have benefited from their arguments in his proto-liberal political theory. Many similarities between the ideas of Rutherford and Locke may lead any observer to the conclusion above. A proto-social contract may be drawn from Rutherford's thought. For example, Rutherford's argument that "As a man may not take away his liberty without his own consent, so can he not, without his own consent, give his liberty to be subject to penal laws under a prince, without his own consent." is the same with Locke's argument that man is not entitled by God to give away his liberty. Rutherford continues by saying "A power to destruction was never given, nor can it, by rational nature, be given. . . . A people free may not, and ought not, totally surrender their liberty to a prince, confiding in his goodness." Thereupon, Moots argues that "more than forty years before Locke published *Two Treatises on*

Government (1689), Rutherford articulated ruling as a “fiduciary” responsibility with an accompanying doctrine of resistance (Moots, 2010: 127-128).”

Covenant theology was at its peak in England and America in 17th century, but it received reaction after the Restoration period in England due to its impact on the execution of Charles I. But still, it’s legacy is of critical significance. Covenant theology underlies modern constitutionalism. Although the idea of consent of the ruled in politics did not start with covenantal theology, covenantalism revived the notion of consent and paved the way towards modern social contract theory. Plus, it revived Biblical political terms and helped them play a greater role in the development of modern political theory. Two side effects of covenantal theology, covenantal millenarianism and revivalism were assuaged by Protestant humanism. There is also an inner mentality in covenantalism that restricts the usage of political power. Moots argues that “covenantal political theology is centered on liberty (2010: 132-137).”

According to Elazar, there are two forms of covenanting as strong and weak. Strong covenanting is the orthodox form of covenant that is purely religious and no more utilised in our modern world. However, weak form of covenanting still lingers in our political institutions and concepts such as modern constitutionalism and theories of social contractarianism. Thereupon, depending on Elazar’s book titled *Covenant and Constitutionalism: The Greater Frontier and the Matrix of Federal Democracy*”, Moots (2010: 146-49) asks a cardinal question: “At what point in the ‘evolution’ of political covenanting does covenanting cease to be recognizable as covenanting?” Moots does not give an exact answer, but says that the pure theological notion of covenant was firstly replaced by the word ‘compact’ in theo-political works of the Enlightenment era. The word ‘compact’ had a slighter theological connotation; later, this word was replaced by contract and then modern social contract doctrines prevailed totally in political theory.

Moots (2010: 145) later goes on explaining the difference between covenant, compact and contract and their transformation into each other in the Enlightenment era:

Covenant, compact, and contract: Each term represents a different kind of political agreement. Covenants and compacts are asserted to be historically more prevalent than contracts and also more constitutional or public in character. As reciprocal instruments, covenants and compacts bind their parties “beyond the letter of the law.” Contracts tend to be private devices and not the public documents that political theorists allude to when they generalize the foundations of constitutionalism as “social contract theory.” Covenants, even more so than compacts, introduce a morally binding dimension above the legal dimension. Covenants are also distinguished from compacts and contracts by the belief that God is a guarantor of, or a direct party to, the relationship between parties in the covenant. Compacts do not explicitly include a divinely transcendent dimension and instead rely on mutual pledges and a secular legal grounding. Modern constitutions are no longer made with God but instead “under God.” In this respect they are more like compacts than covenants. Contracts are distinguished primarily by their private and strictly legal nature. Contracts also do not emphasize morality for their members beyond legal and minimally moral reciprocity. Covenants, compacts, and contracts all seek liberty for their members, but each articulates its own relationship between liberty and morality. At the one extreme, covenantal liberty has a strong and binding communal nature, particularly under divine law. At the other extreme, contracts tend to emphasize positive law and individualistic notions of liberty.

Van Dun (2001: 14) argues that one reason of the weakening of covenant is the strengthening of gnosticism. He says that gnosticism is a religion of liberation and “is radically opposed to the religion of the covenant, which holds that every moral being has its own rightful place, sphere of life and freedom in this world.”

Elazar opines that covenantalism underlies modern concepts of federalism, constitutionalism and republicanism. Moots argues that the fact that constitutionalism is a very strong tradition in Anglo-Saxon countries, which were profoundly influenced by Calvinism, is an indication of the fact that covenantalism was the previous form of

constitutionalism. Elazar argues that the more constitutionalism spread, the more covenantalism retreated. However, modern notion of ‘civil society’ still has covenantal elements. In fact, for Elazar, political cultures of many Western countries have covenantal elements; only France has a purely secular notion of consent. According to Elazar, covenantalism is still applicable in today’s modern world (Moots, 2010: 145-148). Moots argues (2010: 157) that the fact that Abraham Lincoln’s calling American people as “almost chosen people” is the crystallisation of the understanding of chosen people of covenant theology.

With all its democratic assets, however, covenantalism has also obviously a communitarian aspect which is contradictory to classical liberalism. Covenantalism takes society as a whole with whom God will make a covenant. Therefore, in covenantal theology, the emphasis is manifestly on a whole, viz. on society. This is totally contrary to the methodological individualism of classical liberalism. Moots defends this communal, collective characteristic of covenant theology by arguing that individual exists in community before existing in a society and, therefore, he prefers to use the word ‘person’ instead of ‘individual’ (Moots, 2010: 159). Covenantal theology presupposes corporate responsibility of the whole society before God.

In conclusion, covenantal theology has played a vital role in reviving Biblical concept of the covenant. The usage of this term in theo-political works in early modernity was the harbinger of doctrines of social contract. The legacy of covenantalism still seems to linger as the spiritual element of modern constitutionalism, civil society, federalism, democracy and social contractarianism.

6. GROUNDING LIBERALISM ON CHRISTIAN THEOLOGY: LIBERAL POLITICAL THEOLOGY OF JOHN LOCKE

The Holy scripture is to me, and always will be, the constant guide of my assent ...I shall presently condemn and quit any opinion of mine, as soon as I am shown that it is contrary to any revelation in the holy scripture. (John Locke³⁰, A letter to the right rev. Edward Lord Bishop of Worcester, Works III/96)

³⁰John Locke (1632-1704) was born into a modest Puritan family in a village in Somerset, England. After studying medicine until his adolescence, he met with the first Earl of Shaftesbury, Anthony Ashley, who became his tutelar until his death. Lord Ashley was an aristocrat who had close contact with many politicians in England, which opened the way for Locke into politics. Locke left medicine, though keeping his interest therein, and started to study and observe politics as well as becoming Ashley's counselor and the tutor of his son. He was also an instructor in Greek and rhetoric in Oxford. In 1660s, he began thinking on religious toleration and government, and wrote some writings thereon. Later he wrote on the natural law in mid-1660s. In the second half of 1660s, he visited German cities. His advantage to observe practical politics under Ashley's tutelage became helpful for him to develop his ideas on religious toleration, on interest rates and his treatises on government. In the second half of 1770s, he silently escaped to France for political reasons. In 1683, he published his *Two Treatises on Government*, his masterpiece in political philosophy, without writing his name thereon. After Ashley were arrested and died under arrest, he escaped to Netherland. Locke wrote his famous *Epistola de Tolerantia (A Letter Concerning Toleration)* in Netherland. After a couple of years, he turned back to England where he was welcomed by political circles after the Glorious Revolution in 1688. In 1689, he published his *magnum opus*, *An Essay Concerning Human Understanding* which was seen as the founder of English empirical epistemology. Then he wrote another major work, titled *The Reasonableness of Christianity as Delivered in the Scripture* in 1695. Locke aimed to answer in the *Reasonableness* some of the blames that were directed to him after his publishing *An Essay Concerning Human Understanding* as well as aiming to show the reasonableness of the Christian religion to the deists. Although many theologians and clergyman accused him of either atheism or deism, he insistently defied these charges by writing answers to them. He

In his book titled *The Theological Origins of Modernity*, Gillespie claims that modernity had in its origin theological and metaphysical presuppositions. As the central and first political and economic doctrine of modernity, liberalism shares many of these presuppositions. It is already difficult to imagine that human mind could construct a viable social theory without firstly answering the fundamental ontological questions – the point that was made in the introduction section. The aims of the first liberal or proto-liberal philosophers who contributed to the birth of classical liberalism at the dawn of modernity were to explain human behavior and functioning of society, and to make this functioning perfect (Vergara, 2014: 35). For this aim, the theology will serve as the base on which some of these philosophers constructed their ideas. Therefore van Dun calls ontology of liberalism as ‘moral ontology’ (van Dun, 2001: 1). But that, of course, is not a simple reduction that claims all presuppositions of liberalism are theological or metaphysical. Like any political and economic system, liberalism in general, and some traditions of liberalism in particular, such as Hayekian doctrine of spontaneous order, are also indebted to some materialistic presuppositions or developed by the help of some lessons derived from historical experience. In the former chapter, for example, a historical foundation of liberalism, the gradual development of religious tolerance, was examined. But as argued in the first chapter, what is meant here is that there are some insubstantiated or insubstantiable presuppositions in the centre of any theory. The reason has to necessarily start thinking and constructing a theory from a necessarily theological or metaphysical *pre-politic* ground. These links between classical liberalism and Christian theology can be revealed by means of searching for the roots of the liberal themes mostly in the early modern era.

spent his last years in countryside struggling with exhalational problems and thinking on the Scripture as well as writing answers to the charges directed against him by various theologians. He was writing his *Fourth Letter on Toleration* when he died in 1704. Locke’s ideas became extremely influential in the foundation of modern English and American political systems. American founding fathers were profoundly impressed by Lockean political ideas and left a salient Lockean mark on the American constitution. Locke was generally seen as the founder of classical liberalism (Chappel, 1999).

As the theological presuppositions in liberal political theory were mostly and firstly developed by John Locke in the second half of the 17th century, this chapter firstly examines John Locke's understanding of Christianity who was generally seen in the literature as the first liberal or proto-liberal philosopher. Later, this chapter handles with how his theological ideas and presuppositions inspired basic principles of classical liberalism.

6.1 Locke's Understanding of Christianity

First of all, the fact that Locke was accused of being a deist should be examined. One of the groups of people who has been claimed to have played remarkable role in the intellectual development of liberalism is deists who don't accept revelation, miracles, prophets and the Scripture, reject the clergy and an organised church, advocate for a natural and rational religion, believe in a creator super being and accept the notion of an unchanging human nature (Barnett, 2003: 87). According to Barnett, the traditional narration that English Enlightenment had an effective deistic movement is a misbelief that the historians have because of the fact that they wrongly believed the exaggeration of the influence of deists that deists themselves led to and that later became a myth. Barnett argues (2003: 89-90) that English Enlightenment developed more on the Lockean, Latitudinarian, Newtonian and Dissenter grounds, but less on deist ground. Furthermore, specifically in England but in other countries as well, Unitarians were also influential in the development of Enlightenment. A pioneering figure of English Enlightenment, Joseph Priestley, was a Unitarian and harbours liberal themes in his thought. Plus, Locke was blamed with being a Unitarian since he didn't listed Trinity in his list of minimum dogmas of Christianity. Barnett argues (2003: 97) that the number of Unitarians was on the rise in England in the last decades of 17th century. Understandably, Unitarianism seems to be more congruent with Newtonian understanding of clockwork universe.

Locke defended himself against accusations of being a deist by saying that he wrote his *Reasonableness of Christianity as Delivered in the Scripture* against deists. Considering the accusations Locke faced then, it is generally disbelieved in the literature today that

Locke was really a deist, but Locke has certainly influenced deists after him, and therefore, some regard him as the precursor of English deism and religious rationalism. Sir Leslie Stephen, described Locke as a ‘rationalist to the core’ and listed his work, *The Reasonableness of Christianity*, under the rubric of constructive deism. An American, Sterling Power Lamprecht, argued that Locke was influenced by the deists before him and influenced the deists after himself. Locke’s *Reasonableness* was seen in close resemblance with Toland’s *Christianity Not Mysterious*. Kuno Fischer, Roland Stromberg and Gerald R. Cragg argued that the arguments Locke developed in the *Reasonableness* were taken up to their rational consequences, one year after the publishing of the *Reasonableness*, in 1696 by Toland and, as a result, theological rationalism emerged (Stewart, 1999: xxvii-xxviii). According to Didier (2009: 73), English deism has taken inspiration from Locke’s idea of liberty and his rationalism. Çetin argues that, even though Locke has never written in any of his works that he was a Unitarian, the fact that Locke has been in close contact with some Unitarians of his time such as Thomas Firmin, Samuel Crell and William Popple strengthens the possibility that he was a Unitarian. The Unitarians who lived after Locke benefited from Lockean ideas to justify their views and Locke’s books were in the reading list of the classes of Unitarian schools between 1708 and 1850s. Plus, Locke didn’t list the doctrine of Trinity in his list of minimum dogmas of Christianity, which was severely criticised by Trinitarian theologians such as John Edwards (Çetin, 1995: 138-140) with whom Locke had many polemics on many theological topics. Furthermore, Locke wrote that he could not find any evidence for the doctrine of Trinity in the Scripture; for this reason, Hall, Mclachlan and Montuori listed Locke under the rubric of Unitarian philosophers (Çetin, 1995: 144-145). Locke, in a letter he sent to his close friend Limborch, wrote that he (Limborch) knew what he (Locke) thought about the Trinity of God; but he (Locke) liked to live in peace and far from conflicts (Çetin, 1995: 149). Considering the fact that accepting Trinity was a statutory obligation at that time in England and rejecting it led to imposition of a punishment, it is obvious what Locke meant by saying he liked to live in peace; he was certainly a Unitarian. Therefore, Çetin argues (Çetin, 1995: 155) Locke was not a deist, but a theist, viz. Unitarian. Against John Edwards’ accusation of being a

Socinian, Locke said there was nothing about this in his book and had polemics with Edwards.

Locke has nowhere in his writings rejected the doctrine of Trinity, but he probably saw Trinity as one of the doctrines that was added to the original Christianity. Some clergy directly charged Locke with atheism. In a correspondence between Locke and his friend Edward Stillingfleet, Stillingfleet wrote to him “I do not believe that you aimed something that will be beneficial for the adversaries of the Christian creed; but it will be appropriate for you to think whether there is a very convenient situation for them to use your principles in that way (Woolhouse, 2011: 447-455).” Similarly, a reverend named Thomas Burnet attacked on Locke’s *An Essay Concerning Human Understanding*, asking how Locke who argued in his *Essay* that all the information except revelation were obtained through senses could know what good and evil were (Woolhouse, 2011: 458). Locke, in return, said that nothing could be deduced about religion from the *Essay*, that religion’s sphere was not knowing in the first place, but it is believing, that therefore the exactness that he searched for in the *Essay* was not in question for the religion, that the exactness was in question in ‘knowing’, viz. in the sphere of reason (Woolhouse, 2011: 456).

Similarly Dr. Sherlock Holmes accused Locke by arguing that the idea that there was no innate ideas was an invitation to atheism (Woolhouse, 2011: 529). Locke, again during a correspondence between Stillingfleet, argued that Stillingfleet’s claim that the same nature was present in different individuals was wrong, adding that each feature of individuals is particular, which, by implication, meant that Locke was inclined to nominalism (Woolhouse, 2011: 457).

Lastly, it could be argued that Locke was strictly adherent to one of the fundamental principles of Protestant reformation, viz. *sola scriptura*. He said that, if any piece of his writings was proved to be contradictory with the Scripture, he would blame himself and quit the contradictory idea at once (Woolhouse, 2011: 437-438). Moreover, Locke distinguished even among the chapters of Bible; he extracted his list of minimum dogmas of Christianity only from four Gospels of Bible, viz. Matthew, Mark, Luke and

John, not from the Epistles of Paul. He saw the *Epistles* as the mixture of revelation with individual thoughts. Plus, while making his list in question, he focused very much on where the doctrine of Christ was explained rather than focusing on where the life of Christ was narrated (Stewart, 1999: xxii-xxiii, 166).

Locke listed those minimum dogmas in his *Reasonableness* that he wrote in the last years of his lifespan. For Locke, these minimum dogmas were the existence of God, that Jesus was the Christ, has risen to the heaven, was the ruler of the believers and the judge of the future. According to Locke, one who believed in those dogmas became a Christian and then came the consequential belief in the truth of the Scripture (Stewart, 1999: 14). Locke implied in his *A Second Vindication of Reasonableness of Christianity*, a work that he wrote to defend his views in the *Reasonableness*, that Christianity included deism:

As men, we have God for our king and under the law of reason: as Christians, we have Jesus the Messiah for our king and are under the law revealed by him in the gospel. And though every Christian, both as a deist and a Christian, be obliged to study both the law of nature and the revealed law ... (Locke; quoted by Strauss, 1965: 203).

It is one of the prevalent convictions in the literature that Locke rejected Descartes' Cartesian constructivist rationalism depending on his empiricist epistemology. For example, Locke, in one of his letters, ridiculed with the idea of those who he called as Cartesians that horses, elephants and other animals were machineries (Woolhouse, 2011: 183, 191). For this reason, it is certain that Locke was not a Cartesian rationalist. Firstly, Locke didn't take his rational theological presuppositions up to their rational ends. Secondly, his claim that there were no innate ideas was the fundamental argument of empiricism which is directly opposed to the epistemological rationalism. Thirdly, Locke accepted revelation as a category of information, and believed in the miracles. In conclusion, Locke developed a more moderate rationalist understanding of religion, having an optimistic image of merciful God who intervenes in the nature very rarely, by miracles, thereby approaching to the Newtonian concept of mechanical universe, but not fully adopting it.

Barnett remarks that there is a consensus in the literature that English Enlightenment did not develop in hostility against religion and gives the examples of Locke and Newton, two of the pioneering figures of the English Enlightenment, who were also devoted Christians. Moreover, Barnett argues (2003: 122) that religion affected science more than science affected religion in the British Enlightenment, specifically in Scottish Enlightenment. The vanguards of science in Scotland was from amongst the priests. The most reputed scientist-priest figures of the age of Enlightenment were David Hartley, Richard Price and Joseph Priestley. Some of the scientists at that time such as Newton were from the Dissenters. According to Barnett (2003: 122-123), Dissenters and Dissenter Anglicans were protruding with the multitude of their numbers among those who wrote on philosophical, political, scientific and theological issues. Fitzpatrick claims (1990; cited by Barnett, 2003: 123) that Dissenter Protestantism, heterodoxy and Enlightenment were closely interconnected. Roy Porter similarly points out to the conservative character of the English Enlightenment (Barnett, 2003: 107). For example, Robert Boyle (1627-1691), a prominent English chemist, natural philosopher and physicist, has written about the limits of reason in a theological context. He argued that there are three categories of knowledge that are beyond human reason, which Boyle called as “things above reason”; these are the incomprehensible, the inexplicable, the unsociable. According to Boyle, chemistry, physics and theology are different aspects of the same body of knowledge and God created human reason inherently incapable of reaching some parts of knowledge (Wojcik, 2002).

Barnett (2003: 85) narrates the emergence of stable two party system in England to demonstrate how religion played a major role in shaping English intellectual and political arena. Accordingly, English two party system has risen out of the situation where there were two big religious groups. In 1672, when England allied with Catholic France and declared war against Protestant United Provinces, i.e. Dutch Republic (1581–1795), the Protestant sentiments of English society were agitated. Dutch king provoked these sentiments in the English society with propagation, aiming to paralyse the English king. Facing the threat of an arousal of Protestant dissidence, the parliamentarians divided into two groups. The first group represented the Dissidents while the second one

represented Anglicanism and monarch; they would later be called as Whigs and Tories respectively. Whigs defended liberal policies while Tories were monarchy-friendly conservatives. So, English two party system was mainly the product of religious cleavage. After this arousal of Protestant sentiments and cleavage, Catholic king James II was forced to be replaced with Protestant William of Orange; the demands for more tolerance for non-Anglican Protestants were made and, the result was, although its effect was limited, Toleration Act of 1689.

At that time, Locke was a watchful observer of this political chaos. Hashemi says (2012: 70-71) Locke was also an indirect participant in the political arena as well as being an observer and analyser. In the civil war fought between the Stuart monarchy and parliament advocates between 1642-1660, Locke sided with the latter. Locke was, exactly, between a passing era of faith and a dawning era of Enlightenment. In the years he lived, scientific revolution was dawning in Europe. In such an atmosphere in which political and theological matters were mingled, when British political system was taking its shape, he endeavoured to build a viable political theory by which a political system that all sections of the society would accept would be created.

After a short history of the relation between religion and politics in Britain, how theology shaped basic presuppositions of Locke, who, laid down the fundamental principles of liberalism for the first time, could be examined. Yürüşen defines Locke as a “sincere Christian believer”, who gave importance to rationality, in the foreword he has written for the Turkish translation of Locke’s *A Letter Concerning Toleration*. According to Dunn (2011: 13), Locke tried to show the people that their living in the nature rationally required their being Christians.

Dunn argues (2011: 114) that, in the very basis of Locke’s ideas, his faith lied. Accordingly, Locke, whose father was a Puritan, had Puritan sensitivity in his youth and centralised the notion of vocation in his life. Locke told that his mother was a “very pious woman”. His father probably thought much about the Puritan theological issues of his time, but there is no evidence that Locke did the same when he was a child. Although it isn’t known whether Locke was interested in theology or not in his childhood, it is

certain that he spent much time on theological matters throughout his life. Out of the 3500 books he collected throughout his lifespan, 24% (870 books) were about theology, 11% (402) were about medicine, 6.6% (240) about philosophy of nature, 10.7% (390) about politics and law, and 4% (269) about philosophy (Dunn, 2011: 34). It is striking to see that he had more books in theology than in politics and law. These figures are revealing about how much Locke was interested in theology.

Locke (1999: 37) saw revelation as a source of knowledge and deemed miracles as God's intervention into the nature. According to him, the function of miracles was to make people believe in the prophecy of God's Messengers. In this sense, Jesus Christ has also demonstrated some miracles. But at the same time Locke was suspicious about the events called miracles; he argued that some sucked advantage out of so-called miracles (Çetin, 1995: 90). According to Locke, the first way to check if a word was revelation or not was to see if it had miracle; second way was to test it with reason. According to Locke, there could be no discrepancy between true revelation and evidential derivations of reason (Çetin, 1995: 91). But it is significant to notice that Locke didn't claim that any revelation could be verified with reason; his claim was that revelation could not contradict reason. Therefore, Locke rejected the saying "*Credo, quia impossibile est.* (I believe, because it is impossible.)" The idea that revelation could not be contradictory with reason made Locke the harbinger of modern biblical criticism (Çetin, 1995: 92-94). Newton and Locke made a discussion on whether the miracles in Old Testament really took place. The importance of this debate was that miracles point to an intervening God who didn't step aside after once creating the universe, but, to the contrary, intervened in the course of events to change the course into the way he wanted if miracles in Old Testament really occurred (Woolhouse, 2011: 365). As far as his works suggest, Locke thought that the universe was functioning within a determined set of rules; however, God sometimes intervened into the world by prophets and miracles. Locke said "I accept miracle as a sensible event that transcends beyond the comprehension of its observer and against the constructed order of the nature (Çetin, 1995: 160-161)."

According to Locke, every believer could test the fundamental dogmas of Christianity with his mind without needing any other authority and could believe in them on his own. This was a distinctly Protestant stance. In *An Essay for the Understanding of St. Paul's Epistles*, Locke wrote (1823: VIII/22):

If I must believe for myself, it is unavoidable that I must understand for myself. For if I blindly, and with an implicit faith, take the pope's interpretation of the sacred Scripture, without examining whether it be Christ's meaning, it is the pope I believe in, and not in Christ; it is his authority I rest upon; it is what he says I embrace: for what it is Christ says, I neither know nor concern myself. It is the same thing, when I set up any man in Christ's place, and make him the authentic interpreter of the sacred Scripture to myself .

According to Locke, revelation had a kind of knowledge that was beyond reason's reach; therefore, reason only was not enough to lead a Christian life. Revelation was a must. In 1661 when he was a lecturer of Greek language in Oxford, he wrote an article in Latin titled "*Is it necessary for church to have an infallible exegete of the Holy Book? No* (Woolhouse, 2011: 56)." Locke, at that time already was thinking on the ecclesiastical matters and criticised the papal authority. He thought on the demarcation line between the reason and revelation. According to him, since our *ideas* were imperfect and deficient, there were some realities that our reason could not understand. The functioning of our mind and activities of God were among these realities. However, revelation should only be resorted when needed, because reason was, to much extent, enough to live in this world. We ought to resort to revelation when our reason cannot get the information needed. In an article he wrote on atheism, he said that he couldn't understand how a man couldn't take notice of the existence of God by using his reason (Woolhouse, 2011: 144-148). In parallel to that, his imagination of the state of nature was a world where all the human beings were the creatures of an omnipotent God and servants sent to the world to do his works (Woolhouse, 2011: 215).

Locke found Calvinist dichotomies such as true faith - common faith and the saved - the damned unreasonable and rejected them. According to Locke, who is from the saved and

who is from the damned cannot be known until the Day of Judgment. By implication, there is no use to talk about them. Furthermore, he warned those who deemed themselves as the saved that they would ignore their responsibilities. Therefore, he writes (1999: xviii):

I cannot see of what use the Doctrine of Election and Perseverance is unlesse it be to lead men into præsumption and a neglect of their dutys being once perswaded that they are in a state of grace, which is a state they are told that they can not fall from. For since noe body can know that he is Elected but by haveing true Faith and noe body can know when he has such a faith that he cannot fall from, Common and Saving faith (as they are distinguished) being soe a like that he that has Faith cannot distinguish whether it be such as he can fall from or noe ... Who is elected or had faith from which he can not fall can only be known by the event at the last day, and therefor is in vain talked of now till the marks of such a faith be certainly given.

The doctrine of *predestination* that Calvin and Luther put forth is totally contrary to the justice theories of classical liberalism. According to the doctrine of predestination, there are two classes of people as those saved by divine grace and those damned by divine damnation. In the beginning of every person's life, whether he is from the saved or from the damned is determined; those who are damned by God can not escape their fate. The reason why Calvin and Luther developed this doctrine and advocated passionately for it was tactical, not intellectual; they aimed to obliterate the Catholic practice of selling indulgence. If everybody's fate is divinely determined on the onset of his life, there will be no need to buy indulgence. After reformers' attack on this practice, gradually this practice lost its socio-theological significance in Europe, and Locke, a century after reformation, although he was a devoted Protestant, rejected the doctrine of *predestination* decisively by saying "God will render to every one, how? according to his deeds (Locke, 1999: 11)" adding the example of Matthew 16:27 saying "For the Son of Man is going to come in his Father's glory with his angles, and then he will reward each person according to what he has done."

6.2 His Premise that Men were created in the State of Absolute Equality

There are far-reaching consequences of Locke's rational theology and Protestant creed. Firstly, since everybody, without distinction, was seen as equal creatures and servants of God, the result was, naturally, radical liberty and equality, nobody being in nobody's property. Therefore, between no-one, there could be a status of dominance in the state of nature. While depicting his state of nature, Locke writes; "There cannot be supposed any such subordination among us, that may authorize us to destroy another, as if we were made for one another's uses, as the inferior ranks of creatures are for ours (Locke, 1824: 4/341)." Therefore, since each man is an end in himself and all people are the property of God, no-one can use any person as a means as if a person belongs to another one like his property. According to Waldron (2002: 6), Locke justified the absolute equality of people with a very powerful theological axiom that God created man in his own image (*imago dei*) and equal. Locke asserts that God created human beings in a state of equality; thus, everybody is lord, everybody is king.

Likewise, Arnhart speculates about Locke's justification of absolute equality and compares it with Darwinist social philosophy. Darwin argues in his seminal work *The Descent of Man* that the distinction between apes and human beings is not a difference of type, but a difference of degree; in other words, apes and human beings are two members of the same sort of animals whose brains' degrees of acumen are radically different from each other. Darwin's leading student, Thomas Henry Huxley, and Theodosius Dobzhansky, a prominent modern Darwinist biologist agree with this argument, despite enjoying nuances. This argument regards the dominance of those who are more clever, powerful, adaptable etc. over those who are less so as normal and congruent with nature. The argument that apes and human beings are the same type of animals will result in that more clever, powerful etc. human beings have the natural right to dominate over less clever, powerful human beings – a result that Arnhart (2013: 190) says Locke would not accept. Arnhart's reasoning implies that, considering the Darwinist argument without falling into trap of anachronism, the fact that Locke regards human beings as a different type of creature from apes requires a different premise from

Darwin. Without this premise, the result could be, for example, that all animals including the human beings are of the same type and as they are all the servants and creatures of the same omnipotent God, no-one of them has the right to use another animal as a means; all animals including the human beings are in a state of absolute equality. The reason why Locke didn't go that much in his reasoning was that he deemed human beings as the *imago dei*, created radically different from all other animals, having the most honorable status on earth, thereby having the right to use other inferior creatures as a means for their ends such as eating a chicken or riding a horse. Under the absolute equality of human beings and their difference from other animals lies Locke's basic premise that God has given all the things on earth to man to let them live in comfort and ease, which is perspicuously a Christian belief. Dunn (1982) also agrees with Waldron's assertion that Locke's premise under his doctrine of absolute equality of men is a Christian belief. Although many modern writers see the theological premises or themes in Locke's theory as a requisite of the time he was living in, and therefore contingent, not inherently and fundamentally necessary for Locke's theory, Waldron, in his book titled *God, Locke and Equality: Christian Foundations in Locke's Political Thought*, argues (2002: 12-13) that it is impossible to build a theory of equality of men without theological axioms, which means the theological premises in Locke's theory was not contingent, but fundamental and *sine qua non*.

In the same book, Waldron writes that he was astonished to hear Alasdair McIntyre saying in Carlyle conferences in Oxford in 1982 that Locke's arguments pertaining to the individual rights and basic equality of men were mingled with theological themes to such an extent that it would be improper to teach Lockean philosophy in American state schools. Waldron thinks that McIntyre is right; it is quite normal that political works of a philosopher who considered the people as "all the Workmanship of one Omnipotent, and infinitely wise Maker; All the servants of one Sovereign Master, sent into the World by his order and about his business", which is apparently deeply intermixed with Christian theology, would be wrong to be taught in 'state' schools. Waldron justfully argues that if the theological premises in Locke's works are bracketted, there will be no theory of equality that is defensible. Waldron therefore

doesn't agree with Rawlsian argument in *Political Liberalism* that the doctrine of equality could both on theological ground and on secular ground be defended. According to Waldron, modern secular liberalism bracketed all kinds of theological and metaphysical premises and, by this way, weakened itself (Waldron, 2002: 44-45). Locke's depiction of state of nature in which all men are absolutely equal, no-one having dominance over another, was with no doubt a radical depiction in Locke's time when monarchy as a political regime was the norm of politics. Waldron agrees with Richard Ashcraft who claimed that Locke's political thought was more radical in his time than generally supposed and was close to that of *Levellers*³¹ (Waldron, 2002: 84). The importance of this radical theological depiction was that Locke build all his political theory in his *Second Treatise* on this absolute equality of men in the state of nature. As Waldron argued, Locke's starting point was this absolute equality in the *Second Treatise*.

McIntyre's words might be non-exaggeration. According to Ian Shapiro, for example, reading Locke may urges us to think that we have closer ties with our past than we suppose (Hashemi, 2012: 102). Hashemi observed that Locke resorted to non-Christian philosophers such as Cicero and Aristoteles to look for support for his arguments, but

³¹ "The Levellers agitated for social, political, and economic reform during the English civil war. They advocated a representative national government based on frequent elections and a broad franchise. They called for a written constitution that guaranteed freedom of conscience, banned trading monopolies, and prohibited military conscription, and they sought to eliminate the political power of the king and House of Lords. The Levellers did not describe themselves as democrats, liberals, or republicans, but they gave voice to essential aspects of each of these modern theories of government. As a political movement, the Levellers were important for what they did as well as for what they said. They organized petitions that challenged the supremacy of Parliament. They mobilized soldiers and junior officers, disputing the authority of commanders. And they published pamphlet after pamphlet, hundreds in all, to educate and energize the English people. Although the Levellers did not use terms like *popular sovereignty* and *the public sphere*, they helped create the settings within which these concepts thrive. The leaders of the Leveller movement—John Lilburne, Richard Overton, and William Walwyn— first became acquainted in 1645. Individually and then collaboratively, they argued for freedom of conscience and religious toleration. Starting from these spiritual and ecclesiastical concerns, they turned quickly to reconsider basic postulates of the English polity (Houston, 2010: 794)."

the figures to whom he resorted by giving name were only Christians like Jesus and Hooker. Locke, for example, strove to develop his understanding of Christianity, that he explicated in the *Reasonableness*, without depending on any thinker, relying fully on the Scripture. It is to such an extent that, his intimate friend James Tyrell told that, given the fact that Locke wrote by giving few references to any other work except the Scripture, an anonym text whose margins were full of references could not belong to Locke (Stewart, 1999: xix).

According to Hashemi, Locke made its greatest contribution to political authority at the dawn of modernity by predicating his theory on theological grounds. His arguments about family, consent, property, freedom of conscience and belief, ethical ground of legitimate political authority – all depend on reinterpreted Christianity. Hashemi argued (2012: 68) that this point has been generally overlooked or forgotten. Sandoz similarly argued (1972: 3) that Locke's *Second Treatise* was a work on civil theology rather than on political theory, and this fact revealed the claimedly elusive character of Locke's political thought. The tendency to think that the theological cannot be universalised, a conviction of secularism and scientism, resulted in ignoring theological premises and themes in the philosophies of some philosophers such as Locke who made great contribution to the birth of liberal political theory.

6.3 His Refutation of Absolute Monarchy by Depending on the Scripture

Once the absolute equality of men is accepted in the state of nature, it becomes necessary for *de facto* ruler to find a legitimate reason to rule the others. This fact has urged Locke to refute monarchy by considering it as illegitimate dominance of a man over its equals. Since the absolute monarchy, by nature, gives to monarch the right to take properties and lives of subjects, Locke argues that, considering that the right to take lives and properties of the individuals belongs exclusively to God, and therefore, absolute monarch is contradictory with the law of nature that God has embedded in the creation. Locke's doctrine of law of nature and how he build his political theory on that doctrine is to be examined in detail in another chapter; therefore, it is enough here to tell that Locke considered the absolute moral equality, equal dignity and value of human

beings as two principles of the law of nature that is consistent, according to Locke, with the divine law. In the state of nature, individuals have the right to life, freedom and property which God has given to them. Individuals punish those who violate these fundamental rights collectively in the state of nature, which is the enforcement of the law of nature. But since the people are donated with the sentiment of revenge, new violations will emerge during the punishment of the guilty, which will result in the breakup of the state of peace in the state of nature. Therefore, by a social contract individuals give their right to punish the perpetrator to a civil authority in order to better protect their fundamental rights as well as preserving the state of peace. However, in absolute monarchy, civil authority doesn't only have the duty to punish the transgressors, but also has the right to everything that individuals have including their lives and properties, which is an inherent feature of the absolute monarchy. Consequently, Locke argues that absolute monarchy is against the law of nature, and thus, against the divine law. According to Locke, it is obvious in the absolute monarchy that the monarch could take the lives, freedoms and properties of his subjects without law. In England, the authority of monarch was limited to some extent with bloody historical events, and some documents such as Magna Carta Libertatum and Bill of Rights as well as with the parliament that emerged with the aim of restricting the authority of the monarch. Nonetheless, in 17th century England, the monarch could still exile his opponents, or take their properties or, even, murder them. In the five-year tenure of Mary Tudor, many Protestants were exiled into the continent, the properties of many were confiscated and many were murdered. With the change of each monarch, the members of a particular denomination were still manifestly threatened. But God has given to no-one the right to take one's life and property; only He can take them. Seeing the monarchs could do the same, Locke argued absolute monarchy was incompatible with the Scripture and Christianity; therefore, Christians could not have the right to consent to a regime that was incongruent with their religion.

In fact, Locke thought, in 17th century England, that many subjects didn't give their consent to the monarch consciously as they were wound up in the millennium-old political traditions. Therefore, what Locke aimed to do was to make them conscious

about the government and legitimate political authority. He thought that it was extremely dangerous to give wrong ideas about the government to the people. At that time, there were also some people who gave their consent consciously to the monarchy, viz. aristocrats. The mentor of those people was Robert Filmer. Locke wrote his *First Treatise on Government* to refute Filmer's *Petrarcha* in which Filmer undertook the legitimisation of the absolute monarchy. Waldron said (2002: 189) that Locke wrote 120 pages to refute Filmer's 6-page argument that monarchy was the political regime prescribed in Genesis; and in this 120 pages, namely in the *First Treatise*, there are only 10 pages where the focus was not the Scripture. In parallel to that, Dunn argued (1982; cited by Waldron, 2002: 81) that, in both *Treatises*, although Jesus and Paul were not openly visible, their presence could not be overlooked in the text.

Depending on Genesis 1:26 saying "Then God said, 'Let us make mankind in our image, in our likeness, so that they may rule over the fish in the sea and the birds in the sky, over the livestock and all the wild animals, and over all the creatures that move along the ground.'", Filmer, in his *Petrarcha*, argued that God has given to Adam absolute sovereignty over all other creatures including the human beings and this sovereignty was inherited by his sons, making them kings on earth. Therefore, since kings took the right to rule from Adam, and Adam directly from God; the kings took their right to rule indirectly from God. Locke argued (2007: 30) that Filmer misinterpreted the verse, since God should have meant with the word "them" in the verse not all the monarchs, but all the people created, adding that Filmer distorted meaning of the verse so as to legitimise the monarchy. On the contrary, according to Locke, let alone monarchy, there is no mention to a specific political regime, or no prescription thereof in any part of the Scripture (Locke, 2007: 3). Locke said (1824: IV/214) in the *First Treatise* "Scripture or reason, I am sure, do not any where say so, notwithstanding the noise of divine right, as if divine authority had subjected us to the unlimited will of another." In another page of the same book, Locke argues that Filmer justifies monarchy not on the Scripture, but on his fantasy. Locke writes (1824: IV/321):

The scripture says not a word of their rulers or forms of government, but only gives an account, how mankind came to be divided into distinct languages and nations; and therefore it is not to argue from the authority of scripture, to tell us positively, fathers were their rulers, when the scripture tells no such thing; but to set up fancies in one's own brain, when we confidently aver matter of fact, where records are utterly silent.

Filmer's second argument to defend regime of monarchy was that a father has the right to rule over his child since the father has given life to him, which meant that Adam was the ruler of his children. Adam bequeathed his right to rule to his sons, and sequentially, monarchs on earth inherited this right, which means they have the right to rule their subjects. The monarchs have inherited this right indirectly from Adam, and thus it is from God. Answering this, Locke argued that a father does not give life to his children, that it is only God who creates human being and gives life to him, that father is responsible only for looking after his children in their childhood and that this responsibility ends with the growing-up of the children. Since it is only God who can create and give life to human beings, no-one except God, argued Locke, should have the right to take life back. Therefore, the monarchy that inherently has the right to take the lives of its subjects is against the law of nature, and by implication, against the divine law. Monarchy, as a regime, should be eradicated from earth (Locke, 2007: 56).

Hashemi argues that Locke wrote his *First Treatise* to refute Filmer's doctrine of divine right of kings, and his *Second Treatise* to construct a proto-liberal democratic theory instead. Accordingly, Filmer put forth basically two arguments in his *Patriarcha*: Firstly, God has given to Adam the right to rule over all creatures on earth and this right came linearly down up to the Stuart monarchy. Secondly, monarchical rule is absolute and bears resemblance with the rule of father over his children; thus, patriarchal rule is equivalent to the monarchical rule. In the *First Treatise*, Locke says to Filmer who argued in *Patriarcha* that he derived both arguments from the holy writ, that Filmer did nothing to support his claim of divine right of kings but repeating the claim itself again and again. For Locke, repeating a claim, viz. divine right of kings, neither justifies nor

proves it. According to Locke, Filmer distorted the holy writ, and then, his wrong political exegesis was popularised by those who benefited from absolute monarchy (Hashemi, 2012: 82-83).

Answering to Filmer's claim that the Scripture ordains monarchy as a political regime, Locke, as aforementioned, said that there was not even a mention to a particular system of governance in the holy writ. Filmer had argued that God had given to Adam the right to rule when he descended on earth. Locke argued that this was a wrong exegesis of Genesis, adding that a reasonable and true interpretation would be not like that. According to Locke, it could not be expected that God give to Adam the right to rule when He deported him from the Eden due to the original sin. What could be expected was that God give to Adam not a sceptre to rule, but a shovel to earn his living on earth since he was thrown into the world due to the original sin. Plus, Locke said he didn't agree with Filmer's argument that men rule over the women depending on a verse of the Scripture saying "To the woman he said, 'I will make your pains in childbearing very severe... Your desire will be for your husband, and he will rule over you (Genesis 3:16).'" Locke argued that this verse was not prescriptive, but descriptive; that is, it didn't mean that men should rule over women. According to Locke, Filmer's argument required that there would be as many monarchs as there were husbands on earth, which is an evident nonsense (Hashemi, 2012: 84-86).

In his political theory, Locke has taken the 'individual', not wholes such as society, state, nation etc. as the center of his doctrines, and based his theory, before everything, on the premise that human being is the most honorable creature of God, created in His image. One of the results of that was the idea that *raison d'être* of government was the benefit of individuals. Already in the state of nature do the individuals have fundamental and inalienable rights, but so as to protect their rights better, they go under government with their consent. Therefore, Locke argued that government was for the people, giving the verse Epistle to the Romans 13:3 saying "For rulers hold no terror for those who do right, but for those who do wrong." as an example. Human beings cannot be taken under government without their consent since in the state of nature they are in absolute

equality. There is no legitimate reason for one to rule over another except the latter's consent. As God is a greater authority than kings which means the law of nature, as a part of divine law, is higher than the law of kings, which means the kings have to obey the divine and natural law. In his *Second Treatise*, Locke said (1824: IV/454):

I will not dispute now, whether princes are exempt from the laws of their country; but this I am sure, they owe subjection to the laws of God and nature. Nobody, no power, can exempt them from the obligations of that eternal law. ...whatever some flatterers say to the princes of the world, who all together, with all their people joined to them, are in comparison of the great God, but as a drop of the bucket, or a dust on the balance, inconsiderable, nothing.

That Locke has rendered the 'individual' the center of his political theory has also reflection in the chapter titled '*Of Conquest*' in the *Second Treatise*. In this chapter Locke argues that the inhabitants of a land cannot be made subject by the unjust conquerors of that land, that the unjust conquerors of a land do not have the right to rule over the inhabitants of that land. Accordingly, "it is plain, that he that 'conquers in an unjust war, can thereby have no title to the subjection and obedience of the conquered' (Locke, 1824: IV/445)." In another page of the same chapter, he further writes (1824: IV/455):

Whence it is plain, that shaking off a power, which force, and not right, hath set over any one, though it hath the name of rebellion, yet it is no offence before God, but is that which he allows and countenances, though even promises and covenants, when obtained by force, have intervened.

Locke supports his arguments by giving the examples of Ahaz and Hezekiah from the Scripture. He wants a ruler who will use his authority to protect the rights of the individuals (Dunn, 2011: 81).

Didier asserts that Locke's epistemology and political theory inseparably necessitate each other. An absolutist political theory cannot be expected to emerge from Lockean epistemology. In his philosophical *magnum opus* titled *An Essay Concerning Human*

Understanding, Locke argues that human mind is a *tabula rasa* at the time of birth, that it has no *innate ideas* on it, that it cannot obtain any knowledge were it not for the inputs coming from the senses, that therefore any kind of information except the revelation is obtained by means of the phenomena, which made Locke the founder of modern empiricist epistemology. Locke started developing his epistemology by classifying the *ideas*, which he defines as any thought in the mind, into two categories as *simple* and *complex ideas*. Human mind can by no means have or produce knowledge without inputs coming from the senses. In any case, a phenomenon is needed. Relying on his observation that there are people such as the Chinese and the Siamese who do not have a notion of God, Locke argues that even the idea of God is not an innate idea, but it is a *complex idea* that mind reaches by bringing sense-experiences together. During a correspondence between Locke and his friend William Molyneux, Molyneux asked Locke whether a blind man who can distinguish a cube from a globe by the sense of touching could distinguish the first from the latter only by sight if he began to see suddenly. Locke answered in the negative. According to Locke, a blind man who begins to see have to obtain the idea of shape, viz. of form, by touching-experience before being able to distinguish the distinction between the form of a cube from that of a globe (Didier, 2009: 11). Furthermore, according to Locke, human beings are not able to know the order of the things completely; this order can only be known by God. God has placed in this order something inconvenient for us to know (Didier, 2009: 46). Locke's stress on the limits of pure reason, and his empiricism have prevented his philosophy from giving birth to a strictly rationalist, and therefore, totalitarian political theory. For that reason, Didier argued (2009:36) that Lockean philosophy is very unlikely to lead to an authoritarian or totalitarian political regime. It is also striking to see, at the same time, that these Lockean ideas resemble with a couple of later liberal doctrines such as spontaneous order, the complexity of knowledge and free market.

6.4 The Theological Premise under the Lockean Right to Private Property: the Biblical Idea of *Imago Dei* (Image of God)

Locke (1824: IV/353) also bases the right to private property on a theological premise. Locke sees human beings as the most honorable creatures God has created, as aforementioned, which is a distinctively Christian idea, the idea of *imago dei*. This idea leads him to argue that all other things except human beings are given to man for their lives and their comfort on earth. He says, “God, who hath given the world to men in common, hath also given them reason to make use of it to the best advantage of life, and convenience. The earth, and all that is therein, is given to men for the support and comfort of their being.” After this evidently theological ontological hierarchy, Locke explains (1824: IV/356) the basis of the right to property:

God, when he gave the world in common to all mankind, commanded to man also to labour, and the penury of his condition required it of him. God and his reason commanded him to subdue the earth, i. e. improve it for the benefit of life, and therein lay out something upon it that was his own, his labour. He that, in obedience to this command of God, subdued, tilled, and sowed any part of it, thereby annexed to it something that was his property, which another had no title to, nor could without injury take from him.

Therefore, the Lockean justification of property is based on the obedience of man to the divine commandment that human beings that is the most honorable creature of God should maintain their lives. Therefore, Locke rejects that a man can possess more than what he needs, for example, more land than he can cultivate, as his property and let them decay. He writes (1824: IV/358):

He [man] had no right to ... more than he knew what to do with, or his industry could reach to. ... God commanded, and his wants forced him to labour. That was his property which could not be taken from him wherever he had fixed it. ... So that God, by commanding to subdue, gave authority so far to appropriate: and the condition of human life, which requires labour and materials to work on, necessarily introduces private possessions.

Dunn asserts (2011: 76) that, if the foundation of political authority is not divine, it is impossible in Locke's philosophy to find a legitimate ground for private property. Locke bases the right to private property on the premise that God has given the world commonly to all mankind in order that they have the greatest benefit possible from it. Accordingly, the world is the common asset of the humanity. What separates private property from the common property of humanity is labour. However, even though an individual has made some part of the common asset of mankind his private property by his labour, he has no right to waste it.

6.5 The Theological Premise under the Lockean Right of Inheritance

Afterwards, Locke (2007: 92-93) investigates how the property of parents pass to their children after their demise although they have not shown their open consent for it and finds a basis for the right of inheritance from one's parents. Accordingly, the strongest desire God has placed in men is the desire to live. It is by means of this desire that men can have the right to private property. At the same time, God has placed in men a strong desire to have children to maintain their lineage. This desire makes the children, to some extent, the possessor of the right of inheritance from their parents. This right passes to children after the decease of their parents if the parents does not provide a specific name in advance to have this right to their property since the desire of the parents to maintain their lineage makes their property pass to their children. Afterwards, Locke, in congruence with his reasoning above, argues that all the children of Adam will have the right to his property after Adam's demise, viz. the right to equal heirdom, that, therefore, one specific child cannot hold possession of all of Adam's property; by implication, that Filmer's argument that one of the children of Adam will take the possession of all of Adam's property and have the right to rule over all others is wrong (Locke, 2007: 95). In the end, Locke, after finding a theological basis for the right of inheritance from one's parents, indirectly develops one more argument that attacks on Filmer's argumentation about absolute monarchy.

Theological premises bears such import in Locke's political theory that he rejects that an atheist could live peacefully in civil society as a member of it. According to Locke, the

substructure of government is trust; it is possible to design a peaceful government only where the people trust each other, the ruler trust the people and the people trust the ruler. Here is the evil of atheism. Atheism destroys the indispensable ground for the contracts between the ruler and the people, and amongst the people, degrading the law of nature to the interests of the individuals. For Locke, there is no justification for those who do not believe in God to trust each other; therefore, atheism is the ultimate degeneration. According to him, who thinks the more men can achieve to trust each other, the more successful they will be to able to form a peaceful society, which is the commandment of God, the distrust that atheism will bring about is an obstacle great enough to prevent the formation of a society. At the same time, Locke warns the people of the detriments that will come from each other. Locke's balance point about trust is one of the most striking examples of human acumen: the individuals should endeavor to trust each other in their personal relationships, but they should also be able to forecast when they might be betrayed (Dunn, 2011: 95-97).

In conclusion, the examination of the links between Locke's theological, political and epistemological thought has provided us with the theological justifications of liberal political doctrines such as the absolute equality of human beings in the state of nature, government based on consent of the governed, the ruler as a fiduciary, the reason as a limited faculty, men's being the most honorable creature of God, the right to private property and the to inherit the properties of their parents. Locke's theist and moderate rationalist philosophy that accepts divine interventions into the nature and revelation as a source of knowledge, conjoined with the quasi-Newtonian imagination of clockwork universe, would lead Locke to believe that there is a natural divine order that functions on its own, which will later contribute to the doctrine of spontaneous order and free market economy. His emphasis on the limits of reason, his epistemology and his accepting revelation as a source of knowledge paid theological contribution to the birth of one of the most significant principle of political liberalism, namely toleration. Therefore, understanding Lockean thought is vital for understanding the theological premises at the very foundation of political liberalism. Besides, the liberal principle of

toleration, on which Locke seems to have spent much time contemplating, deserves a closer look.

6.6 Theological Foundations of Liberal Principle of Toleration

In the chapter on the Protestant foundations of liberalism, how the liberal principle of toleration developed as a result of denominational conflicts, viz. the historical foundations of liberalism, was examined. It is argued that those conflicts incorporated the problem of religious toleration in European political atmosphere, which urged some theologians and political philosophers to find theological arguments to support religious toleration. In other words, historical developments after Protestant reformation have shown many people the drawbacks of interference of politics into spiritual affairs, of using political power for theological goals, of the attempts to take hold of political power to carry out theological goals, in short, of the convergence of politics with religion. Theological justifications for the principle of toleration came at that moment as a result of that necessity. John Locke was the first philosopher who tried to meet this theological need.

Toleration is such a fundamental principle of liberalism that Yürüşen argued (in Locke, 2012: 19) that liberalism rose as a demand for toleration and freedom of religion and of conscience in an age when there was limitless intervention into religious beliefs and sorts of prayers of individuals. It is quite normal that political liberalism, which takes individual as its theoretical starting point, leads to a pluralist imagination of society since the beliefs of the individuals will normally differentiate from one another. A religiously pluralist society can only be possible when the individuals show toleration to each other about their religious beliefs.

Almost all people thinking on theological issues in the 17th century England agree with the idea that political authority has the right and task to save the souls of people and that he has the right to intervene in theological matters. Woolhouse said that Locke, in his youth, thought in the same trend as well. Edward Bergshaw, a student of Christ Church of Oxford University like John Locke, argued in one of his work that political authority should make no regulations, no matter how small, regarding the prayers. Locke,

probably having read Bergshaw's work, after eight weeks, published his *First Tract on Government* (note that it is not his *First Treatise*, but *Tract*) undertaking to refute arguments of Bergshaw. In this work that Locke has written in his early ages, besides reasoning on natural law, reason and revelation, discussed the question whether political authority could make regulations on theological issues that holy writ doesn't explain detailedly, thereby implying that they were insignificant. Before the civil war, England had witnessed harsh quarrels between Anglicans and Puritans who advocated for a fundamental break from all kinds of rituals and doctrines of Catholicism that are about some praying rituals such as kneeling etc. Locke, at that time, hoped to end these polemics and conflicts by the intervention of political authority. According to him, so long as praying rituals were determined by denominations themselves, despotism of a religious rage would continue and there would be much bloodshed. He thought that religious freedom caused all the chaos England was witnessing at that time; therefore, he defended the right of civil magistrate to make theological regulations within boundaries of divine laws. However, he put the proviso that the regulations should be beneficial to the people and the benefit was to be determined by civil magistrate himself. Furthermore, Locke argued that an act should be enacted if it is beneficial to the people even though it is contrary to the conscience of some people; for that argument, he pointed to Paulus who said in Bible "Let everything be done in a decent and polite way." Locke's intolerant stance was also evident in a letter of him that he sent to his friend Henry Stubbe where he wrote that religious toleration would not work in practice (Woolhouse, 2011: 44-48).

Hashemi, too, emphasised that Locke was not a proponent of separation of religious affairs from political affairs in his early ages. At that time, Locke, in congruence with the doctrine of confessional state that Anglican church advocated for, argued that a state should have an official religion and was inclined to be on the side of the political authority in the conflicts between the denominations and monarchy. He also thought that religious toleration could cause social chaos. According to Hashemi (2012: 73), the fact that Locke's being consultant of the first Earl of Shaftesbury became a turning point in Locke's ideas related to religious toleration. From that moment, Locke, who became a

close observer and indirect participant of English politics, by means of the political experience he obtained, became a passionate advocate of religious toleration and of separation of religious affairs from state affairs. Besides this, it is claimed that Locke was influenced by British theologian John Owen's arguments in favour of toleration. Accordingly, Owen's liberal opinions about religious toleration and freedom of prayer influenced Locke in a way that he embraced the principle of religious toleration towards other denominations, except atheists (Yürüşen, in Locke, 2012: 16; Woolhouse, 2011: 34-36).

During his travels to continental Europe, Locke has closely seen that various religious groups were living in peace in some European cities and it is argued that this fact might have been effective in changing Locke's views about religious toleration. Locke was surprised to see in the German city of Cleves that various churches live together without friction. Before these journeys, in his tracts on government, Locke wrote "Once you free people about practicing their religion ... nothing can stop them anymore ... is not it, then, religion itself that obliterates everything other than one's own creed." But after the journeys, Locke opined differently in a letter he wrote to his friend John Strachey: "these people let each other be free to choose the way to the heaven. ... people can have different opinions without having covert hatred or rancour (Locke; quoted by Woolhouse, 2011: 72-73)."

When the first Earl of Shaftesbury, Anthony Ashley Cooper, became the Minister of Finance of England, Locke wrote his *First Essay on Toleration* (note that it is not *A Letter Concerning Toleration* which he wrote later) in 1667 upon Ashley's encouragement and upon Locke's own experiences himself, but he did not manage to finish it. He handled in this *Essay* religious toleration and theological boundaries within which civil magistrate can have a say. Compared to his previous works, Locke was more tolerant and less authoritarian in this *Essay*. According to him, a practical differentiation should be made in the way civil magistrate intervene in the sorts of prayer. Theological matters that are practical and regulate civil relations among the people could not be put in the same category with the speculative and individual theological matters such as

Eucharist (communion)³², Trinity, kneeling, purgatory³³ in terms of the intervention of civil magistrate. Locke advocated for that civil magistrate should not intervene in matters that would not pose any harm to other people and should be tolerant towards them. He wrote “Kneeling or sitting in the rite of the communion could harm the order of the state or our neighbour only as much as sitting or standing in one’s own table.” At that time in England, anti-Anglican Protestant denominations were still being harassed by political authorities. An act enacted in 1664 prohibited the forming of religious groups whose number of members exceeded five, and the punishment for perpetrators of this act was imprisonment, exile or fine. Another act enacted in 1665 prohibited Dissenter church attendants’ and principals’ living within five miles boundaries of a city. In short, although a strong Anglican church was founded after the Restoration in England, there were still religious frictions (Woolhouse, 2011: 94-96).

At the time when Locke wrote *An Essay on Toleration*, Dunn observed that political instability and religious disorder were parallel to each other in England where the people

³² “The traditional teaching of the Catholic Church on the sacrament of the eucharist, or holy communion, proclaimed by the Fourth Lateran Council in 1215, and subsequently refined and defined by the leading medieval theologian Thomas Aquinas (1225–1274), proceeded from the assumption that Christ’s words at His Last Supper, “This is my body . . . this is my blood” (Matthew 26:26, 28, Mark 14:22, 24), had to be understood in an absolutely literal sense, as coming from the very source of truth. At Christ’s command, when the “words of institution” were recited by the priest in the Mass, the “elements” or “species” of bread and wine were entirely transformed in their inner reality—their “substance”—into Christ’s body and blood, and His “real presence” was established, even though the external appearance, or “accidents,” of the elements—sight, smell, touch, and taste—remained unchanged: the alteration was a total interior transformation known as transubstantiation (Mullett, 2010: 177).”

³³ “As it had evolved up to the eve of the Reformation, the doctrine of purgatory envisaged a condition of being purified in a phase between the person’s death and his or her entry into heaven, a state in which the satisfaction still due to sins absolved in the sacrament of penance and the expiation of the lesser sins known as “venial” could be carried out. The souls in purgatory were “holy” and were on course for eternal life, and, it was “holy and devout” to pray for them “so that they might be released from their sin” (2 Maccabees 12:45); indulgences could be acquired on their behalf, and confraternities and endowed chantry chapels to celebrate Masses on behalf of donors in purgatory developed in the later Middle Ages (Mullett, 2010: 387).”

were tired of religious conflicts. Thinking that what destroyed the country was ambition of some people under the pretext of religious cause, Locke wrote his *Essay* for practice and defended that people should let themselves have their own way to go to heaven. According to Locke, each individual was responsible for his own salvation (Dunn, 2011: 54-55).

As for Locke's *A Letter Concerning Toleration*, it was published in Latin in 1689 with its Latin title *Epistola de Tolerantia* as an address to Philip van Limboorch, a Dutch opponent of Catholicism. Locke was living in exile in a district in Holland, where many opponents of Stuart monarchy were living while he wrote the *Epistola* and didn't put his name on it. Unitarian tradesman William Popple published the English version of *Epistola* very passionately since he saw it as a limitless advocacy of religious toleration and his congregation suffered much from religious intolerance. After his work's being published, Locke quarrelled from time to time with Jonas Proast, an Anglican academic, who argued that the true religion should be spread with force by political authority. Later, Locke wrote his second and third letters on toleration, and passed away while writing his fourth letter in London (Yürüşen; in Locke, 2012: 16-17).

Locke might have developed his ideas regarding toleration in the *Letter* by inspiration from the Protestant theology. But according to Yürüşen (in Locke, 2012: 20), even if it is so, Locke's ideas in the *Letter* will continue to retain their significance. For instance, a few years after Locke's publishing the *Letter*, Act of Toleration was enacted in England. Yürüşen regards (in Locke, 2012: 16) Locke's *Second Treatise* and the *Letter* on toleration as the theoretical equivalents of Glorious Revolution in 1688 and Act of Toleration in 1689 respectively.

Waldron and Hashemi point to the theological foundations of Locke's ideas concerning religious toleration. According to Waldron, Locke was convinced that showing toleration to the members of other religious groups was congruent with Christianity since Jesus and apostles forced nobody to believe in God and used peaceful means to spread their creed. Accordingly, religious intolerance is incongruent with Christianity. Locke wrote: "The toleration that is to be shown to those who are different from others

in religious matters is extremely congruent with the doctrines of Jesus who said toleration seemed abnormal for those who are so blind that they cannot see the necessity and advantage of it (Locke; quoted by Waldron; 2013: 338).

Likewise, Hashemi observes that Locke uses terms such as true religion, true Christianity, true church while advocating for religious toleration in his *Letter*. These terms imply that there are also wrong religion, wrong Christianity and wrong church. Locke distinguishes between true tolerant Christianity and wrong intolerant Christianity, which points to the fact that Locke criticised the mainstream, intolerant understanding of Christianity in 17th century and aims to have a new exegesis of the holy writ and Christianity. Locke, at the same time, develops his arguments for true tolerant Christianity on his new exegesis of the Scripture. According to him, if Christians understood the Scripture and Jesus correctly, they would develop a tolerant understanding thereof, which will put an end to the religious conflicts, and England will get rid of the conflicts fueled by religion. Locke says that the fact that traditional Christians boast about the oldness of their theological terms and places is an indication of the fact that their campaigning is not for the church, but for power. But, according to Locke, if a man utilises religion for his own greedy aims, he distances himself from being a true Christian. Hashemi finds the fact that Locke resorted to Christian theology and holy writ while developing his arguments about religious toleration very significant (Hashemi, 2012: 78-79).

In the first page of the *Letter*, Locke shows that his basis for his reasoning is Christian theology by writing that calling toleration as “the chief characteristic mark of the true church”. The reason for that is that each Christian is sure that his understanding of Christianity is the truest does not mean that every Christian has the same creed with Jesus, but means that Christians want to dominate over each other. Locke argues (2012: 27) that even though a Christian has the best exegesis of the religion, unless he shows toleration, modesty and good will towards other people, he will be distant from being a good Christian. According to him (1823: VI/6):

It [Religion] is not instituted in order to the erecting an external pomp, not to the obtaining of ecclesiastical dominion, nor to the exercising of compulsive force; but to the regulating of men's lives according to the rules of virtue and piety. ... It would indeed be very hard for one that appears careless about his own salvation, to persuade me that he were extremely concerned for mine. For it is impossible that those should sincerely and heartily apply themselves to make other people Christians, who have not really embraced the Christian religion in their own hearts. If the Gospel and the apostles may be credited, no man can be a Christian without charity, and without that faith which works, not by force but by love.

Locke argues (2012: 29) that burning in the name of God and church is totally contradictory with Christianity, that God will decide which understanding of Christianity is the truest one in the Judgment Day and before that day nobody can claim to have the truest Christianity. According to Locke, what a Christian who devoted himself to spread the true Christianity should do is not spreading his truest Christianity by obliterating other denominations, but it is working to eradicate what is clearly defined in the Scripture as evil such as adultery and idolatry. If a man who says his aim is to spread true Christianity does not spend his time for the obliteration of such evil deeds, while those deeds are being made by the members of his denomination, this situation shows that he is not aiming to spread the true church, but aiming "another thing" (Locke, 2012: 30-31). Locke (1823: VI/8) criticises declaring a man blasphemous and killing him in the name of religion as follows:

That any man should think fit to cause another man, whose salvation he heartily desires, to expire in torments, and that even in an unconverted estate, would, I confess, seem very strange to me, and, I think, any other so. But nobody, surely, will ever believe that such a carriage can proceed from charity, love or goodwill.

According to Locke, the aim of such people is not to spread true Christianity but to have a greater community that shares their creed and the evidence of this is that if they wanted salvation of souls of other people, they would not torture them to death, but would use peaceful methods to convince them into their denomination (Locke, 2012: 30-31).

Because peaceful method is God's method; if God wanted to convert people into the truest Christianity, he will be the one who will manage to do this in the most effective and easiest way. Locke implies that those who cause suffering on behalf of religion, satisfy their own greed, ambition and anger. God rejects coercion in the name of religion. Locke, in his *Second Letter Concerning Toleration*, improves his arguments with new theological elements; he gives the example of the fact that Jesus has earned his living from fishery and argues that God would have sent a powerful king instead of a weak fisher if He approved coercion (Locke, 1823: VI/84). If people are forced to believe in a particular creed, that shows that this creed is not God's work, but it is man-made since God's work does not need coercion (Locke, 2012: 64). Locke (1823: VI/15) harshly criticises forcing people to believe:

I ask, I say, whether this be not more agreeable to the church of Christ, than for men to impose their own inventions and interpretations upon others, as if they were of divine authority; and to establish by ecclesiastical laws, as absolutely necessary to the profession of Christianity such things as the holy Scriptures do either not mention, or at last not expressly command? ... but that the church of Christ should persecute others, and force others by fire and sword to embrace her faith and doctrine, I could never yet find in any of the books of the New Testament.

Again, at the expense of a long quotation, Locke (1823: VI/18-19) argues that there is no legitimate basis for involuntary intervention amongst the denominations as follows:

No private person has any right in any manner to prejudice another person in his civil enjoyments, because he is of another church or religion. No violence nor injury is to be offered him, whether he be Christian or pagan. Nay, we must not content ourselves with the narrow measures of bare justice: charity, bounty, and liberality must be added to it. This the Gospel enjoins, this reason directs, this that natural fellowship we are born into requires of us. If any man err from the right way, it is his own misfortune, no injury to thee: nor therefore art thou to punish him in the things of this life, because thou supposest he will be miserable in that

which is to come. What I say concerning the mutual toleration of private persons differing from one another in religion, I understand also of particular churches; which stand as it were in the same relation to each other as private persons among themselves; nor has any of them any manner of jurisdiction over any other, no, not even when the civil magistrate, as it sometimes happens, comes to be of this or the other communion. For the civil government can give no new right to the church, nor the church to the civil government. So that whether the magistrate join himself to any church, or separate from it, the church remains always as it was before, a free and voluntary society. It neither acquires the power of the sword by the magistrate's coming to it, nor does it lose the right of instruction and excommunication by his going from it. This is the fundamental and immutable right of a spontaneous society, that it has to remove any of its members who transgress the rules of its institution. ... if any of these churches hath this power of treating the other ill, I ask which of them it is to whom that power belongs, and by what right? It will be answered, undoubtedly, that it is the orthodox church which has the right of authority over the erroneous or heretical. This is, in great and specious words, to say just nothing at all. For every church is orthodox to itself; to others, erroneous or heretical. Whatsoever any church believes, it believes to be true; and the contrary thereunto it pronounces to be error. So that the controversy between these churches about the truth of their doctrines, and the purity of their worship, is on both sides equal, nor is there any judge, either at Constantinople, or elsewhere upon earth, by whose sentence it can be determined. The decision of that question belongs only to the Supreme Judge of all men, to whom also alone belongs the punishment of the erroneous.

Locke finds theological support for his argument that legitimate coercive power should not intervene in spiritual and theological matters. He writes (1823: VI/38):

But there is absolutely no such thing, under the Gospel, as a Christian commonwealth. There are, indeed, many cities and kingdoms that have embraced the faith of Christ; but they have retained their ancient forms of government, with

which the law of Christ hath not at all meddled. He, indeed, hath taught men how, by faith and good works, they may attain eternal life. But he instituted no commonwealth; he prescribed unto his followers no new and peculiar form of government; nor put he the sword into any magistrate's band, with commission to make use of it in forcing the men to forsake their former religion and receive his.

Another theological argument that Locke developed to justify religious toleration is, relying on the premise that Christianity is the truest religion, that the Christians will be forced into other religions where the civil magistrate is not a Christian if the civil magistrate has right to force people into believing in his own creed. He writes (1823: VI/36-37):

But idolatry, say some, is a sin, and therefore not to be tolerated. If they said it were therefore to be avoided, the inference were good. But it does not follow, that because it is a sin, it ought therefore to be punished by the magistrate. For it does not belong unto the magistrate to make use of his sword in punishing everything, indifferently, that he takes to be a sin against God. Covetousness, uncharitableness, idleness and many other things are sins, by the consent of all men, which yet no man ever said were to be punished by the magistrate. The reason is, because they are not prejudicial to other men's rights, nor do they break the public peace of societies. ... And what if, in another country, to a Mahometan or a pagan prince, the Christian religion seems false and offensive to God; may not the Christians, for the same reason, and after the same manner, be extirpated there?

At that time in England, political strife and religious intolerance was mingled into each other and many people were suffering from intervention of civil magistrate into religious matters. That means that Locke could have developed the principle of toleration only on practical grounds, i.e. on secular basis, which would also have been effective given the widespread sufferings of the people from religious intolerance. However, Locke distinctively resorted to theological reasoning. Thus, he based his arguments on a sounder foundation as well as being taken more seriously by the theological authorities.

Nonetheless, that does not mean he only used theological axioms; he also pointed to the bitter consequences of religious intolerance to support his argumentation. He writes (1823:VI/9):

I esteem it above all things necessary to distinguish exactly the business of civil government from that of religion, and to settle the just bounds that lie between the one and the other. If this be not done, there can be no end put to the controversies that will be always arising between those that have, or at least pretend to have, on the one side, a concernment for the interest of men's souls, and, on the other side, a care of the commonwealth.

Another argument that Locke developed on secular premises is that civil magistrate cannot develop a sounder exegesis of the Scripture than a lay man and, by implication, is not more competent than a lay man in terms of salvation of souls. He writes (1823: VI/26):

The one only narrow way which leads us to heaven is not better known to the magistrate than to private persons, and therefore I cannot safely take him for my guide, who may probably be as ignorant of the way as myself, and who certainly is less concerned for my salvation than I myself am. Amongst so many kings of the Jews, how many of them were there whom any Israelite, thus blindly following, had not fallen into idolatry, and thereby into destruction? ... the magistrate does not now enjoin the observance of his own decrees in matters of religion, but only the decrees of the church. Of what church, I beseech you? Of that which certainly likes him best.

Locke writes (1823, VI/14) "the right of making its [church society's] laws can belong to none but the society itself, or at least, which is the same thing, to those whom the society by common consent has authorized thereunto." He argues that government can only be interested in civil needs of subjects such as right to life, liberty and private property. Therefore, it cannot make any regulation regarding the souls. Locke lists (1823: VI/10-12) the reasons for that:

First, Because the care of souls is not committed to the civil magistrate, any more than to other men. It is not committed unto him, I say, by God; because it appears not that God has ever given any such authority to one man over another, as to compel any one to his religion. Nor can any such power be vested in the magistrate by the consent of the people; because no man can so far abandon the care of his own salvation as blindly to leave it to the choice of any other, whether prince or subject, to prescribe to him what faith or worship he shall embrace. For no man can, if he would, conform his faith to the dictates of another. All the life and power of true religion consists in the inward and full persuasion of the mind. ... In the second place. The care of souls cannot belong to the civil magistrate, because his power consists only in outward force: but true and saving religion consists in the inward persuasion of the mind, without which nothing can be acceptable to God. And such is the nature of the understanding, that it cannot be compelled to the belief of any thing by outward force. ... In the third place, The care of the salvation of men's souls cannot belong to the magistrate; because though the rigour of law and the force of penalties were capable to convince and change men's minds, yet would not that help at all to the salvation of their souls.

Therefore, civil magistrate must not by any means interfere in religious matters. According to Locke, (1823: VI/35) "If it be once permitted to introduce any thing into religion, by the means of law and penalties, there can be no bounds put to it." Therefore, he draws a very clear line between political and religious affairs. Locke (1823: VI/23) even rejected interference of civil magistrate in the lives of those who do not care for their own salvation:

The care therefore of every man's soul belongs unto himself, and is to be left unto himself. But what if he neglect the care of his soul? I answer, what if he neglect the care of his health, or of his estate; which things are nearer related to the government of the magistrate than the other? Will the magistrate provide by an express law, that such an one shall not become poor or sick?

Despite all that, Locke accepts that political authority may try to spread a religion by using peaceful means such as persuasion by evidence; according to him, this is already the task of good men. Locke writes (1823: VI/11) “Magistracy does not oblige him to put off either humanity or Christianity. But it is one thing to persuade, another to command; one thing to press with arguments, another with penalties.” Furthermore Locke (1823: VI/13) argues that individuals should be free to quit a religion or a denomination. Because “No man by nature is bound unto any particular church or sect, but every one joins himself voluntarily... The hopes of salvation, as it was the only cause of his entrance into that communion, so it can be the only reason of his stay there.”

After all these arguments Locke put forth to curb political authority’s interference in religious matters, he (1823: VI/33-34) explains some situations when it may legitimately interfere:

If some congregations should have a mind to sacrifice infants, or, as the primitive Christians were falsely accused, lustfully pollute themselves in promiscuous uncleanness, or practice any other such heinous enormities, is the magistrate oblige to tolerate them, because they are committed to a religious assembly? I answer. No. These things are not lawfull in the ordinary course of life, nor in any private house; and, therefore, neither are they so in the worship of God, or in any religious meeting. But, indeed, if any people congregated upon account of religion, should be desirous to sacrifice a calf, I deny that that ought to be prohibited by a law. ... Whatsoever is lawful in the commonwealth, cannot be prohibited by the magistrate in the church. ... But those things that are prejudicial to the commonwealth of a people in their ordinary use, and are therefore forbidden by laws, those things ought not to be permitted to churches in their sacred rites.

Locke, who argues that civil magistrate must interfere in the situations above to protect the civil society, also writes that no toleration should be shown to the atheists and Catholics: “Those are not at all to be tolerated who deny the being of God. Promises, covenants and oaths, which are the bonds of human society, can have no hold upon an

atheist. The taking away of God, though but even in thought, dissolves all (Locke, 1823: VI/47).”

The reason why Locke opposes the use of force in religious issues is that he thinks that truth does not need coercion to be believed in. According to him, “truth certainly would do well enough, if she were once left to shift for herself (Locke, 1823: VI/40).”

Locke (2012: 36-37) asks those who claim that a congregation could not form a church without the chairmanship of a cardinal, to show an evidence from the Scripture for their claim and tells that there is no such an evidence in it. Afterward, Locke, who investigates who the head of a church will be and how he will be determined, argues that, since the church is a group of people gathered voluntarily around religious aims, there will be a head of this group, as all the societies have, that this head will be determined by the members of the congregation, and thus, that no-one will be ruled by someone he has not elected.

Locke’s principle of non-interference is not only in question for the political authority; he also argued that religion should not interfere in political issues, viz. issues that have to do with the well-being of bodies and properties: “Nothing ought, nor can be transacted in this society, relating to the possession of civil and worldly goods. No force here to be made use of ... for force belongs wholly to the civil magistrate, and the possession of all outward goods is subject to his jurisdiction (Locke, 1823: VI/16).” After that, Locke argues that laws of a church can only be enforced by persuasion and advices, that the only punishment to be given is the expulsion of the member in question from the congregation, that no other punishment such as fine or prisonment can be given to any member since this right belongs exclusively to the civil authority. “... in all such cases care is to be taken that the sentence of excommunication, and the execution thereof, carry with it no rough usage, of word or action, whereby the ejected person may any ways be damnified in body or estate (Locke, 1823: VI/17).”

Besides, Locke has written what the individual should comply with if any disagreement between religious laws and political laws emerges. According to him, “obedience is due in the first place to God, and afterwards to the laws (Locke, 1823: VI/43).” If a law

related to the worldly matters enacted by political authority is contrary to the conscience of an individual, this individual should obey this law since he will be punished otherwise adding that such a case will rarely take place if the political authority considers the well-being of people in general. But if the political authority enacts a law related to a religious matter, going beyond its limits, or if it makes such a regulation, and this bothers conscience of an individual, this individual should not comply with that law (Locke, 2012: 67).

It would be no exaggeration to say that Locke is one of the most effective critics of religious fanaticism in the history. Locke defines fanaticism as “a strict and powerful belief in any creed regarding the religion (Woolhouse, 2011: 204)”. According to him, religious fanaticism is a reflection of self-love. He writes (1823: VI/19-20):

It is worthy to be observed, and lamented, that the most violent of these defenders of the truth, the opposers of error, the exclaimers against schism, do hardly ever let loose this their zeal for God, with which they are so warmed and inflamed, unless where they have the civil magistrate on their side. ... Where they have not the power to carry on persecution, and to become masters, there they desire to live upon fair terms, and preach up toleration.

Nevertheless, Locke (2012: 99) argued that toleration should be shown even against religious zealots unless they are destructive. According to him, since their ideas will not change when they are oppressed and harassed; to the contrary, they will be covert enemies of the society, kindness and toleration will help them overcome their fanaticism. At least, by this way, they may manage to get along with the political authority.

Locke's argument that the political authority should deal not with the souls of subjects, but with their bodies, contradicted Anglicanism which advocated for the unity of religious and political authority and for the oppression of heretical groups. Locke claimed that no-one can legitimately use force against another in spiritual matters. It is impossible to achieve a change in religious beliefs of the people by external force; therefore, it is of no use for civil magistrate to use force in these matters. Nonetheless, Locke has realised that attempts of the political authority to be tolerant amongst different

religious groups will produce two practical challenges: Firstly, that human beings are inclined to see their religious beliefs more important than they really are cause them to fail to differentiate between practical issues that are not to be tolerated and speculative issues that are to be tolerated. Secondly, human beings tend to dominate over each other; a group of people who gather only for peaceful religious aims may gradually grow more crowded and pose a threat to political authority due to the multitude of its members (Woolhouse, 2011: 97-98).

Locke claimed that the idea that holy writ contained “a package with unchanging foundations” had underlied all the malice and ill-will amongst Christians. Locke argued that every individual Christian can determine the unchanging foundations of Christianity on himself, that no-one can claim that something is fundamental comparing to another thing. Locke answered the ongoing question about orthodox Christianity by arguing that every church is orthodox to itself and heretical to the others. This idea was the very outset of religious toleration among Christians. A Christian may think that his creed is the most orthodox; but since every Christian think so, no Christian should attempt to use force to compel other Christians into believing in his creed. Locke argued that if a Christian read the holy writ wholeheartedly, trying to understand God’s message inside it and practice what he understood, it would be correct to expect that he would be saved (Woolhouse, 2011: 447-448).

While the first group towards whom Locke argued no toleration should be shown was atheists, the second group was Catholics. Locke opined that Catholics were enemies against any other group but themselves (Woolhouse, 2011: 194). Plus, Locke was contemptuous about the clergy and Catholicism due to many reasons (Woolhouse, 2011: 140).

Barnett writes the underlying reasons why Protestant writers such as Toland and Locke argued that no toleration should be shown to the Catholics were not theological, but practical. According to Barnett, many Protestants including Toland and Locke, were of the opinion that Catholicism was the reason for the fall of glamour of Christian nations in the Middle Ages and that Reformation was an attempt to overcome this decay. These

Protestants witnessed the rising power of Catholicism in the age of counter-reformation in the second half of the 17th century. Moreover, they went through the war that the Catholic king of France, Louis XIV, fought with England between 1689 until 1697 (Barnett, 2003: 98-99). Barnett supports his argument by his observation that the Dissenters of 18th century were passionate advocates for religious toleration. For example, Joseph Priestley, a Unitarian priest, in his work titled *Essay on the First Principle of Government*, argued that Locke's frame of religious toleration was narrow and that political authority should show toleration towards any kind of religious group including Catholics. Therefore, Barnett (2003: 124) argues that the advocacy for widening the frame of religious toleration came not from deists or anti-Christianity thinkers, as some writers claimed, but from Christians having strong belief in Christianity.

Locke's advocacy for religious toleration seems to have made reflections in theological, political and intellectual circles. While there were writers such as Priestley who tried to broaden the frame of Locke's religious toleration a century later, there were also people such as Jonas Proast, an Anglican parson, who wanted to narrow this frame. Proast, wrote a short book as a reply to Locke's *A Letter Concerning Toleration*, where he agreed with many of Locke's arguments, revised some and rejected some others. Proast agreed with Locke's argument that religion should be spread not with external force but with peaceful means such as persuasion; however, at the same time, he argued that this didn't mean that force had no role in spreading the religious beliefs. According to Proast, if force was used "indirectly and distantly", the people would honestly get directed into true religious beliefs. He stated that this method would work in particular for those who inherited religious creeds through traditional ways without ever questioning. Locke answered this argument by saying "When a dissenter complied with the official church, is any examination made to understand whether he complied by using his reason, or his belief, or by justifications that suited a Christian who is interested in religion (Woolhouse, 2011: 334-337)?" Moreover Locke criticised that Proast didn't determine the limits of force to be used. In his late ages, Locke involved in polemics again with this parson. This time Proast argued that the religious creed of civil magistrate was the

truest of all and therefore he has the right to force people into believing his creed. As a reply to that, Locke gave the example of a situation when a Catholic king was succeeded by an Anglican king. If what Proast said was true, the people would have to change their religion in a short time to find the orthodox religion, which is evidently nonsense (Woolhouse, 2011: 523).

Another thinker who was inspired by Locke's ideas was John Shute Barrington (1678-1734) who wrote on the civil rights of Protestant dissenters and based his ideas concerning religious toleration on Lockean foundations (Woolhouse, 2011: 518).

Even though the dispute about religious toleration that Locke started was effective in intellectual circles, the idea of religious toleration, according to Barbier (1999: 183), became more visible throughout Europe after the French Revolution in the way that church and state became independent from each other in many places and more toleration was shown to religious groups that were in minority; and its course was parallel to the course of liberalism. But this argument is not valid for England to the extent that it is for other European countries. The dispute about religious toleration that started with Locke bore its fruits in a relatively short term and, despite its shortcomings, the Act of Toleration was enacted in a relatively earlier time, in 1689, than in other European countries.

One of the most distinctive application of Locke's understanding of religious toleration was practised in the colony of Carolina in America and then smoothed the political ground for a peaceful social contract for United States of America. When the first Earl of Shaftesbury, Anthony Ashley, was appointed as the governor of the colony of Carolina in America by Charles II in 1663, it was decided that 140 settlers be sent there and, for their living in peace and being productive, a constitution be ought to be prepared. The settlers and governor divided up the land and decided that the parliament they set up would automatically assemble one time in every two years.

A man named Sir Peter Colleton said that Locke had made great contribution in the preparation of this constitution in a letter. Colleton mentioned about "the excellent form of government" in his letter. This constitution had articles saying that the people living

in the colony should “know one god and pray him overtly and earnestly”, that a group of people whose number was seven or more could set up their own churches. Moreover, in the constitution, it was written that Jews and dissenters who have quitted Christianity would be treated well (Woolhouse, 2011: 112).

It may be reasonably claimed that this constitution was written by Locke, given the fact that articles of the constitution and its spirit bore very close resemblance with the political thought of Locke and that the propensity that Ashley would choose Locke to write this constitution was very high since he had no better advisor around him than Locke. It can be said that Locke’s contribution is of vital import in Americans’ living in peace, far from European religious intra-conflicts.

In conclusion, Locke’s advocacy for religious toleration, like his many other doctrines, is based on theological grounds. It is such that Locke claimed that, as aforementioned, the true religion is only tolerant Christianity. After decades of religious conflicts, Locke has shown to the people the way out from religious frictions, denominational chaos and theological fanaticism by theologically-grounded ideas. His achievement was, to much extent, that he was able to tune in the theological dispute among theologians, despite himself being no theologian, about toleration, by being able to put forth distinctively theological arguments for religious toleration. His legacy would be the demise of religious fanaticism in Europe in the long term.

7. THEOLOGICAL FOUNDATIONS OF LIBERALISM IN THE TRADITION OF NATURAL LAW

7.1 Introduction

It could be argued that foundations of liberal political theory was laid in the tradition of natural law by John Locke for the first time. Therefore, the doctrines of natural law and the theories of natural rights have played major role in the birth of liberal tradition. In this chapter, firstly, the natural law tradition will be analysed from historical perspective. How the natural law tradition gained a revolutionary character in the early modern era and how John Locke used it as the foundation for his theo-political doctrine will be examined. It would be argued that the fact that Locke used millenniums-old tradition of the law of nature in a revolutionary way was possible only with Locke's theological presuppositions regarding the law of nature. Then, arguments of the critics of natural law tradition after Locke will be handled.

Van Dun defines (2003: 1) natural law simply as the "order of human world". Accordingly, natural law is the set of laws that has the potential to regulate interpersonal relations and that is inherently present in the nature. Law, according to the doctrines of natural law, is a part of ethics examining normative principles and prescribing the people what to do. According to Erdoğan (2012: 38), natural law doctrine generally considers law within the framework of ethics.

It has been often stated in the literature that the tradition of natural law is as old as the philosophy itself. From the oldest ages on, human beings have investigated for rules in the nature that can be understood by reason, and claimed that reason may give us normative principles about life. Besides its being very old, the doctrine of natural law is

also one of the most significant issues of political theory. It is so significant that d'Entreves says (1994: 7) that doctrine of natural law is not only the central issue of legal philosophy, but it is also the central issue of political theory. He even goes further and writes (d'Entreves, 1994: 19) that legal and political philosophy is, in the general sense, nothing but the natural law.

One of the rough categorisations for natural law in the literature is that of classical natural law and modern natural law.³⁴ The leading figures of the classical natural law doctrine are Aristoteles, Cicero and Thomas Aquinas. Accordingly, natural law stems from the nature. Classical natural law doctrine is a comprehensive ethical theory that has a teleological ontology and that determines measurements for all human actions, thereby giving, firstly, ethical duties, and then, rights to the individuals. According to that theory, law is eternal and unchanging. As for modern natural law doctrine, it is a right-oriented doctrine that gives to individuals absolute sovereignty over themselves. Its leading figures are Thomas Hobbes, Hugo Grotius, Samuel Pufendorf and John Locke. Classical natural law, since it can determine an unchanging set of rules, seems to be more stable whereas modern natural law is more successful in protecting individual freedoms (Uslu, 2011: 29-33).

Uslu does not agree with this popular classification of natural law doctrines in the literature. The reason is that while Thomas Hobbes, one of the most prominent representative of modern natural law, builds his theory without using theological premises, Locke, another prominent philosopher of modern natural law, uses distinctively and completely theological axioms. Therefore, Murray N. Rothbard, in his book titled *Ethics of Liberty*, considers Hobbes's theory of natural law as a secular theory while deeming Locke's doctrine as a theological theory (Uslu, 2011: 76).

³⁴ Uslu (2011: 40) argues that this categorisation is somewhat ineffective for the reasons that would be explained in the pages to come. However, it is a useful categorisation in terms of time to differentiate the doctrines of natural law that emphasise the duties in the classical ages from the doctrines of natural law that stress the rights of the individuals in the modern times.

Classical natural law doctrine gave birth to the theories of natural rights as a result of its intellectual transformation at the dawn of modernity.

Notions of natural law and natural rights are sometimes used alternatively. Although natural right theories emerged from natural law doctrine, it is not true to regard them as the same. While natural law points to a set of rules in the nature, and dates back to the oldest antiquity, theories of natural rights made their first appearance in the early modern period as a set of rights that is inseparably in the possession of existence of a human being. Barry (2012: 380) states that although there seems to be a link between natural law and natural rights, a necessary relation does not exist between them. Natural law tradition of Middle Ages, the best example of which is that of Thomas Aquinas, despite determining an ethical frame that legitimises politics, didn't provide individuals with rights as guarantees before political authority; rather, it defined ethical rules for human beings in general, that is, for subjects and individuals both. Zuckert (cited by Uslu, 2011: 72) similarly says that social contract theorists developed a new path in natural law in the early modern age. Accordingly, doctrine of natural law is duty-oriented whereas theories of natural rights are freedom-oriented. Uslu (2011: 76-78) argues that natural law should be taken as a comprehensive doctrine aiming to regulate human actions in general whereas natural rights should be taken as a narrower doctrine that defines a general frame for political authority, adding that a philosophical reasoning about political arena cannot be exempt from a comprehensive ethical theory. Similarly, Barnett argues that natural law is a doctrine about how to live our lives while natural rights are theories about on what principles we should construct political institutions, adding that natural rights are embedded in natural law. Therefore, Aquinas' theory is an ethical theory whereas Locke's theory is a political one. Even though it is possible to extract a political theory from Aquinas' ethical theory, the limits of the political authority and its legitimacy in his theory are not as clear as they are in Locke's theory; traditions filled the gaps *de facto* where there is an uncertainty. In Locke's theory of natural rights, the limits of political authority are clearly elucidated and basis for political legitimacy is manifestly shown. In addition to that, Locke tries to link his theory of natural rights to a

broader natural law doctrine by giving some examples from the laws of nature such as that the parents should look after their children.

Another classification related to the natural law and natural rights in the literature is the categorisation of objective natural rights and subjective natural rights which was developed by Richard Tuck. According to him, theories of objective natural rights are ethical theories that defines an unchanging set of rules and universal ethical values. Therefore, he argues that theories of objective natural rights pose a threat to individual freedoms as well as the fact that they emphasise not freedoms, but duties. However, theories of subjective natural rights stress individual freedoms and do not tend to define an unchanging set of rules. According to Tuck, there are two tendencies in the theories of subjective natural rights as conservative (absolutist) and radical. The most strict theories of subjective natural rights reach absolutism from the reverse, the best example of which is that of Hobbes. The theory of subjective natural rights that Hobbes developed in *Leviathan* bring about a perfectly chaotic atmosphere by providing individuals with unlimited control over themselves. A strong monarch is called for ending the chaos, which results in absolutism. But Locke, with his theory of subjective natural rights, achieved an important job – grounding individual freedoms on a strong basis and, at the same time, developing a theory of restrained government. Tuck argues that Locke has curbed absolutism in his theory by two arguments: The first is that submission of the people of their rights to the monarch so as to maintain their lives and their consenting to the slavery is reasonably impossible; the fact that God prohibited suicide points to the necessity that everyone should protect himself. Tuck argues that this argument is weak. The argument that Tuck finds strong is that the fact that political authority is instituted by the consent of people means that the people will not give their consent to political authority if it starts torturing or oppressing them. For the continuation of consent of the people for the political authority, the sovereign should be just and should not lose their consent (Uslu, 2011: 60). It is striking that Tuck thinks the first argument which is based on a theological premise weak and the second argument which is based more on a secular axiom strong.

Theories of subjective and objective natural rights have both advantages and disadvantages. Theories of subjective natural rights seem to protect individual freedoms better since they centralise the notion of right instead of the notion of duty. However, a theory of subjective natural rights whose focus is on the preferences of the individuals has to accept incest marriage, use of drugs and sacrifice of an individual with the consent of the sacrificed as legal. For example, Uslu mentions a case happened in Germany in 2001 called *Cannibal of Rottenburg*, in which a man cooked another man and ate him with the consent of the latter. A German court sued the cannibal named Armin Meiwes on the charge of murder and gave him life sentence (Uslu, 2011: 78-80). Since the deeds mentioned above are prohibited in almost all judicial systems, it is evident that there is a minimum field in almost every system of law on which almost everybody agrees, which implies that modern judicial systems that are claimed to be based on subjective natural rights may not be as distant as often thought from the theological or objective theories of natural rights. Can those prohibitions be considered as duties as it is so in the theories of objective natural rights? If yes, what will the foundation for these duties be? Will this attempt to find a sound basis for these duties or prohibitions necessarily take us to an authoritarian and totalitarian political theory? How did Locke solve this problem? This is the subject of this chapter.

Legal positivists³⁵ harshly criticise the doctrine of natural law by arguing that it is not scientific, but theological. There are three theories in the literature regarding the source

³⁵ “Legal positivism [is] a theory about the nature of law, commonly thought to be characterized by two major tenets: (1) that there is no necessary connection between law and morality; and (2) that legal validity is determined ultimately by reference to certain basic social facts, e.g., the command of the sovereign (John Austin), the *Grundnorm* (Hans Kelsen), or the rule of recognition (Hart). These different descriptions of the basic law-determining facts lead to different claims about the normative character of law, with classical positivists (e.g., John Austin) insisting that law is essentially coercive, and modern positivists (e.g., Hans Kelsen) maintaining that it is normative. The traditional opponent of the legal positivist is the natural law theorist, who holds that no sharp distinction can be drawn between law and morality, thus challenging positivism’s first tenet. Whether that tenet follows from positivism’s second tenet is a question of current interest and leads inevitably to the classical question of political theory:

of natural law; these are divine inspiration, moral sense and human reason. Those who claim that the source of natural law is divine inspiration argue that natural law is tantamount to God's will. For example, a Catholic cardinal, Albert Decourtray, defined French *Declaration of Human Rights and Citizenship* of 1789 as "the expression of the values that would never be included in the text without inspiration from Bible" (quoted by Vergara, 2014: 126). The claim that this declaration that is listed among the most significant documents of the Enlightenment and liberalism had strong inspiration from Bible is worth thinking.

According to van Dun (2001: 1-2), classical liberalism and Christianity shares the same ontology in terms of human nature and interpersonal relations. Both declined in the end of 19th century and was replaced by progressivism that harbingered humanity was about to enter into a new age. Therefore progressivism, van Dun argues, was a religion containing millenarian and gnostic themes and claimed that natural rights of individuals could be sacrificed in a way that humanity would get rid of its social and natural obstacles and become liberated. Therefore, progressivism of 19th century was an open attack on the doctrine of natural law. Accordingly, the roots of classical liberal freedom is in the natural law. After this criticism, van Dun apologetically argues that natural law and natural rights are not theological doctrines since the modern scientific circles are inclined to exclude theological and metaphysical objects from the field of science. According to van Dun, natural right is the freedom of a man to do what he wishes by using the faculties of sentiment, body and reason without violating natural rights of other individuals (van Dun, 2001: 4). This definition of van Dun cannot explain why the doctrines of natural law and natural rights are not theological and does not answer the question why an individual should be able to use his faculties such as body, sentiments and reason freely. In another work of him, van Dun complains about the fact that the doctrine of natural law is regarded as a theological and metaphysical doctrine and, therefore, it is disparaged. According to him, although a theory about mice and men may be theological or metaphysical, in this case, theology or metaphysics will not be in the

Under what conditions might legal obligations, even if determined by social facts, create genuine political obligations (e.g., the obligation to obey the law)? (Churchland, 1999: 490)."

mice and men; rather, it will be in the theory. Therefore, he argues that theories of natural rights are not theological or metaphysical although the doctrine of natural law is so (Van Dun, 2003: 3). It is quite uncertain that the example of van Dun bear any relevance with the issue.

Afterwards, van Dun (2001: 6) distinguishes between atheistic and theistic religions. Accordingly, Christianity, Judaism and Islam are theistic religions differentiating between sphere of God and material natural world in which human beings live. Theistic religions define a specific set of rules of conduct for humanity. Atheist religions such as gnosticism deify man and claims that man can transcend this world if he becomes aware of his potential and his divine nature, which means the liberalisation of mankind. Therefore, they advocate for the abolition of the rules of conduct of natural law in theistic religions, for controlling the nature instead of living in harmony therewith. Van Dun's explanation, besides having reasonable points, seems to be jolly apologetic.

According to van Dun who argues that theories of natural rights are not theological or metaphysical, the fact that natural law and Christianity is directly linked to each other is evident in the holy writ. Accordingly, in Genesis where the story of Adam and Eve is told, the ontological positioning of man is different from that of God. But both are similar in the way that they both have the freedom to choose. Every man bears resemblance with God to the extent that he has right to choose. This resemblance resulted in that God and man made covenant and instituted an order on earth. The part of this covenant that clarifies interpersonal relations is natural law. Therefore, compliance with natural law means congruence with divine justice (van Dun, 2001: 8).

Murray N. Rothbard, the 20th century representative of natural law liberalism from the Austrian School of Economics, harshly criticises the opinion that natural law is an object of theology, which was put forth by prominent political theorists such as Hannah Arendt. According to Rothbard (2009: 4), "the claim of the system of laws of nature that can be discovered by human reason is neither a pro-religion stance, nor an anti-religion stance."

Robert Nozick, one of the philosophers who renewed classical liberalism in the 20th century, follows Lockean tradition; nonetheless, differs from Locke on an important

point. Although he claims, as Locke argued, that individuals have fundamental and inalienable rights to liberty, life and property, he does not base these rights on the law of nature, thereby differing from Lockean tradition of the law of nature. Nozick considers the law of nature as a theological concept and develops a Kantian justification instead. According to Nozick, fundamental rights of the individuals should be based on Kant's second categorical imperative that argues human being is an end in itself (Kocaoğlu, 2014: 47-48).

In short, the most prominent representatives of Lockean tradition of natural rights liberalism have apologetically argued that natural rights are not a theological concept, but their arguments does not seem to be strong enough to meet the criticism of legal positivism. Robert Nozick has accepted that Lockean justification of natural rights is theological and, therefore, found a new basis for his theory of natural rights liberalism. As a result, it could fairly be argued that there is a general consensus in the literature³⁶ that natural law and natural rights are theological or metaphysical doctrines.

Doctrine of natural law that was generally seen as old as the history of philosophy had a conservative character for thousands of years, providing both rulers and subjects with duties about how to live their lives, but suddenly, in the early modern era, it adopted a revolutionary character. This transformation of natural law became possible by the emergence of the doctrines of natural rights and modern natural law. According to van Dun, while classical natural law is conservative, modern natural law is revolutionary since it focuses on the fundamental rights of individuals vis-a-vis traditional political authorities. Modern natural law deals with the question on what basis a legitimate political order should be instituted (Van Dun, 2001; cited by Uslu, 2011: 22).

The transformation of natural law facilitated Locke's proto-liberal political theory. Before Locke, political theorists such as Thomas Hobbes started to produce natural

³⁶ Major legal positivists such as Hans Kelsen, H.L.A. Hart and Joseph Raz as well as some other philosophers such as Hannah Arendt have argued that doctrine of natural law is a theological or metaphysical concept. Legal positivism is the prevalent doctrine in the legal philosophy of the second half of 20th and 21st centuries.

rights from the doctrine of the law of nature. Locke, by developing a new exegesis of Christian theology and bringing this together with the nascent theories of natural rights, came up with his proto-liberal political theory. Below, firstly, a historical analyses of natural law doctrines is provided to see how Locke used the doctrine in the 17th century in a revolutionary way. Later, Locke's theory of the law of nature and natural rights will be examined to see how Locke founded his theory on distinctively theological grounds.

7.2 Doctrine of Natural Law before Modern Age

7.2.1 Doctrine of Natural Law in the Antiquity

The first mention that is known related to the natural law is in Sophocles' *Antigone*. But in ancient Greece, it was Aristoteles who wrote more systematically on the law of nature. According to Sir Ernest Barker's book titled *Traditions of Civility*, Aristoteles approached the classical concept of natural law in his *Nicomachean Ethics*; however, a full-fledged doctrine of natural law was for the first time seen in the works of Stoic philosophers in the Hellenistic period. The reason for that is the fact that the limited globalisation in the Hellenistic period posed the challenge how to bring different nations together under one political order for the first time in history. Macedonian empire of Alexander the Great and the time thereafter witnessed a limited cultural and ethnic pluralism in Anatolia, Levant and Greece, thereby forcing the ruler(s) into developing a political/legal formula that would facilitate the foundation of a multi-ethnic society. This challenge arose again in the expansion period of the Roman empire and Stoic philosophers resorted to the notion of natural law for solving this question. Natural law was then seen as the formula to live together with different nations. Of all Roman jurists, the most prominent natural law philosopher was Cicero (Barker; cited by d'Entreves, 1994: 15-16).

A full-fledged definition of classical natural law can be found in Cicero's *De Republica*. There he writes:

True law is right reason in agreement with nature, spread throughout all peoples. It is constant and eternal. It calls to duty with its commands; it deters from

wrongdoing with its prohibitions. Its commands and prohibitions for the morally upright are never given in vain; but these same commands or prohibitions do not move the wicked. It is wrong for this law to be contravened, nor is it permissible to modify it in any part, and it cannot be repealed in its entirety. We cannot be released from this law by either the senate or the people, and there is no need to look for an exegete (*explanator*) or interpreter (*interpres*) like Sextus Aelius. There will not be one law at Rome, another at Athens, one law now, another in the future; but a single, eternal, immutable law will hold all peoples at all times. And there will be, as it were, one common teacher and ruler of all – god. He is the author, expounder, and proposer of this law. Whoever does not obey it will be fleeing from himself. As he has scorned his human nature, by this very fact he will pay the greatest penalty, even if he escapes all the other things that are commonly regarded as punishments (Atkins, 2013: 38-39).

In his book titled *The Social Teaching of Christian Churches* (1912), Troeltsch (1922; cited by d'Entreves, 1994: 20) argues that the law of nature is a doctrine that entered into Christianity from the ancient world. Accordingly, natural law served as the foundation for a social and political program which is not present in Bible. The stances of various Christian churches towards outer world are determined by their understanding of natural law (Troeltsch, 1931; cited by d'Entreves, 1994: 20). Furthermore, Troeltsch, in his book titled *The Ideas of Natural Law and Humanity in Western Politics* (1922), attributes the defeat of Germany in the First World War to its divergence from natural law in the age of romanticism and its extolling power gradually over the reason and placing state in the center of ethics.

Likewise, d'Entreves argues that natural law is a doctrine that was taken into Christianity from antiquity, pointing to the fact that the passage of Cicero about natural law quoted above was transferred to us by one of the first Christian philosophers, Lactantius. According to d'Entreves, doctrine of natural law that was systematically sophisticated firstly by Roman Stoic philosopher Cicero was incorporated into Christian

philosophy by Lactantius who, upon the request of Roman emperor Justinian, codified the Roman law (d'Entreves, 1994: 26.)

McNeill draws attention to the fact that Cicero's definition of natural law was accepted by Lactantius in such a way that a Christian philosopher, Lactantius, quoted it in one of his works without adding anything to it. McNeill writes that leading church fathers of early Christianity accepted doctrine of natural law of antiquity in the same way Lactantius did. It is generally thought that Saint Augustine wrote "Your law is written in the hearts of men, which sin itself cannot obliterate it." with inspiration from Cicero. This sentence of Augustine was quoted directly by Thomas Aquinas. Moreover, first church fathers and Scholastic thinkers argued that there was indication to the natural law in the words of St. Paulus. Accordingly, St. Paulus says in The Epistle to the Romans 2: 13-15:

Indeed, when Gentiles, who do not have the law, do by nature things required by the law, they are a law for themselves, even though they do not have the law, since they show that the requirements of the law are written on their hearts, their consciences also bearing witness, and their thoughts now accusing, now even defending them.

After early church fathers and early Christian philosophers such as Lactantius, and St. Augustine, books of Cicero and Aristoteles got lost in the Middle Ages for about a millennium, which led to the weakening of the doctrine of natural law. When Aristotelian philosophy entered into the intellectual circles of Christendom in late Middle Ages by the books of Andalusian philosophers such as Averroes and Maimonides, the doctrine of natural law revived. The rediscovery of Aristotelian philosophy in the Christian world in the 13th century made a sudden and profound effect on the European political thought (d'Entreves, 1959: 6). Since Thomistic doctrine of natural law would have a strong influence on Lockean philosophy by means of the mediator writers, it will be shortly examined.

7.2.2 Thomistic Doctrine of Natural Law

It is a leitmotif in the literature that Thomas Aquinas baptised Aristoteles (Gordley, 1992: 3). Aristoteles' doctrine of natural law and his philosophy was Christianised in the Middle Ages by Aquinas who enjoys such a great influence in Christian thought that Barry (2012: 78) argues that it is Aquinas who deserves to be seen as the one who is lying under the Catholic doctrine.

Uslu (2001: 42-43) says that Thomas Aquinas is the philosopher who systematised the law of nature and came up with a consistent and comprehensive doctrine of natural law. The doctrine he developed served as the main source of reference for the tradition of natural law after him. Thomistic doctrine of natural law is an ethical theory consisting of some basic principles.

According to Aquinas' *Summa Theologiae*, law is "nothing but the ordainment and regulation of reason declared by someone who cares about society" (Aquinas, 1961: 90.4; quoted by Arnhart, 2013: 97). Aquinas says that there are four types of law: eternal, natural, human and divine. The law with which God ruled everything he created in the universe is the eternal law. As for natural law, it is "nothing but the participation of rational creatures into this eternal law." In the areas that natural law does not go into detail, human law should fill the gap. Divine law is the biblical laws which transcend both natural and human law and direct human conduct in congruity with eternal law (Aquinas, 91.1-4; cited by Arnhart, 2013: 97).

The basis on which Aquinas founded his theory of law is 'the idea of goodness': "the first principle of law is doing of goodness and searching therefor, and abstaining from badness and evil. All other principles of natural law is present in that" (Aquinas, 94.2, quoted by Arnhart, 2013: 98). According to Aquinas, goodness is not something external to things, but it is everything that helps things realise their potential and aptitudes. Since the most significant inclination of man is to maintain his life, Aquinas points to the human motive to protect oneself as the most fundamental principle of natural law. From this principle, he concludes that those that protect human life are good and those that harm it are bad. Likewise, the inclination to learn, to search for reality that makes living

in society harmonious is another principle of natural law. Ten Commandments (Decalogue) in the holy writ are the most evident requirements of natural law. Aquinas argues that human beings have a wide frame of freedom within the boundaries defined by natural law. According to him, natural law is a universal and unchanging set of rules (Arnhart, 2013: 98-100). Accordingly, Aquinas thinks that Decalogue was the principle of natural law imprinted on human mind and placed in Bible by God. Principles of natural law that are outside of Bible are derivations from Decalogue drawn by reason (McNeill, 1941: 214).

Aquinas' idea that natural law can be drawn from the inclinations embedded in the nature of things is significant. Accordingly, natural law can be derived not only from the nature, but also from those inclinations that things naturally have. Aquinas writes:

Therefore, since all natural things have been directed by a certain natural inclination toward their ends by the first mover, God, whatever is willed or intended by God is that to which everything is naturally inclined. But inasmuch as God's will can have no other end than himself, and he is essentially goodness, everything must be naturally inclined to good (Clark, 1999: 257)

According to d'Entreves, in Thomistic thought, natural law is the representative of compromise between human and Christian values, of the potentiality of improving of human nature and of the power of human reason. But it is not possible to find in Thomistic philosophy a pure rationalist theory of natural law. Law can not be derived from the human reason solely. Aquinas does not advocate for some self-evident fundamental rights and does not argue that individual is the only criterion for law and that law is derived merely from the individual. Thomistic natural law put emphasis not only on the rights of individuals, but also on the duties of people in general including civil magistrate. The starting point is not the individual, but it is the order of cosmos. Therefore, according to d'Entreves, while the basis of Thomistic doctrine of natural law is Christian metaphysics, modern theories of natural rights were based on a *sui generis* metaphysical basis, quite different from that of Christianity (d'Entreves, 1994: 48-49). In parallel to that, Donnelly argues that Thomistic natural law is a doctrine that not only put

restrictions on the rulers, but also provides the ruled with security, though limited, and that gives to both sides duties to follow. Accordingly, the reason, by understanding natural law, participates in the *telos* of universe, in the divine order and therefore in eternal law. Hence, every piece of human law has to be in congruity with natural law which is a part of the eternal law. Every political act or human law which is not congruent with natural law is injustice and tyranny (Donnelly, 1980: 520-521).

Van Dun argues that Aquinas differentiates in his doctrine of natural law between *mere sins* and *injustices*. Accordingly, although every moral act is legal, every immoral act is not illegal; only those that harm others can be illegal. Conviviality or symbiosis is only possible in this way. Therefore, only immoral deeds such as thief, rape and murder are in the category of illegal acts. Van Dun claims (2003: 24-29) that Aquinas does not try to legislate morality. This distinction has momentous ramifications. The claim that Aquinas does not legislate morality could be used as a contra-argument against the worries that classical doctrines of natural law pave the way to a pedagogical and totalitarian theory of state.

Although Aquinas argues that natural law is eternal and unchanging, he says that additions to the natural law can be made depending on time and place, which does not mean changing natural law. "Common principles of natural law are not implemented in the same way in all conditions owing to the great diversity of human things" (Aquinas, 95.2-3; quoted by Arnhart, 2013: 108). Accordingly, the single truly unchanging principle of natural law is "Goodness should be made; evil should be abstained from." Arnhart argues (2013: 108) that it is by this agility that Aquinas achieved to develop a doctrine of natural law which is both universal and also flexible for various conditions. Likewise, Donnelly says that Aquinas thinks natural law never changes, but human laws can add something to it. Accordingly, an addition, which means a human law belongs already to the natural law, may be in question in two circumstances: Firstly, the nature should be inclined to the way addition is made and this addition has to give no harm to anybody. Secondly, the nature must not be contrary to this addition. For example, since God has given no clothes to man, it cannot be concluded that it is natural to live

undressed; because one should see the human inclination towards wearing clothes since the human reason has invented arts and crafts producing clothes, which means that dressing is, although being a man-made practice, within the natural law. By the same reasoning, Aquinas argues, like Aristoteles, that slavery is natural. The nature does not directly bring forth the slavery; however, human beings developed it by their joint consent as a beneficial practice. Therefore, slavery is congruent with the telos of universe (Donnelly, 1980: 524-525). Similarly, Barry argues (2012: 79) that Thomistic doctrine of natural law accepts the changing of secondary rules of it.

Another remarkable characteristic of Thomistic doctrine of natural law is its rejection of Cicero's, Stoics' and early church fathers' argument that human possession is not natural, that laws concerning man's right to property does not originate from natural law, but from traditions. According to Aquinas, the ultimate possessor of everything is God; however, as a requirement of hierarchical ontology and teleology, man has right to possess external things and sub-human creatures in order to benefit from them, because sub-human beings such as animals, plants and materials are created by God as beneficial to human beings in a way that men cannot live without them (Uslu, 2011: 115). Aquinas writes (Clark, 1999: 383):

Man should consider two points with respect to external possessions. One of these is the power of acquiring and disposing. Private possession is permissible in this respect, and it is likewise necessary for human life, for three reasons: first, because everyone is more careful to procure something that concerns himself alone than something that is common to all or to many others (for each one, escaping work, leaves for the other man any common task, as happens when there are a great many officials); second, because human affairs are handled in a more orderly fashion when each one goes about his own business, there would be a complete confusion if anyone tried to do everything; third, because this leads to a more peaceful condition for man, while everyone is content with what he has. Hence we see that among those possessing something in common, disputes arise more often.

For this reason, private property is a requirement of natural law, not of tradition. It is striking that Locke's justification for private property in the *Second Treatise* is very much similar, even almost the same with the Thomistic justification. Besides all that, Aquinas mentions about the limitations on the right to private property. Accordingly, those who have more property than they can use up must give from their property to the needy (Aquinas, 1999: 384). Striking enough, Locke has made the same point about restrictions to the right to private property in his theory (Locke, 2012: 26).

Donnelly (1980: 525) identifies three big problems in the Thomistic doctrine of natural law. Firstly, there is no rational foundation for the Thomistic natural law, but Aquinas still argues that the ordainments of natural law are prescriptions of human reason, which is inconsistent. Secondly, Aquinas argues that natural law is eternal and unchanging, but the reasonable conclusions of human mind from the first principles of natural law may be added to natural law. But Aquinas does not explain how a rational reasoning result in the naturalness of two very different practices – the first is private property that enjoys a popular acceptance, the other is slavery that is generally regarded as wicked. Donnelly argues that if the same reasoning leads to two such practices of different nature, then this kind of reasoning used to derive secondary rules from the first principles of natural law is extremely dangerous. Lastly, the forcing power of law, viz. the enforcing faculty thereof, is absent in Thomistic doctrine of natural law. Except these three problems, Donnelly mentions about one more problem of different type in Thomistic doctrine of natural law. Accordingly, Aquinas argues that human beings should only obey the laws that are congruent with the eternal law and –since natural law is a part of the eternal law– with natural law. This is the criterion, for Thomas, of being just and right for a law. But at the same time, Aquinas, in his work titled *De Regimine Principum*, gives a simple yet prudent advice: If the tyrant is not too bad, it is better not to oppose him since if he is opposed but not toppled, he will increase his iniquity. If he is toppled, this time an atmosphere of anarchy and chaos will pervade in the society, which will prepare the emergence of another tyrant. Bad rulers are already sent by God as an imposition of a punishment for the sins of society. Bible pointed to this fact with the verse “*Omni potestas a deo.*” Donnelly argues that, since tyrant means a ruler that rules the country

with perpetual injustices and oppression, tyranny as a regime is opposed to the natural law. Then, is there an inconsistency between Thomistic argument that man should only obey the laws that are congruent with natural law and Thomistic advice that people should not oppose to a tyranny if the tyrant is not too evil? Aquinas left this problem unsolved.

According to d'Entreves (1994: 46), Aquinas argues that resistance against the ruler is required only in limited conditions and that resistance becomes a duty once required by natural law. But this advice was not transformed into a theory of revolution and a call for individual disobedience like at the times of French Revolution. Therefore, according to d'Entreves, a theory of resistance against a ruler who do not comply with divine or natural law could also found in Middle Ages, Reformation and post-Reformation era. As some historians have said, Protestant thinkers tend to base the theory of resistance against tyranny on revelation while Catholics tend to base it on the natural law (d'Entreves, 1994: 52).

As a result of the fact that Thomas Aquinas developed a full-fledged doctrine of natural law and reached a synthesis of Christianity and Aristotelianism after Andalusian philosophers introduced Aristotelian philosophy in the intellectual circles of Europe after a millennium, doctrine of natural law became the very basis of Catholic theory of law. In the late medieval period, natural law doctrine lived safely under the holy umbrella of Catholic theology. This doctrine is one of the ideas that Protestant reformers inherited from Catholicism without opposition. However, in the post-Reformation period, there would be religious groups advocating for returning to a strict voluntarist position in favour of Augustine vis-a-vis Aquinas.

7.2.3 Doctrine of Natural Law in the Thought of Reformation Leaders

According to McNeill, reformers have taken the doctrine of natural law from Scholasticism without making much changes and incorporated this doctrine in their social and political theories. Natural law doctrine was excluded from the criticism of reform leaders; except for Zwingli, all other reformers respected natural law doctrine. None of the reform leaders attacked on it. McNeill (1946: 168) says that even the

denominations called as heretics by the Catholic church accepted the doctrine of natural law. Therefore natural law doctrine did not face a remarkable challenge from late Middle Ages until the early modern era. Moreover, McNeill (1941: 224), in another work of him, says that it is not possible to find any attempt to secularise natural law in any of the reformers' works.

According to the reformers, the existence of the natural law is verified by the Scripture itself. The leading reformation figure, Martin Luther, in his work titled *Epistle to the Romans* (1513-1515), while commenting on Paulus' *Epistle to the Romans*, implies that natural law (*natürlich Recht*) is imprinted (*impressa*) on human mind. According to Luther, Decalogue is divine law given to men by God and equivalent to the natural law, imprinted on human mind and conscience. Luther says that even though God had not told us to worship him and love our neighbour, human reason would have understood that we should do so (McNeill, 1946: 168). Moreover, Luther agrees with Aquinas' argument that even though there is an eternal and unchanging law of nature imprinted on human mind, its application by the reason is obstructed at the moment of a strong wave of desire and lust. In parallel to Aquinas, Luther, despite believing in natural law imprinted on the mind, says that reason cannot understand some part of it ("*ut illam cognitionem secum natam non intelligat*") since human reason is quite corrupted and blind. Therefore, Troeltsch named the comprehensible part of the universal and unchanging natural law as 'relative natural law' (McNeill, 1946: 169-172).

It is claimed that Luther used natural law as the basis of his political thought. According to that, Luther thought that the doctrine of natural law is congruent with holy writ and that the duty of political authority is to enforce the unchanging and eternal laws of nature. All man-made laws have to be congruent with the natural law of God. According to J.W. Allen, this thought of Luther is a "strictly medieval conception" (McNeill, 1946: 172).

Likewise, Eugen Ehrhardt argues that the doctrine of natural law has a significant place in the thought of Luther. Ehrhardt says that natural law is "deeply rooted" in Lutheran theology. Accordingly, Luther has inherited the thought of natural law from Scholastics.

But in some places, Luther had difficulty to set the balance between natural law and divine law. He believes, Ehrhardt argues, that natural law does not stem from man, but it is an order placed in the nature by God. Furthermore, Luther attempted to make the doctrine of natural law as the principle of a social reform in the early years of his reform, but later he gave up upon realising that the natural law was corrupted by human sins (McNeill, 1941: 216).

In the last edition of his book titled *Commentary on Galatians* (1535), Luther explains his idea of natural law, which is quite similar to that of Scholastics, and the restrictions on it:

For although all men have a certain natural knowledge implanted in their minds, by which they are naturally aware that what one wants to have done to himself should be done to another (this and like ideas, which we call the law of nature, are the basis of human law and of all good works), yet is human reason so corrupt and blind through the devil's wickedness that it does not understand that knowledge native to it, or if, indeed, admonished by God's word, it does understand, yet knowingly (such is the power of Satan) it neglects and despises it (Luther, 1535; quoted by McNeill, 1941: 223).

According to A. Lang, Luther thinks that natural law is equivalent to the Decalogue (McNeill, 1941: 217). Doumergue rejects Ehrhardt's argument that natural law has a central place in Luther's theology and says that Luther's writings on natural law is not consistent (McNeill, 1941: 217). McNeill argues that Luther distanced himself from the doctrine of natural law to the extent that he made more reference to the notion of divine grace in the later phase of his reform (McNeill, 1941: 219).

Given all the opinions and Luther's remarks about natural law in various works of him, it would be reasonable to argue that Luther firstly adopted Scholastic doctrine of natural law and gave him an important place in his early reform, but the more he leaned towards divine grace and divine saving as well as his realisation of the fact that human reason is corrupted by the sins, the more he distanced himself from the rationalist theory of law, which resulted in that he distanced himself from the doctrine of natural law in the later

phase of his reform. Transformation of Luther's reformist ideas is, to some extent, embodied in this distancing as well as his polemics with Erasmus.

Another reform leader, Melanchthon also adopted the doctrine of natural law. In his idea of natural law, it is possible to see the influence of classical philosophers such as Cicero, to whom Melanchthon was so admired that he changed his family name. G.L. Scherger writes in his book titled *The Evolution of Modern Liberty* that "Melanchthon ... deserves the credit of having introduced the conception of natural law into modern thought. (Scherger, 1904: 37; quoted by McNeill, 1946: 172). However, McNeill does not think that Melanchthon deserves this credit on his own; what he did was to place the doctrine of natural law strongly in early Protestant ethics. In the first edition of his work titled *Loci Communes* (1521), Melanchthon directly adopted the Scholastic categorisation of law as natural, divine and human, and he defined natural law, in short, as "the common judgment to which all men alike assent, which God has engraved upon the mind of each, [and which is] designed to fashion morals." He also accepted the Scholastic idea that St. Paulus pointed to the existence of the natural law in the Epistle to the Romans. Melanchthon, in a passage he wrote on Cicero's *De Legibus*, this time defined natural law as a standard for judging morals that is implanted in us by God ("*insita nobis a deo regula judicandi de moribus*"). However, Melanchthon, like Luther, agrees that reason may sometimes not manage to act in compatible with natural law that is implanted on itself since it was at times covered by the clouds of desire and lust as well as due to the original sin and the fall from Grace. According to him, Decalogue is an explanation of the natural law. In another work of him, *Apology of the Ausburg Confession* (1532), Melanchthon defines natural law as "a judgment divinely written in the mind [*judicium scriptum divinitus in mente*]". According to him, natural law is in full congruity with Decalogue and with the laws that Moses has received on the Mount of Saine, but Decalogue is hierarchically over the natural law.

Melanchthon says, in his work titled *Commentary on Romans* (1532), "violation of the laws of nature is violation of the law of God, and truly mortal sin." According to him, natural law is necessary "for the peace of the general society [*propter pacem communis*

societatis].” Melanchthon investigates about the difference between Bible and moral philosophy in his work titled *Epitome Moralis Theologiae* (1538). Accordingly, moral philosophy tries to understand the laws of nature that are the laws of God by interpreting it. At this point, Melanchthon strikingly argues that the laws of a secular government originate from natural law. Considering all of what Melanchthon has written on the law of nature, McNeill concludes that much of what Melanchthon has written on the law of nature is related not to the politics and positive law, but to the theology and ethics (McNeill, 1946: 172-175).

According to McNeill, only Zwingli bears a remarkable difference from other reform leaders in terms of his understanding of natural law. Accordingly, although Zwingli believes in the existence of natural law (*Gsatz der Natur*), he argues that it is embedded in divine grace and, therefore, it is not universal. But like other reform leaders, Zwingli too thinks that natural law is relevant and important in interpersonal relations. McNeill argues that Zwingli’s understanding of natural law that is not universal is caused by his admiration to the classical philosophers. Zwingli has such a great respect for the classical thinkers that he said he wanted to be with them in the heaven. Although the classical writers lived in pagan times, God has given to them from His Grace and Belief. Zwingli writes “Who does not admire the faith of that most holy man [*viri sanctissimi*] Seneca?” Upon his admiration to Seneca, Zwingli has written a book titled *Providentia* (1530), the same title with Seneca’s tract ‘*Providentia*’, and argued in it that Plato and Pythagoras have some elements that “flow from the divine mind”, which cannot be overlooked. Furthermore, Zwingli has written that he would prefer the destiny of Socrates or Seneca instead of an unbelieving Pope or king, adding that “though they [Socrates and Seneca] knew not the true Deity, yet they busied themselves with serving him in purity of heart.” According to Zwingli, they were “holier than all the petty Dominicans and Franciscans who ever lived.”

Zwingli, in his book titled *Expositions of the Sixty Seven Conclusions* (1523), argues that a Christian should obey not to the king, but to God if the king enact a law incongruent with divine laws. According to Zwingli, a ruler should make no changes in God’s laws.

Ruler is a sword with which God punishes the wicked. Zwingli does not think that anyone who does not have belief in God can rule with the laws of nature. Natural law does not originate from reason; rather, it is written in the heart of man by divine light. Zwingli defined law in his *Sermo de Providentia* (1530) as “the constant will of God” (McNeill, 1946: 175-178). But McNeill’s argument that Zwingli’s understanding of natural law was different from the mainstream thought of the reform leaders due to his admiration to the classical philosophers cannot explain why Melanchthon, who was so admirant of the classics that he changed his family name from German to Greek, did not differ in the same way Zwingli did.

Lastly, as for Calvin, it is odd that the only reform leader that has received his education on law did not leave behind a systematic thought on law. Calvin rarely refers to the natural law in his works, and as far as he refers, it seems that he believes in it. While A. Lang argues that natural law does not play a role in Calvin’s thought, E. Doumergue argues that Calvin based his thoughts about natural and moral relations among human beings on the natural law doctrine. M. Cheneviere argues that Calvin’s idea of natural law was a sharp break from the Scholastic doctrine since Calvin indicated to human conscience as the organ of natural law but Scholasticism traditionally argued that it was reason that understood natural law. Furthermore, Calvin argued that natural law was innate for men indicating to the fact that almost all kinds of nations have compromised upon the evility of some acts (McNeill, 1946: 179-181). In another place, Calvin writes “The interior law [*lex ille interior*] ... is written and so to speak imprinted on the heart of everyone. ... For our conscience will not let us sleep a perpetual sleep without any sensibility, ... admonish us of our duty to God.” McNeill says that Calvin thought Decalogue was the written format of the natural law and that human conscience verify them. According to him, the order of nature is also the source of legal and moral regulations (McNeill, 1946: 182).

D’Entreves’ remarks (1994: 70-71) about the place of natural law in the Protestant reformation is more cautious. He argues that reformation was a sharp return to Augustinianism and, therefore, the doctrine of natural law is better seen in the thoughts

of Catholic thinkers than in those of Protestants. In another words, according to d'Entreves, there is no such a clear picture about natural law in the thought of Reform leaders as McNeill depicted.

To conclude, it could be argued that Protestant reform leaders have generally adopted the doctrine of natural law from Scholastic philosophy. Moreover, some reform leaders such as Zwingli and Melanchthon advocated for natural law in a passionate way. But it cannot be said that there is a clear picture about natural law in the thoughts of reform leaders. Although many adopted it, there are differences in the details.

7.2.4 Doctrine of Natural Law in the Thoughts of Post-Reformation and of Early Modern Thinkers

If the time when political modernity started to take its shape is to be concretely determined, the best moment is 17th century when Isaac Newton put forth his theory in physics giving way to the Newtonian understanding of clockwork universe, Hobbes developed his political theory in *Leviathan*, Agreement of Westphalia was signed after the end of religion wars and nation-states started to rise. There is nearly a hundred years between this century and the time when Protestant reformation took place, viz. 16th century. In this one hundred years, there are some important thinkers of a transitional period who wrote on natural law such as Scottish Presbyterian priest Samuel Rutherford (1600-1661), Spanish Scholastic Jesuit priest Francisco Suarez (1548-1617), English Protestant priest Richard Hooker (1554-1600) and French Protestant Monarchomachi writer Philippe du Plessiy-Mornay (1549-1623). The importance of these writers who are rarely mentioned in the history of political thought stems from their contribution to the liberal notion of natural rights that originated in the early modern era. Those writers who are mostly either priests or have taken their inspiration mainly from the Christian theology and usually based their ideas on Christianity, specifically on Protestantism, are, with the ideas they advocated for, with the works they have written and with the groups they became a member of, harbingers of liberalism. For instance, John Locke was so much influenced by Richard Hooker that he praised Hooker by writing 'judicious Hooker' in the first pages of his *Second Treatise on Government*, as well as making a

long quotation from his work titled *Of the Lawes of Ecclesiastical Polity* in the same book. The reason why those writers did not get the attention they deserved in the history of political thought could be the fact that they depended much on Christian theology while developing their ideas, which is seen as ahistorical or irrelevant for today's modern world. Here, only their ideas on natural law is to be examined and in the following chapters, their thoughts in general will be analysed in terms of their contribution to the birth of political liberalism.

From these writers, Samuel Rutherford, a Scottish Presbyterian priest, has written a book titled *Lex Rex [Law is the King]* in which he argues that natural law is equal to divine law and that the government should rule in accordance with the natural law. Rutherford writes "What is warranted by the direction of nature's right is warranted by the law of nature, and consequently by a divine law; for who can deny the law of nature to be a divine law? (Rutherford; quoted by Moots, 2010: 125)." According to Moots (2010: 125-126), *Lex Rex* bears quite a resemblance with many themes of modern natural law such as natural freedom and equality, government based on consent, rulers as fiduciaries, right to resistance and right to private property. For example, according to Rutherford, right to private property is a requirement of natural law and foundation of society. He argues that a tyrant is who takes others' property "as if they were his own" (Moots, 2010: 127). In the beginning of *Lex Rex*, Rutherford speaks as Locke speaks:

If all men be born equally free, as I hope to prove, there is no reason in nature why one man should be king or lord over another ... I conceive all jurisdiction of man over man to be as it were artificial and positive, and that it infereth some servitude whereof nature from the womb hath freed us. ... Princedom, empire, kingdom, or jurisdiction hath its rise from a positive or secondary law of nations, and not from the law of pure nature (quoted by Moots, 2010: 126).

Another writer in this transitional period was an influential Anglican theologian and priest, Richard Hooker (1554-1600) who was the mentor of John Locke. D'Entreves (1994: 47) defines Hooker as "probably one of the ablest, and certainly one of the most unbiased defenders of Thomist legal philosophy". He was unbiased, because Hooker, in

spite of being an Anglican, to much extent adopted natural law doctrine of Thomas Aquinas who laid the foundation of Catholic law doctrine. Hooker, who was jolly influential in the formation of Anglican theology and the *via media*, often puts emphasis on human reason in his masterpiece titled *Of the Lawes of Ecclesiastical Polity* (1593). According to him, the reason is the discoverer of the goodness in an action, thereby being able to direct human behaviour. If reason errs, we fall into error. Hooker makes speculation on moral philosophy about how to know what is good and what is bad (Hillerbrandt, 1968: 274-279).

According to Hooker, there are three kinds of law as natural, human and divine (revelation) (Hillerbrandt, 1968: 272). He writes "... those laws [laws of nature] are investigable by reason, without the help of revelation supernatural and divine. ... the knowledge of them is general, the world hath always been acquainted with them..." (Hillerbrandt, 1968: 283). Hooker's ideas will be examined again in the following pages where Locke's understanding of natural law and his construction of liberal political theory on it is examined.

Francisco Suarez is another important figure of this transitional period. He is so important in term of natural law tradition that Rothbard argues that the first attempt to secularise natural law was made by Spanish Scholastic jurists, Suarez in particular, not by Hugo Grotius, unlike generally supposed. In his work titled *De Legibus ac Deo Legislatore* (1619), Suarez has written "Even though God did not exist, or did not make use of his reason, or did not judge rightly of things, if there is in man such a dictate of right reason to guide him, it would have had the same nature of law as it now has." and "[many Scholastics] seem therefore logically to admit that natural law does not proceed from God as a lawgiver, for it is not dependent on God's will, nor does God manifest Himself in it as a sovereign (*superior*) commanding or forbidding. (d'Entreves, 1994: 71)." What is interesting here, as Carl Becker has pointed out (1957: 8), is that many 18th century rationalists who contributed to the secularisation process of the natural law that was claimed to be started by Grotius, despite being bitter enemies of the Scholastic

philosophers, were deeply influenced by the Scholastics in terms of their legal rationalism.

Edwards argues differently. According to him, Suarez firstly explained two tradition of natural law, that of extreme rationalists and of extreme Ockhamists, then, endeavoured to develop a median path between these extreme traditions. Therefore, Suarez benefited from other theologians, specifically from Aquinas. Suarez who pronounces Thomistic argument that God cannot deny himself and cannot abrogate his own justice, says that this argument means that God cannot abstain from prescribing goodness and prohibiting evil. Therefore, even though natural law is regarded solely as the reflection of God's will, it is guaranteed by an absolute principle – the principle that God cannot deny his own justice. Suarez writes (1944: 194; quoted by Edwards, 1970: 793-794):

God has complete providence over men; therefore, it becomes Him, as the supreme Governor of nature, to prohibit evil and prescribe what is good; hence, although the natural reason reveals what is good and what is bad to rational nature, nevertheless God, as the Author and Governor of that nature, commands that certain actions should be performed or avoided, in accordance with the dictates of reason.

The natural law doctrine that was incorporated into Christian philosophy by Christian philosophers of the late Roman period, the most eye-catching of whom was Lactantius, was theorised with assiduity and took its perfect shape in *Summa Theologiae* by Aquinas. He carefully instituted the balance of reason and revelation, of natural law and divine law, as explicated in the chapter on Thomistic natural law. This balance was brought up until Spanish Scholastics and, for the first time, not Grotius but Suarez undermined this balance on a large scale, given Suarez's remarks above from *De Legibus*. What Grotius did was to improve systematically the break of natural law from Christian theology.

The tradition of natural law was taken up by jurists such as Hugo Grotius, Samuel Pufendorf and Jean Barbeyrac from where it was left in late Middle Ages by what is defined as Spanish Scholastic jurists such as Francesco Suarez, Francesco de Vitoria,

Diego de Covarruvias, Domingo de Soto, Luis de Molina and Leonard Lessius (Gordley, 1992: 3). There is a general compromise in the literature³⁷ that Grotius secularised natural law that he has taken up from Spanish Scholastics. The importance of this compromise and the reason why Grotius' and Pufendorf's thought of natural law was shortly touched upon here is that their secularisation of natural law weakens the argument that theological themes in Locke's proto-liberal political thought was a requirement of his time, of the early modern *Zeitgeist*. In another words, in the second half of 17th century when Locke wrote his political works, the partial secularisation of natural law has already been started by Spanish Scholastics and this secularisation has already been taken to a systematical and more assertive point by Grotius' *De Jure Belli ac Pacis* (1625). Therefore, the argument that Locke's theo-political liberal philosophy necessarily, inevitably and undeliberately carries the elements of his time, which implies that theological themes in his liberal political thought was not his choice, but necessary result of his age's *Zeitgeist*, is quite weak. Locke wrote his major political works nearly half a century after Galileo and Newton materialised the physical world, Bacon and Descartes secularised philosophy and, Suarez and Grotius secularised the law. Locke was also a friend of Newton, a reader of Galileo, a reader of and a lecturer (in Christ Church, Oxford) on Grotius. Thus, despite seeing all this change in the understanding of the world and being aware of the ongoing secularisation of physics and philosophy, he has built his political theory on evidently theological premises. Therefore, to better understand the secularisation of natural law before Locke, Grotius's and Pufendorf's ideas on the natural law will be touched upon.

³⁷ Scholars like Otto Gierke, Ernest Barker, Carl Friedrich, George Sabine and Ernest Cassier have all contributed to this prevalent understanding that it was Grotius who broke the ties between natural law and Christian theology in early modernity. See: Otto Gierke, *Political Theories of the Middle Ages*, trans. By Frederick William Maitland, (Boston: Beacon Press, 1958); Otto Gierke, *Natural Law and the Theory of Society*, trans. By Ernest Barker (Cambridge: The University Press, 1958); Ernest Barker, *Traditions of Civility*, (Cambridge: The University Press, 1948); Ernest Barker, *The Myth of the State*, (New Haven: Yale University Press, 1946); George Sabine, *A History of Political Theory*, (New York: Holt, Rinehart and Winston, 1961); Carl Friedrich, *Inevitable Peace*, (Cambridge: Harvard University Press, 1948) (Edwards, 1970: 784).

7.3. Secularisation of Natural Law in Early Modern Age

The general opinion in the literature is that the person who started the process of secularisation in the field of law is a Danish Protestant jurist, Hugo Grotius. But this opinion was questioned in the second half of 20th century and the argument that who started the secularisation of natural law was Spanish Schoolmen, in particular Suarez, as explained before, and the argument that Grotius was the person who systematised and improved the secularisation of law was put forth by some writers. Accordingly, the claim that there can be a natural law independent of God was made before Grotius. Furthermore, d'Entreves argues that Grotius did no more than borrowing from Spanish Schoolmen. The claim that natural law will retain its validity even if there is no God (*etiamsi daremus non esse Deum*) could be found in Suarez's *De Legibus ac Deo Legislatore* (1619) (d'Entreves, 1994: 70-71). As Cassier pointed out, what is new in Grotius's thought was not the content of natural law, but its usage. Grotius endeavoured to revive natural law that was weakened by the extreme Augustinianism of some Protestants of reformation period and he made it by building a natural law doctrine that was not based on theological presuppositions. Grotius' followers carried on the task further and, some decades later, law was 'liberated' from domination of Christian theology. Thus, the natural law tradition of Grotius has cut off the balance between reason and revelation – a balance that medieval Schoolmen, Aquinas in particular, toiled to set. The works following Grotius' tradition, such as *De Iure Naturae et Gentium* (1672) of Pufendorf, *Principes du Droit Naturel* (1747) of Burlamaqui, and *Droit des Gens ou Principes de la Loi Naturelle* (1758), have nothing to do with theology. They pay homage to God from a distance and build purely rationalist doctrines of law. As a result, as Becker pointed out, the belief of Schoolmen in an omnipotent Christian God was gradually replaced by the belief of French deist *philosophes* in a Supreme Being or Nature's God. What Grotius propounded as a hypothesis started be taken as a thesis and the claim that natural law is self-evident, which is the fundamental axiom of secular natural law doctrine, has made God a superfluous part of the doctrine (d'Entreves, 1994: 53-55). Modern jurists started to handle law in analogy with the mathematics and

determined some self-evident principles from which other minor principles will be derived (d'Entreves, 1994: 57).

De Iure Belli ac Pacis (1625) is the work in which Grotius clearly systematised and furthered the secularisation of natural law. In that book, Grotius argues that natural law would retain its validity “even if we were to suppose (what we cannot suppose without the greatest wickedness) that there is no God, or that human affairs are of no concern to him (Grotius, 2005: 1772).” In another passage, he says:

the Law of Nature is so unalterable, that God himself cannot change it. For tho' the Power of God be infinite, yet we may say, that there are some Things to which this infinite Power does not extend, because they cannot be expressed that Propositions that contain any Sense, but manifestly imply a Contradiction. For Instance then, as God himself cannot effect, that twice two should not be four; so neither can he, that what is intrinsically Evil should not be Evil (Grotius, 2005: 155).

The claim that there is an order even God cannot spoil was not only audacious but also significant at that time. Besides, it is striking that Grotius made analogy with mathematics. This passage of Grotius gives the impression that the fact that mathematics was seen as the language of the nature by Newton and Bacon left an important impact on Grotius. The analogy that Grotius made with mathematics is more salient in another passage of him: “I affirm that, just as mathematicians treat geometrical figures as abstracted from material objects, so I have conceived of law in the absense of all particular circumstances (Grotius, 2005: 1762).” Grotius implies here that he will not consider theological presuppositions of Christianity in his examination of natural law and he will handle law not as a practical science, but as a speculative science.

According to Tuck, Grotius was the person who firstly developed the subjective right doctrine and left various kinds of impacts on the later right doctrines. Tuck also argues that Grotius' doctrine has some characteristics which liberal political theories may get inspiration from (Uslu, 2011: 59). Despite confirming that Grotius cut natural law off his medieval origins, Edwards argues (1970: 785) that Grotius cannot be deemed as a pure

secularist due to theological presuppositions in his thought and his emphasis on the dependence of man on the divine order.

The reason why Grotius endeavoured to take natural law out of theology is quite controversial. As said above, according to d'Entreves, Grotius made this to strengthen natural law doctrine. Ockhamian nominalism and legal voluntarism attacked on the doctrine of natural law by asserting that law is equivalent to the divine ordainments. Ockhamian tradition was strengthened in the reform period by the extreme Augustinianism of some reformist groups although the bulk of the reformists adopted natural law doctrine of Schoolmen without much change. Therefore, there were two legal traditions at the time of Grotius. The first tradition, called legal voluntarism, in congruity with nominalism, argued that normative realities that were claimed to be embedded in particular things did not exist, in other words, that Platonist ideas and forms did not exist and rejected the existence of the universals such as goodness and evilness. Accordingly, every deed was on its own a particular act. What God ordained was named as good and what He prohibited was named as bad, which facilitated the functioning of our brain since brain works by means of reductionist classifications. At the same time, this tradition rejected causality since it implies independence of man from God. The second tradition called legal rationalism, the pioneering representative of which was Hugo Grotius, argued that there were normative principles in the nature and that normative principles were directly produced by human reason and called this set of principles as natural law.

Thomas Aquinas (1999: 357) also believed in the existence of natural law, but, unlike Grotius, he never claimed that natural law was independent from God, that even God could not change it. Aquinas solved this legal and physical tension between reason and revelation by arguing that the will and reason in man are not always congruent with each other, that sometimes man could not achieve to behave in accordance with his will. For example, a man might know with his reason that a deed is wrong, but his will might not achieve not to do it. But this was not possible for God; Aquinas argues that God's reason is in full congruity with his will and vice versa. For that reason, what God willed is

always rational and, therefore, is able to be understood by human reason. God's reason cannot contradict with his will, which is a requirement of his godhead.

Thomistic solution was a median path between voluntarism and rationalism, and Aquinas warned against the breakup of this balance in *Summa Theologiae*. However, when legal voluntarism was strengthened by extreme Augustinianism of some Protestant groups such as Puritans, Grotius undertook the task of re-strengthening the doctrine of natural law and he did this task by breaking up the balance of revelation and reason in favour of reason which is the source of natural law. By liberating the doctrine of natural law from the domination of Christian theology, he probably aimed to protect the doctrine from the attacks of the extreme Augustinian, voluntarist Protestants. However, as Edwards remarked, it is wrong to conclude that Grotius was a pure secularist. Grotius, who was a Protestant, said, like Aquinas, that divine law was a separate source of law and regarded divine law as a requirement of "spiritual fulfilment". He is pious enough to say that only believers of Christianity and of other religions are to be tolerated by political authority, but not the atheists (Torun, 2005: 124). Furthermore, Grotius, like Aquinas, confirmed that revelational facts are not in contradiction with reason (Edwards, 1970: 797). Grotius went even further by arguing that although there is a natural law that is embedded in the nature and can be understood by reason, this law can be attributed to God since God has provided man with reason which produces natural law, which means that God wanted man to know some specific normative principles by his reason (Edwards, 1970: 798). Among Grotius' works, there was even one titled *De Veritate Religionis Christianae (On the Verity of Christian Religion)* that Locke recommended to his students in Christ Church. However, Grotius' claim that law of nature will exist even though God does not exist, that God's power is not enough to make an intrinsically good act an evil deed was an assertion of enough courage to make the door wide open for the secularisation of law. The long term result was the creation of many secularist systems of law.

Another important figure about natural law in the early modern period is Samuel von Pufendorf. D'Entreves (1994: 15) calls Pufendorf as the most influential natural law

philosopher of 17th century. Yayla says (2003: 30) that Locke was influenced at most from Pufendorf while developing his doctrine of natural law, that Locke inherited his doctrine and, then, wrote on it.

Pufendorf rejected Grotius' claim that natural law would retain its validity even though God did not exist and said that the maker of law should be a supreme being. According to Pufendorf, this maker is God. Pufendorf (1994: 154-155), after mentioning the courageous claim of Grotius, writes:

If anyone went so far as to assume that impious and absurd hypothesis and conceived the human race to have sprung from itself, then, those dictates of reason could in no way have the force of law, as this necessarily supposes a superior. ... And it must absolutely be maintained that the obligation of the natural law is from God Himself, the Creator and supreme governor of the human race, Who by virtue of His sovereignty over men, His creatures, has bound them to its observance. And this can be demonstrated by the light of reason.

According to Pufendorf, when God created man, since the notion and being of man included reason, God foresaw that this reason would comprehend normative principles in the nature, by implication, he had created natural law at the time of the creation of man. Pufendorf writes (1994: 149) "once He [God] determined to create him [man] as a rational and social animal, the natural law could not but accord with him." As also seen here, Pufendorf rejects Grotius' claim and thinks the existence of God and natural law together. However, in Pufendorf's legal philosophy, there is less emphasis on the revelational ordainments. Law has taken such a shape that its principles are derived by reason although the existence of God is seen necessary for the existence of law. For example, in his work titled *De Jure Naturae et Gentium* (1672), Pufendorf writes (quoted by Vergara, 2014: 127) "I admit that the Scripture enlightens us to a large extent to see the principles of natural law. But this does not prevent these principles ... in question from being discovered only by powers of natural reason and verified strongly. In these words, it is overtly argued that principles of law should be derived from reason,

which makes revelation legally irrelevant. Especially the word ‘only’ that Pufendorf used in the sentence above is eye-catching.

Grotius and Pufendorf could be seen as the mentors of the secularisation of natural law in the early modern period. Although they differentiate from each other in some respects, they both agree on the belief that a full-fledged system of law can be obtained *only* by means of human reason. These philosophers influenced almost all who came after them and were interested in legal philosophy. According to Haakonssen (1996), Grotius’ tradition of natural law that is based on the natural rights which are drawn from the contract made between rational individuals was improved by David Hume, Adam Smith and John Millar whereas Pufendorf’s tradition of relation between natural law and moral duties was improved by Francis Hutcheson, Thomas Reid, Dugald Stewart and James Mackintosh.

Before examining how Locke built his liberal political theory on his theological natural rights doctrine, Hobbes’ understanding of natural law is the last subject to be touched upon. Hobbes is one of the most controversial philosophers in the history of political philosophy. While some deem it as the first advocator of some basic liberal principles, some others regard him as a theorist of authoritarian state. For example, M.A. Kılıçbay (in Hobbes, 2013: 12), author of the introduction of *Leviathan*’s Turkish translation, credits Hobbes with being the founder of liberalism since Hobbes argued that the *raison d’être* of the political institutions was the security of its citizens – an evidently individualist presupposition. Hobbes, firstly, is an advocator of absolute individual liberty since his understanding of individual in the state of nature is in full control over himself; secondly, is a philosopher who had an understanding of negative liberty since his understanding of individual is exempt from all kinds of external obstacles in the state of nature. Hobbes, despite developing a subjective natural rights doctrine, as a result of his axiom that “*Homo homini lupus*”, depicts a perfect chaos in the state of nature. As individuals become merciless enemies of each other, thereby leading to a perpetual state of war of all against all, a powerful political authority is invited in to end the war and to provide peace. The importance of the theological presuppositions in Locke’s political

thought is better realised by reading Locke in comparison with Hobbes. Accordingly, although Hobbes has incorporated Christian theology into his political thought, this incorporation is quite different from that of Locke. While building his theory, Hobbes set out with purely materialistic premises, hence, developed a very consistent theory of authoritarian state and, at this point, he placed the Christian theology inside. In Hobbes' political theory, one gets the impression that he somewhat strainedly inserted Christian theology inside his political theory. The reason why the consequences of Hobbesian political theory are radically different from those of Lockean is their premises from which they set out. Locke's construction of a liberal political theory was only possible by his adopting theological premises in addition to many of the materialist premises of Hobbes. His set of premises includes both purely materialist and positivist presuppositions as well as purely theological ones, which at the same time underlies the alleged inconsistency of his political thought, and at the center of the set of these premises is those which are about natural law.

Hobbes, like Suarez, differentiates between *jus naturale* and *lex naturalis*. Accordingly, *jus* means right whereas *lex*, which is derived from the verb 'to bind' in Latin, means law. Sir John Fortescue argues that these two notions are quite different from each other (McNeill, 1941: 212). In *Leviathan*, Hobbes says that *lex naturalis* means natural law while *jus naturale* means natural right and indicates to an important difference between these notions. He writes (1997: 80) in *Leviathan* "A law of nature, *lex naturalis*, is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same.

After confirming the existence of natural law, Hobbes identifies nineteen natural laws, the most fundamental of all is to seek and follow peace. Since everyone, in the state of nature, is entitled to everything, even to each other's bodies, man's reason tells him that he should seek justice to preserve his life: "It is a precept, or general rule of reason: that every man ought to endeavor peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek and use all helps and advantages of war. (Hobbes, 1997: 80)." The first part of this remark shows the first and most fundamental law of

nature, that everyone should seek justice, and second part indicates to the second law of nature that if peace cannot be obtained, man should use every means to live. Other laws of nature Hobbes listed and shortly explained are gratitude, complaisance, pardoning etc. Hobbes points to the principle, which is the third law of nature, that covenants should be kept as the basis of justice and concludes that political authority is the basis of justice since only it can enforce this law of nature. He writes (1997: 89):

Before the names of just and unjust can have a place, there must be some coercive power to compel man equally to the performance of their covenants, by the terror of some punishment greater than the benefit they expect from the breach of their covenant ... and such power there is none before the erection of a Commonwealth. And this is also to be gathered out of the ordinary definition of justice in the Schools, for they say that justice is the constant will of giving to every man his own. And therefore where there is no own, that is, no propriety, there is no injustice; and where there is no coercive power erected, that is, where there is no Commonwealth, there is no propriety, all men having right to all things: therefore where there is no Commonwealth, there nothing is unjust. So that the nature of justice consisteth in keeping of valid covenants, but the validity of covenants begins not but with the constitution of a civil power sufficient to compel men to keep them: and then it is also that propriety begins.

Hobbes argues that all the laws of nature can be summarised in the principle running as “Do not that to another which thou wouldest not have done to thyself. (Hobbes, 1997: 97). He quotes the Latin proposition of the same meaning: “*Quod tibi fieri non vis, alteri ne feceris.* (Hobbes, 1997: 81).” According to Hobbes, laws of nature are always binding in conscience, but they are only binding *de facto* when security is provided (Hobbes, 1997: 97). This proposition is the most important point that differentiates outcomes of Hobbesian political thought from those of Lockean. Hobbes argues that laws of nature will lack the enforcing power when there is no political authority whereas Locke argues that people in general are the enforcers of the natural law in the state of nature. This

point will later be examined further and the inconsistencies of Lockean political thought will be clarified.

Hobbesian laws of nature are unchanging and eternal. Hobbes, who says that the science that examines the laws of nature, as a science of virtue and wickedness, is “real moral philosophy”, adopts the classical belief that laws of nature are God’s laws and that they are eternal. He writes (Hobbes, 1997: 239):

As far as they [holy books] differ not from the laws of nature, there is no doubt but they are the law of God, and carry their authority with them, legible to all men that have the use of natural reason: but this is no other authority than that of all other moral doctrine consonant to reason; the dictates whereof are laws, not made, but eternal.

Lastly, another important point in terms of liberalism in Hobbesian political philosophy is Hobbes’ proposition that civil government should be practised independent of religious matters, which contributed to the nascent liberal principle of the separation of political issues from religious ones. Hobbes wants to end papal domination over the kings. Therefore, he refutes the Catholic arguments that legitimise this domination and aims to strengthen the argument that kings are the only sovereign over their subjects. According to Hobbes, subjects’ obedience to the laws that kings make, despite related to religion, is a requirement of both natural and revelational divine law since the subjects entered under the authority of the sovereign with their own consents and promised to obey his prescriptions so long as the sovereign provides them with security (Hobbes, 2013: 424). However, Hobbes writes (1997: 365): “It is manifest enough that when a man receiveth two contrary commands, and knows that one of them is God’s, he ought to obey that, and not the other, though it be the command even of his lawful (whether a monarch or a sovereign assembly), or the command of his father.” Later he goes on by saying “if the command of the civil sovereign be such as that it may be obeyed without the forfeiture of life eternal.” adding St. Paulus’ biblical prescription ordering “Servants, obey your masters in all things.” He also warns that “if the command be such as cannot be obeyed, without being damned to eternal death, then, it were madness to obey it

(Hobbes, 1997: 366).” Hobbes claim that “it is not hard to reconcile our obedience to God with our obedience to the civil sovereign, who is either Christian or infidel (Hobbes, 1997: 376).” was one of the most intrepid and manifest advocacy for the separation of political affairs from the religious ones. Hobbes finds theological support for this advocacy of him: “When the civil sovereign is an infidel, every one of his own subjects that resisteth him sinneth against the laws of God (for such are the laws of nature) and rejected the counsel of the Apostles that admonisheth all Christians to obey their princes (Hobbes, 1997: 376).”

After Hobbes’ *Leviathan*, Locke’s age was a period when Newtonian depiction of clockwork universe got much stronger, the medieval image of an interfering God was replaced by the image of an uninterfering Clockmaker, Galileo claimed that the globe revolved around sun, Bacon interlinked science and power by arguing that empirical science can make man the lord of universe, Descartes developed his constructivist rationalist philosophy, natural law was, at least partially, secularised by Suarez, Grotius and Pufendorf – in short, the foundations of modernity were laid just before Locke. In this period, when modernity was taking its shape but medieval ideas still lingered, Locke used both nascent modern themes and some of the medieval concepts, viz. re-interpreted Christian theology, in his proto-liberal political theory.

7.4 Locke’s Natural Law Doctrine and Theological Basis of Classical Liberal Political Philosophy

Locke’s doctrine of natural law is closely interlinked with his definition of reason. In his work titled *A Discourse on Miracles*, Locke explains his understanding of reason: “I deem reason as the discovery of certainties or of probabilities that judgments bear; the judgments that are the derivations from ideas –the reason obtains these ideas by inner sensations and outer sensations– made by the intellect (Locke; quoted by Çetin, 1995: 89).” Apart from that, Locke defines reason in his *First Treatise on Government* as “the voice of God in him” and in his *An Essay on Human Understanding* by saying “reason is natural revelation (Didier, 2009: 70).” He suggests that we should use our reason as an instrument to harmonise our consent with the prescriptions of divine revelation (Forde,

2001: 399). According to Dunn, Locke was convinced that the demands of reason were God's demands; therefore, God's demands were supposed to be discovered by reason and, by acting according to these demands, one should be a good Christian. For example, Locke observed that human beings could not live alone and were convenient to live in society, and thought that God wanted them to live so. As a result of this reasoning, he concluded that people should refrain from destructive acts against society since God willed so (Dunn, 2011: 87). Therefore, Locke thinks that one of the functions that God placed in reason is creating a society and maintenance of it. According to Locke, one who does not use his reason and harms society is deleterious: "In violating the law of nature, offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men, for their mutual security; and so he becomes dangerous to mankind (Locke, 1824: 342)."

Locke struck a sensitive balance between reason and revelation. Accordingly, man can know many things by the sensations obtained by our senses and transmitted to the mind. God has created us in a way that the knowledge we may obtain by our senses is enough for our happiness. There is no need for revelation for the things we may know with our reason. However, there is a field of knowledge such as the knowledge of hereafter and resurrection that reason fails to reach and revelation is needed to know them. Furthermore, this revelatory knowledge is more significant than the knowledge reached by reason since the former is related to the salvation of the soul. Whether a word is revelation or not is determined by miracle; but it is again reason that identifies a miracle (Woolhouse, 2011: 287-288).

Locke's understanding of reason necessitates the existence of natural law. Locke was convinced that God could not have created the people without determining any rules for them. On this conviction argues Locke that there are universal norms that human reason can discover and calls these norms as the law of nature. Natural law determines the universal criteria of goodness and evil (Uslu: 2011: 154). Locke seems to make much contemplation on natural law. According to d'Entreves, modern theorists of individual rights were at the same time philosophers of natural law and Locke, as a philosopher of

that kind, has demonstrated clearly that individual freedoms originates from natural law. Therefore, origins of Lockean liberalism are embedded in the law of nature (d'Entreves, 1994: 61-62). According to Ralph Raico (cited by Yayla, 2013: 135-136), Locke developed a strong liberal philosophy by means of natural law doctrine that was taken from classics and improved further by Schoolmen. Strauss (1965: 173) considers Locke as the most influential and most significant philosopher of natural rights tradition and says that Locke has built his political theory completely on the presupposition of the existence of the law of nature. Rothbard argues (2009: 21) that Levellers and Locke transformed classical natural law methodologically and on individual grounds, thereby developing the modern tradition of natural rights. According to him, American revolutionaries has implemented libertarianism that was embedded in Locke's philosophy to America. According to Uslu (2011: 154), while classical natural law was an all-comprehensive ethical frame that encompasses all human acts, Locke, by taking this doctrine to the political arena, transubstantiated it into a kernel of natural rights on which he would build his theory of liberty and individualism. Erdoğan argues (2012: 40) that Locke, despite confirming that natural rights originated from God, made a revolutionary change in the doctrine of natural rights by politicising them. Locke made this by utilising natural rights to put limits to political authority. Therefore, Sandoz (1973: 13) argues that Locke was, despite having denied, a revolutionary in the full sense of the term and this was the reason why he lived in fear in some periods of his life. Although he advocated for revolutionary ideas for his time, he was quite prudent as well. He even cut off his signature from some of his letters and, once, he used invisible ink. Therefore, Sandoz (1973: 24) calls Locke as "a cautious revolutionary". It seems bizarre to interlink liberalism and revolutionism, but given what kind of a change Locke's ideas propose in England of the 17th century, it is not an exaggeration to call Locke as a revolutionary. Directly targeting the regime of monarchy that violates natural rights of the individuals, Locke aims to construct a limited and consent-based government. This kind of a regime is evidently not monarchy, which makes Locke "a cautious revolutionary".

Locke's theory of natural rights is enwrapped with theological presuppositions and themes, and under the very basis of his doctrine is theological premises. In Locke's *Second Treatise on Government*, where he developed his liberal political philosophy depending on natural rights, there are few pages in which Locke didn't refer to Bible or to God. According to him, the law of nature is God's will and could be known by reason (Locke, 1999: 18). According to Strauss, Locke's mentor was the great Anglican theologian Richard Hooker who was credited by Locke in the very beginning of the *Second Treatise* as being called as "judicious Hooker" and from whose works Locke made long quotations. Strauss argues that Locke inherited the natural law doctrine of Hooker. Accordingly, Hooker inherited his natural law doctrine from Aquinas, Aquinas from early church fathers, church fathers from Stoics and Stoics from Socrates in sequence. Therefore, according to Strauss (1965: 173-175), there is a linear tradition of natural law from Socrates to Locke. But between Locke and Hooker past a period of time in which foundations of modern science were laid and, as a result of this, the theological depiction of universe was replaced by clockwork universe. Hobbes was the first person to apply the results of this scientific revolution to the political philosophy. Therefore, Hobbes regards his natural rights doctrine as the first scientific doctrine of natural rights.

The first time that Locke wrote extensively on the law of nature was when he was at the age of 34, but he did not publish his writings. Later, he published them under the title *Essays on the Law of Nature*, in which he wrote "law of nature can be described as being the decree of the divine will discernible by the light of nature and indicating what is and what is not in conformity with rational nature, and for this very reason commanding or prohibiting (Locke; in Goldie, 1997: 82)." In this work, Locke argued (1999: 25) that law of nature is not innate to man, not imprinted on the mind or heart of man; rather, it is known by what he called as the "light of nature". It is weird to see that Locke, someone that is epistemologically materialist enough to deny the existence of innate ideas and argues that only senses, except for revelation, can be source for human knowledge, accepts something metaphysical like what he called as light of nature as another source of knowledge. In this work, Locke claims that the law of nature Stoics often talk about

exists and he shows five evidence for it. First of all, he quotes Aristoteles' words from *Nicomachean Ethics*, Book I, Chapter 7 saying "the special function of man is the active exercise of the mind's faculties in accordance with rational principle." and from Book V, Chapter 7 saying "A natural rule of justice is one which has the same validity everywhere." Secondly, Locke (1999: 18-20) resorts to the witness of peoples' consciences by the argument that "no one who commits a wicked action is acquitted in his own judgment." But this conscience should believe in revelation. In one of his letters that he sent to Gabriel Towerson, Locke said that he did not think that the existence of the law of nature could be proven with the consciences of those who did not believe in the revelation. Woolhouse says (2011: 43-44) that Locke might have put forth this argument with inspiration from Pufendorf's *Elementa Jurisprudentia Universalis*. Third evidence that Locke listed to prove the existence of the law of nature in his *Essays on the Law of Nature* "is derived from the very constitution of this world, wherein all things observe a fixed law of their operations and a manner of existence appropriate to their nature." He (in Goldie, 1997: 86-87) support this proof by Aquinas' words: "all that happens in things created is the subject-matter of the eternal law." According to Locke, "The fourth argument is taken from human society, since without this law, men can have no social intercourse or union among themselves." If the law of nature did not exist, the rulers would rule completely in favour of their own interests and, therefore, much harm would be caused to the interests of the people. Moreover, it would be arduous for the rulers to rule the people without the law of nature because:

Certainly, positive civil laws are not binding by their own nature or force or in any other way than in virtue of the law of nature, which orders obedience to superiors and the keeping of public peace. Thus, without this law, the rulers can perhaps by force and with the aid of arms compel the multitude to obedience, but put them under an obligation they cannot (Locke; in Goldie, 1997: 87).

These words are quite significant since they demonstrate that a liberal political regime started to take shape in Locke's mind in his early ages, at the age of 34 when he wrote the *Essays on the Law of Nature*. The last argument "is that without natural law there

would be neither virtue nor vice, neither the reward of goodness nor the punishment of evil: there is no fault, no guilt where there is no law (Locke; in Goldie, 1997: 88).” Apart from that, Locke said that no-one rejected the existence of the law of nature. Although this remark is to much extent an exaggeration since there had always been extreme legal voluntarists who argued that law meant only God’s will and there was no law of nature, this remark of Locke is important to show that Locke was deeply influenced by the historical prestige of the doctrine of the law of nature.

Locke argues that two points should be accepted before having the knowledge of any kind of law, and specifically, the law of nature. These are:

First, in order that anyone may understand that he is bound by a law, he must know beforehand that there is a lawmaker, i.e. some superior power to which he is rightly subject. Secondly, it is also necessary to know that there is some will on the part of that superior power with respect to the things to be done by us, that is to say, that the lawmaker, whoever he may prove to be, wishes that we do this but leave off that, and demands of us that the conduct of our life should be in accordance with his will (Locke; in Goldie, 1997: 102).

Locke means God by saying “superior power”. Therefore Locke argues that it is impossible to know that there is a law of nature, and thus, impossible to accept it unless believing in a deity. Locke is clear about that point as could also be seen in another passage of the *Essay*: “Even if God and the soul’s immortality are not moral propositions and laws of nature, nevertheless they must be necessarily presupposed if natural law is to exist. For there is no law without a lawmaker, and law is to no purpose without punishment (Locke; in Goldie, 1997: 113).”

According to Locke, the bond of the law of nature, as well as its existence, depends on the belief in a deity. In Chapter VI of his work, which is titled “*Are Men Bound by the Law of Nature? Yes.*”, he argues that only the belief in God makes the law of nature binding for men by saying “that bond [of the law of nature] derives from the lordship and command which any superior has over us and our actions (Locke; in Goldie, 1997: 117).” Locke goes on:

If natural law is not binding on men, neither can positive divine law be binding, and that no one has maintained. In fact, the basis of obligation is in both cases the same, i.e. the will of a supreme Godhead. The two laws differ only in method of promulgation and in the way in which we know with certainty by the light of nature and from natural principles, the latter we apprehend by faith.

It is striking to see that Locke here regards natural law on the same ground with positive divine law (revelation). Natural law is as binding as divine law. Locke, in another passage of him, ascribes the possibility of worldly political authority to the bond of natural law. He says (Locke; in Goldie, 1997: 120):

If natural law is not binding on men, neither can any human positive law be binding. For the laws of the civil magistrate derive their whole force from the constraining power of natural law, certainly so far as the majority of men is concerned. In fact, since the definite knowledge of a divine revelation has not reached them, they have no other law, both divine and binding by its very nature, than natural law; so that, if you abolish the law of nature among them, you banish from among mankind at the same time the whole body politic, all authority, order and fellowship among them. ... Hence the binding force of civil law is dependent on natural law; and we are not so much coerced into rendering obedience to the magistrate by the power of the civil law as bound to obedience by natural right.

Locke's understanding of natural law is quite comprehensive. As well as regulating interpersonal relations from the perspective of negative liberty, this law also gives to the people moral responsibilities that could also be called as religious duties. Locke, at least in his early age of 34 when he developed his doctrine of law of nature, fairly approached to the classical doctrine of natural law: "There are other things towards which the law of nature requires us to maintain certain sentiments, such as reverence and fear of the deity, tender affection for parents, love of one's neighbour, and other such sentiments." Natural law, here, according to Locke, as well as being a limited set of rules that gives to the people some tasks like the prohibition of murdering an innocent man, is also regarded as an ethical doctrine that gives to the people general ethical rules.

Furthermore, Locke mentions about some “things of which the outward performance is commanded, for example, the outward worship of the deity, the consoling of a distressed neighbour, the relief of one in trouble, the feeding of the hungry.” But according to Locke, these obligations exist only in limited circumstances. For example, we cannot be responsible to feed all the hungry people; this responsibility emerges “only when a poor man’s misfortune calls for our alms and our property supplies means for charity (Locke; in Goldie, 1997: 122-123).”

Since the natural law links human acts with their consequences, the notion of responsibility emerges and by means of this can we speak about virtuous and wicked lives as well as wrongdoings and punishments. In fact, Locke called the “eternal order of things” that included the law of nature as “Natural Religion”. According to him, behests of natural religion are the law of nature and behests of revealed religions are revelation. Hence, Locke called (1999: 5) Jesus as “Restorer and Preacher of pure Natural Religion”. Strauss argues (1965: 238-239) that the tension in Locke’s thought between natural law and revealed law is solved by Locke’s argument in his work titled *Second Reply to the Bishop of Worcester*, saying that “God’s rectitude is the evidence of the rectitude of what he revealed.” Locke’s reasoning here is as follows: Natural reason does not prove the existence of hereafter that implies that souls will live forever, but can prove that a revelation is revelation since every revelation is supported by miracle. A miracle is the realisation of an event that is, for human reason, impossible to take place. Reason can understand that something is a revelation after witnessing something supernatural, viz. miracle. Since God does not lie, natural reason finds every piece of revelation true. As it is written in the New Testament that the souls will live forever, natural reason may regard the fact that divine behests in the revelation are verified by the reason as the true ground for morality.

Considering Tuck’s classification of natural rights as subjective and objective, what Locke named as the law of nature included characteristics from both subjective and objective natural rights. Locke’s doctrine of the law of nature not only determines some universal rules, by implication, universal tasks for individuals and rulers, but also

provides individuals with unalienable and indispensable natural rights. According to Uslu, Locke achieved to abstain not only from an absolute relativism by deriving fundamental natural rights from the principle of self-ownership (although he did not put the exact name) and by restraining subjective natural rights by the law of nature that has an objective character, but also from developing an authoritarian state by not centralising virtues and duties in his theory. At this point, the difference between Locke and Hobbes is better thrown into relief. Locke derives individual rights from subjective natural rights that he bases on the objective law of nature whereas Hobbes, despite accepting the existence of the law of nature, does not think that this law could have the effect of a real law in the state of nature since there is no enforcer of it. Therefore, Hobbes bases individuals rights on the the contract that individuals make together. Locke, contrary to Hobbes, set forth a theory of limited government by arguing that individuals have the ability to use their natural rights since he presupposes enforcement of the law of nature in the state of nature.

It is necessary here to go into some more detail about how Locke achieved to abstain from developing a theory of authoritarian or totalitarian government although he accepted the existence of the law of nature and had an understanding of individual rights that was quite close to the doctrine of objective natural rights. Although he accepts the existence of the law of nature and natural rights, he prevents these rights from restricting individual freedoms by centralising the principle of self-ownership in his theory. This principle provides individuals with inalienable and indispensable rights over all of their choices such as religious belief, prayer types and all other human acts. It also includes the right not to obey the law of nature without violating others' natural rights. Therefore, according to Locke's political theory, the imposition of an understanding of morality to individuals means violation of the most fundamental principle, viz. the principle of self-ownership. Locke's argument about toleration, which says that political affairs should be separated from religious affairs could be reached from this principle as well.

In fact, this problem, the problem of a particular morality's being imposed to the individuals by means of political authority, started in the Western political thought with

Plato's misunderstanding about Socrates who spent his life by trying to spread his ideas, especially among the youth of Athens at the expense of his life, but by completely peaceful and 'civil' means, by education and chatting, not by any political instrument. In the book titled *The Apology of Socrates*, Socrates tells that he has never taken any public service and still meticulously refrained from taking a public service (Plato, 2013: 51). But his student, Plato, abandons his method by developing a theory of totalitarian state that imposes a particular morality to the individuals with a goal to make them virtuous, thereby taking the shortcut to reach Socrates' ideal. The spell of Plato has deeply influenced philosophers throughout ages (Popper, 2013) and also left a great impact on the Christian political philosophy in a way that many Christian philosophers tended to think that political authority is responsible for the well-being and salvation of the souls of the subjects. Till the religion wars and scientific revolution of 16th and 17th century, this had not been questioned and had become an entrenched opinion in Western political philosophy. The scientific revolution of 16th and 17th century gave birth to a materialist transformation in the understanding of universe and set forth the thesis that the source of knowledge is experiment. At the same time, there were religion wars in which many people were killed and Europe sank into religiously-fueled political chaos that would continue more than one hundred years. The consequence of scientific revolution and religion wars was the emergence of a debate that political authority should be responsible only for the bodies of the subjects, not for their souls, and by implication, that political affairs should be separated from religious affairs. These ideas are based on the principle of religious toleration and of self-ownership in Locke's political theory.

Under the consequences of Locke's theory lies, to a great extent, theological premises and his presuppositions that he has taken from the Scripture. Locke always mentions about the law of nature in his theory; for example, in the *Second Treatise*, he quotes the sixth verse in Genesis saying "Whose sheddeth man's blood, by man shall his blood be shed.", which he called as the great law of nature. Again, from Genesis, he quotes Cain saying "Every one that findeth me, shall slay me (Locke, 1824: 344)."

Although often he does not quote anyone or refers to only few names in his writings, Locke shows his indebtedness to Richard Hooker in the very beginning of the *Second Treatise*, in the very beginning of which he makes a quite long quotation from the book of Hooker, titled *Of the Lawes of Ecclesiastical Polity*. Hooker, who is called by Hillerbrandt as the most significant theologian of 16th century England, published this book in 1593. Locke's depiction of the state of nature in the *Second Treatise* carries the marks of Hooker's ideas that he quoted. This quotation of Locke from Hooker is important enough to be quoted here:

The like natural inducement hath brought men to know, that it is no less their duty to love others than themselves; for seeing those things which are equal must needs all have one measure; if I cannot but wish to receive good, even as much at every man's hands, as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men, being of one and the same nature? To have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me; so that if I do harm, I must look to suffer, there being no reason that others should show greater measure of love to me, than they have by me showed unto them: my desire therefore to be loved of my equals in nature, as much as possibly may be, imposes upon me a natural duty of bearing to them-ward fully the like affection: from which revelation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason hath drawn, for direction of life, no man is ignorant (Locke, 1824: 340-341).

The impact of Hooker's ideas on Locke's depiction of the state of nature is evident. It is said in the previous chapter that the depiction of the state of nature as a state of absolute equality is a full-fledged theological premise. Locke claims that the law of nature exists in fact in this state of absolute equality and says "that in the state of nature every one has the executive power of the law of nature." But "ill-nature, passion and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow: and that therefore God hath certainly appointed government to restrain the

partiality and violence of men (Locke, 1824: 345).” While the law of nature was being executed in the state of nature commonly by the individuals, and peace was provided therewith, government was appointed by God to stop the injustices made by the punisher of a wrongdoing due to the sentiments of revenge, rage and the like. Therefore, what God appointed government for is only to punish those who break the peace in the state of nature by violating other individuals’ rights. Therefore, government’s mere duty is to protect the fundamental rights of the individuals. Since God has given man fundamental natural rights such as the right to life, private property and liberty by the law of nature, the duty of the government is solely to protect these rights, which results in a fairly limited government. The consequence of this theological premise of absolute equality of men in the state of nature, which Locke has developed with inspiration from Hooker, is, as seen, a theory of limited government.

Locke constantly quotes Hooker in his *Second Treatise*. One of the most important of these quotations is the advice that human laws should be made as congruent with the law of nature and divine law. According to Hooker, “rules are two, the law of God, and the law of nature; so that laws human must be made according to the general laws of nature, and without contradiction to any positive law of scripture, otherwise they are ill made (Hooker, 1, iii, sect. 9; quoted by Locke, 1824: 419).” The first consequence of this argument of Locke is that the legislative should firstly have the full knowledge of divine law and the laws of nature that are in perfect congruity with the divine law to be able to make human laws compatible with these laws. The second consequence is that divine law and the laws of nature restrict the political authority in terms of the laws that it may decree.

In the following pages of the *Second Treatise*, after roughly determining the legitimate limits of the legislative, he lists duties of the legislative, thereby making the limits clearer. In the eleventh chapter of the book, which is titled *Of the Extent of the Legislative Power*, Locke says that there are four limits for the legislative and that a legitimate legislative should by no means transgress these limits. The first of these limits is that the legislative cannot have an arbitrary say over the lives and properties of the

individuals. Therefore, the task of legislation cannot be executed by momentary arbitrary decrees, but by “promulgated established laws” and under the control of known authorised judges. Secondly, the legislation can be carried out by the aim of public benefit. Thirdly, it is not possible to seize any part of property of anyone without his consent. By the word ‘property’ here, Locke means property in the general sense, i.e. property including the rights to life, freedom and private possession. Lastly, the legislative cannot transfer the authority of legislation to anyone. All these limitations were put by the law of nature and divine law (Locke, 2012: 88-94).

Likewise, Locke’s justification for private property has a theological presupposition since he claims that private property is one of the consequences of the law of nature. Locke said (1824: 353) “that god gave the world to Adam, and his posterity in common.”, and “God, ... hath given the world to men for the support and comfort of their being.” Locke argues that labour of man makes something, which makes his life easier, his property, and God wants this. “The labour of his body, and the work of his hands, we may say are properly his. Whatsoever than he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property (Locke, 1824: 354).” The premise that God has given the world and everything inside it to men is evidently a theological axiom that is based on Christian teleological ontology.

According to Forde, understanding Locke’s reasoning is easy. Locke tries to understand what God wills by considering the irresistible inclinations and needs God has given to men. For example, God has given to men a motive to live; then, we should try to maintain our lives. He has given the desire to live in ease; then, we should try to obtain what we need for an easy life and should improve science and arts. This irresistible motive has an important role in the justification of private property. He has given to men an ability to speak and desire to spread our ideas; then, we should have the freedom of speech and spread our ideas freely. According to Locke, God cannot be so capricious by giving these irresistible wants and desires, and also punishing men because they follow them. However, Forde says (2001: 399-400) that Locke ignores the contra-argument that

these desires and wants could be a part of the spoiled-nature of man caused by Adam's fall from grace.

Tout court, there are many and very fundamental theological premises in Locke's political theory such as his depiction of the state of nature, absolute equality of men in the state of nature, principle of self-ownership of individuals, legitimacy of political authority, government based on consent, the idea that *raison d'être* of government is to protect natural rights of individuals, justification of private property, determining the limitations of the legislative. By implication, more secondary aspects of Locke's political thought are also based on theological premises since above-mentioned premises underlie his theory altogether.

In a liberal state, which is the embodiment of Locke's political theory, the fundamental characteristic of society is the trust of individuals to each other and to government in that they will obey the law of nature. Accordingly, individuals have entrusted the ruler with authority to rule themselves by trusting him in that he would protect their natural rights and have made a contract with him. Besides, individuals also trust each other that they will behave in accordance with the law of nature. What is extremely striking is that Locke argues that this trust which is necessary to build any social association can only be possible by being ethical and virtuous, which is only possible by the belief in a deity. This argument has led Locke to the conclusion that a liberal political theory can only be implemented in a society where the individuals believe in a deity.

7.5 The Belief in a Deity and Ethics as Lockean Prerequisites for the Realisation of His Liberal Political Theory

It seems that Locke grew gradually more convinced in his later ages that his political theory could only be realised in a society where the individuals believe in a deity and thus live their lives in congruity with the ethical values. Locke, who focused gradually more on morality in his later ages when his health went from bad to worse, thought that morality can and should be codified in the same certitude with mathematics, and if this could be achieved, there would be no more praiseworthy work on earth than that. Locke said he desired to do it, but he didn't have enough time and health for it (Çetin, 1995:

180). It is clear that Locke thought his political theory would be realised after the codification of moral principles in certitude since the individuals would feel themselves compelled to obey these codified moral principles by using their reasons. Although Locke firstly said that he desired to make this codification, later, he said there was no need for it since God gave them as fully written in the Scripture. Therefore, he argued that morality could be based both on religion and on reason, adding that basing it on religion was a simpler and more secure way to ensure morality of the people. Secondly, since the reason lacks a clear sanction to prevent people from immorality, revelation is a much more secure way to make people ethical (Çetin, 1995: 181-182). In fact, Locke's idea that reason, unlike revelation, lacks a clear sanction contradicts his argument that the law of nature is enforced by the individuals in general in the state of nature. If individuals enforce the law of nature, then this implies that rational morality might be enforced in the same way; but Locke ignores this point silently. Moreover, according to Locke, since the moral rules will change depending on time and place when derived from reason, the third benefit of derivation of moral rules from divine law is the fact that a universal and valid-in-all-times set of moral laws could be created (Çetin, 1995: 192).

From a different perspective, Dunn said (2011: 66-67) that Locke saw the nature of society, to much extent, interlinked with a deity. According to Locke, if man finds in himself an irresistible desire to live in society and if he sees that he needs social life, he should understand that God has willed so and made it a law of nature; therefore man should protect society. Then, individuals can build a society on mutual trust – the trust that other individuals will understand God's will and behave accordingly. Therefore, trust of individuals to each other is what lies under any society. According to Locke, destructive character of atheism lies here. Atheism obliterates the ground of society by reducing the mutual trust of individuals to their individual materialistic benefits. Those who lack the belief in a deity has no reason to trust each other. Therefore, an individual's loss of his religious belief is the ultimate degeneration, Locke thinks. Similarly, the relation between ruler and subjects is based on trust as well. The people should trust ruler that he will obey the law of nature and this trust can only be obtained when the ruler believes in a deity (Dunn, 2011: 96). As a result of these ideas, in his *A Letter*

Concerning Toleration, Locke concludes that a political authority should tolerate the believer of any religion, no matter whether Christianity or not, but should not tolerate non-believers. According to Locke (2012: 71), atheists does not have the ability to trust or the characteristic to be trusted, which is necessary to live in a society.

The claim that Locke's liberal order is only possible where the individuals believe in a set of moral rules that are based on religion is also set forth by Forde. Locke said (quoted by Forde, 2001: 398) "what duty is, cannot be understood without a law; nor a law be known, or supposed, without a lawmaker, or without reward and punishment." According to Locke, how a law cannot be without sanction, likewise, morality cannot lack sanction. Then, real morality is based on God's laws that have divine sanctions. According to Locke, there is a contradiction between short term material benefits and morality; if there is no sanction, there is no reason for man for not being a hedonist, without taking any law or rule into consideration, running after his interests ignoring any kind of harm against others. Bulk of the people are docile since they live in conformism by obeying traditions and habits. The more a man is rational, the more he needs to be shown religious prescriptions. Therefore, Locke does not accept pure rational morality of Grotius and his followers by arguing, at least in the last years of his life, that human reason is not enough to create a set of moral rules on its own. Forde (2001: 398-399) calls Locke's thoughts on ethics as "hedonistic moral psychology".

In *The Reasonableness of Christianity as Delivered in the Scripture*, which Locke wrote in his last years, there is more emphasis on revelation than on reason unlike in *Essays on the Law of Nature*, which he wrote at the age of 34 and in which rationalism has the upper hand. In the *Reasonableness*, Locke put so much emphasis on the deficiencies of the law of nature and argued so passionately that a viable social order and a real system of law could only be built on Christian theology whose prescriptions, unlike those of the law of nature, are clear that some writers went as far as to claim that Locke abandoned his belief in the law of nature at his late age (Rabieh, 1991: 951; cited by Strauss, 1953: 204, 220; cited by Forde, 2001: 398). It is clear in the *Reasonableness* and in other works of Locke that he believes in the law of nature, but these writers point to an

important shift in Locke's thought in his late ages. Young Locke argued passionately that a true morality could be based on the evident principles of the law of nature if a man believed in a deity, and thus, reason may make people virtuous and ethical. Old Locke, especially in his very late ages, put much more emphasis on revelation and argued resolutely that morality could not be based on the law of nature because of aforementioned reasons; it has to be based on revelation although he went on to believe that natural law was a part of divine law and had the central role in the foundation of his political theory. Likewise, Didier says (2009: 57-58) that Locke rarely enters into discussion about moral philosophy in his works on philosophy. In these works, Locke rejects the argument that morality is imprinted in human mind, heart or conscience by telling his observation that moral rules vary in different societies. If it had been imprinted, the same set of universal moral rules would have developed in all societies. Thus, foundation for morality should be searched in ordainments of God and this could be done by a theological research.

In the *Reasonableness*, Locke says (1999: 148) "that 'tis too hard a task for unassisted Reason, to establish Morality in all its parts upon its true foundations; with a clear and convincing light." Locke, despite accepting the existence of the law of nature at his late age, does not see it as a true base on which a moral theory could be grounded. For the sake of better conveying Locke's cause, we need a long quotation from the *Reasonableness* (1999: 150-153):

Let it be granted (though not true) that all the Moral Precepts of the Gospel were known by some Body or other, amongst Mankind, before. But where or how, or of what use, is not considered. Suppose they may be picked up here and there; Some from Solon and Bias in Greece, Others from Tully in Italy: And to compleat the work, let Confutius, as far as China, be consulted; And Anacarsis the Scythian contribute his share. What will all this do, to give the World a compleat morality, that may be to Mankind, the Unquestionable Rule of Life and Manners? I will not here urge the impossibility of collecting from men, so far distant from one another, in time, and place, and languages. I will suppose there was a Stobeus in

those times, who had gathered the Moral sayings from all the Sages of the World. What would this amount to, towards being a steady Rule; A certain transcript of a Law that we are under? Did the saying of Aristippus, or Confutius, give it an Authority? Was Zeno a Lawgiver to Mankind? If not, what he or any other Philosopher delivered, was but a saying of his. Mankind might hearken to it, or reject it, as they pleased; Or as it suited their interest, passions, principles or humours. They were under no obligation: The Opinion of this or that Philosopher, was of no Authority. And if it were, you must take all he said under the same Character. All his dictates must go for Law, certain and true; or none of them. And then, If you will take any of the Moral sayings of Epicurus (many whereof Seneca quotes, with esteem and approbation) for Precepts of the Law of Nature; You must take all the rest of his Doctrine for such too; Or else his Authority ceases: And so no more is to be received from him, or any of the Sages of old, for parts of the Law of Nature, as carrying with it an obligation to be obeyed. ... But such a Body of Ethics, proved to be the Law of Nature, from principles of Reason, and reaching all the Duties of Life; I think no body will say the World had before our Saviour's time. 'Tis not enough, that there were up and down scattered sayings of wise Men, conformable to right Reason. The Law of Nature, was the Law of Convenience too: And 'tis no wonder, that those Men of Parts, and studious of Virtue; (Who had occasion to think on any particular part of it) should by meditation light on the right, even from the observable Convenience and beauty of it; Without making out its obligation from the true Principles of the Law of Nature, and foundations of Morality. But these incoherent apophthegms of Philosophers, and wise Men; however excellent in themselves, and well intended by them; could never make a Morality, whereof the World could be convinced, could never rise up to the force of a Law that Mankind could with certainty depend on. Whatsoever should thus be universally useful, as a standard to which Men should conform their Manners, must have its Authority either from Reason or Revelation. 'Tis not every Writer of Morals, or Compiler of it from others, that can thereby be erected into a Law-giver to Mankind; and a dictator of Rules,

which are therefore valid, because they are to be found in his Books; under the Authority of this or that Philosopher. He that any one will pretend to set up in this kind, and have his Rules pass for authentique directions; must shew, that either he builds his Doctrine upon Principles of Reason, self-evident in themselves; and deduces all the parts of it from thence, by clear and evident demonstration, or must shew his Commission from Heaven; That he comes with Authority from God, to deliver his Will and Commands to the World. In the former way, no body that I know before our Saviour's time, ever did; or went about to give us a Morality. 'Tis true there is a Law of Nature. But who is there that ever did, or undertook to give it us all entire, as a Law; No more, nor no less, than what was contained in, and had the obligation of that Law? Who ever made out all the parts of it; Put them together; and shewed the World their obligation? Where was there any such Code, that Mankind might have recourse to, as their unerring Rule, before our Saviour's time? If there was not, 'tis plain, there was need of one to give us such a Morality; Such a Law, which might be the sure guide of those who had a desire to go right. ... Such a Law of Morality, Jesus Christ hath given us in the New Testament; But by the latter of these ways, by Revelation. We have from him a full and sufficient Rule for our direction; And conformable to that of Reason.

In this long quotation, Locke (1999: 148) clearly states his ideas about the base of morality. Locke, despite accepting that moral laws could be codified like mathematical laws, argued passionately that it could be based on the revelation owing to the reasons he listed above. To Molyneux who has written to Locke a letter asking to write a work on morality, Locke replied by saying "But the Gospel contains so perfect a body of Ethicks, that reason may be excused from that enquiry, since she may find man's duty clearer and easier in revelation than in herself."

It is significant to note the difference between Locke's political theory and moral theory in terms of theology. By observing that the Scripture does not even say one thing about the political regime, Locke rejected Filmer's argument that patriarchal monarchy was the

suggested political regime in the holy writ. According to Locke, the political regime should be determined by the very general principles in the holy writ such as that man should behave to others in the way they behave to him, and by the principles of self-ownership and absolute equality that are derived from the law of nature to which the Scripture point out. Therefore, in his political philosophy, Locke constructs his political theory on a long reasoning despite setting out from purely theological premises. Once he builds his political theory, he starts to think that individuals of society should be virtuous and live their lives in congruity with moral principles to realise the political regime he has devised. For this goal, he endeavours to put forth a theory of morality. Since he argues that the law of nature has no evident sanction, he states that a real theory of morality is tantamount to the dictates of revelation and these dictates should be derived from the holy writ. Therefore, while he is developing his theory of morality, unlike his theory of political theory, he thought that what was needed was a compilation of moral rules in the holy writ, instead of a long reasoning and argumentation. According to Locke (1823: VII/146), “[philosophy has] given us ethics in a science like mathematics, in every part demonstrable; this yet would not have been so effectual to man in this imperfect state, nor proper for the cure.”

With various arguments, Locke advocated for the fact that morality should be based on revelations instead of being philosophised. It is hard to find any other topic more emphasised in the *Reasonableness* than that. According to him, goodness or evil could be determined by philosophy; but it is impossible for men to obey the principles of rational morality. He writes (1823: VII/154-163):

Those just measures of Right and Wrong, which necessity had anywhere introduced, the Civil Laws prescribed, or Philosophy recommended, stood not on their true Foundations. They were looked on as bonds of Society, and Conveniences of common Life, and laudable Practices. But where was it that their Obligation was thoroughly known and allowed, and they received as Precepts of a Law; Of the highest Law, the Law of Nature? That could not be, without a clear knowledge and acknowledgment of the Law-maker, and the great Rewards and

Punishments, for those that would or would not obey him. ... Hearing plain Commands, is the sure and only course to bring them to Obedience and Practise. The greatest part cannot know, and therefore they must believe. And I ask, whether one coming from Heaven, in the Power of God, in full and clear Evidence and Demonstration of Miracles, giving plain and direct Rules of Morality and Obedience, be not likelier to enlighten the bulk of Mankind, and set them right in their Duties, and bring them to do them, than by Reasoning with them from general Notions and Principles of Humane Reason? ... Open their eyes upon the endless unspeakable joys of another Life; And their Hearts will find something solid and powerful to move them. The view of Heaven and Hell, will cast a slight upon the short pleasures and pains of this present state; and give attractions and encouragements to Virtue, which reason, and interest, and the Care of our selves, cannot but allow and prefer. Upon this foundation, and upon this only, Morality stands firm, and may defy all competition. This makes it more than a name; A substantial Good, worth all our aims and endeavours; And thus the Gospel of Jesus Christ has delivered to us.

There is not a necessary link between virtue and prosperity in Locke's understanding of morality. Since he believed in the eternity of soul, and divine rewards and punishments in the hereafter, he didn't believe that those who obey the law of nature and divine law will necessarily be rewarded in this world. In the *Reasonableness*, Locke writes (1999: cvii) "Virtue and Prosperity, do not often accompany one another, And there Virtue seldom had many Followers." Strauss argues (1965: 213) that a link between virtue and prosperity could be perceived and that the pagan moral philosophers of classical period took notice of this link. Locke, despite accepting there is a link, does not think it necessarily exists.

According to Dunn, Locke is of the opinion that thinking rightly necessitates morality and that the basis of morality is belief in a deity. Therefore, he has written the *Reasonableness* which is a simple explanation of Christianity as an auxiliary to *An Essay Concerning Human Understanding*. Accordingly, the *Reasonableness* will secure the

belief of Christians in God, thereby guaranteeing the morality, and the *Essay* will make right thinking possible. Dunn seems to have grasped the basic intention of Locke with this explanation of him.

As a result, Locke argues (1999: 147) that reasonable justification of morality cannot guarantee morality of people by saying that morality of people, their building commonwealth and their obedience to their rulers are only made possible by the *laws of religion*. According to Locke, there has already been very few people in the history who could have the chance to learn morality from philosophers. Therefore, he says “No wonder then, that Religion was every where distinguished from, and preferred to Virtue.”

It should not come as a surprise that liberalism which is sometimes interlinked with materialistic exploitation and hedonism by some people now was so much interconnected with morality at the time when Locke lived, for the most fundamental principles of liberalism such as the right to life, freedom and private property are presuppositions that are not convenient to be totally verified on scientific grounds no matter which tradition, either liberal or communitarian, is utilised. Therefore, Başdemir observes that liberals search directly for moral grounds for their ideas instead of searching for allegedly scientific grounds as the socialists do and have coined the term scientific socialism. According to Başdemir (2009: 15-16), no matter what the so-called scientific theories say about fundamental rights of individuals, liberals advocate for these rights. Advocacy of these rights is not scientific; but rather, moral or ethical.

From this perspective, that many liberal philosophers such as John Locke, Adam Smith, David Hume, Immanuel Kant, Jeremy Bentham, John Stuart Mill, John Rawls, Alan Gewirth, David Gauthier, Ludwig von Mises and Murray N. Rothbard have contemplated much on morality is revealing. According to many writers, who have contributed to the formation of liberal tradition, liberal principles are also moral and ethical principles. For example, Adam Smith regards the “invisible hand” as a divine approbation. Mises rejected the differentiation of economics and ethics and endeavoured to bring economics and ethics closer under the rubric of *praxeology* arguing that they

depend on the same mentality of action. Rothbard rejected the widespread opinion that economics and ethics are two totally different sciences, which depends on the argument that economics is a positive science whereas ethics is a normative one, and indicated to the common problems of these two fields such as the property rights (Başdemir, 2009: 166-167). Amartya Sen argued that modern economics has two main roots; the first being engineering, the second being ethics and both roots can be dated as back to as Aristoteles (Sen, 1990: 2-3). According to Hazlitt, there is almost no ethical issue which has no economical aspect (Hazlitt, 2002: 15). Otteson calls Adam Smith as “a philosopher of morality” (Otteson, 2002: 49). Demir, in his book titled *Economics and Ethics* (2013), examines how ethics can facilitate the functioning the economy of a society and concludes that morality is supportive for free market economy. Köktaş has clearly shown how Scottish Enlightenment rose on the theories of morality. Accordingly, Francis Hutcheson, Adam Smith, David Hume and Adam Ferguson, all of whom could be called as classical liberal philosophers, have extensively written on morality and developed moral theories (Köktaş, 2010). In a nutshell, both political liberalism and capitalism is closely interlinked with ethics and morality.

7.6 Inconsistencies in Locke’s Political Thought

The fact that Locke’s political thought has some discrepancies is a leitmotif in the literature on political theory. This was already uttered when Locke was alive by Leibniz in a letter he sent to Locke. Leibniz indicated to the ambiguity in Locke’s *An Essay Concerning Human Understanding* by saying “I assure you, sir, with perfect sincerity, that I am extremely sorry to be obliged to say anything against this demonstration: But I do it in order to give you an opportunity to fill up the gap in it. ... I find ambiguity in it (Sandoz, 1972: 22-23).” According to T.H. Green, Locke’s *Essay* is a “chaos of antinomies” (Sandoz, 1972: 18). Laslett (1988: 82; cited by Waldron, 2002: 50) set forth that Locke is perhaps the most inconsistent of all the great philosophers and it is not a big job to take notice of these inconsistencies in his thought. According to Santayana, discrepancies in Locke’s thought was beneficial to Locke himself since Locke might have been less influential if he were more consistent (Sandoz, 1972: 11). Strauss says

that it is not possible that such discrepancies escaped the glimpse of a philosopher of a great calibre like Locke. According to Strauss (1965: 220), to behave cautiously, Locke has wrapped up his message and made it difficult to understand; as a result, he not only achieved to convey his message to the proper offices, but also seemed conformable to the mainstream political thought of his time from a superficial look, thereby preserving himself from the wrath of political authorities as much as possible. Strauss gives an example of inconsistency from the *Second Treatise*. Accordingly, Locke argues that the law of nature is not imprinted in the minds, hearts or souls of individuals and that it has to be learnt by endeavouring like mathematics. However, Strauss argues (1965: 261) that, since a law that is not manifestly declared to its subjects would not be a true law, the law of nature in Locke's thought is not a real law.

Donnelly (1980: 520-525) asks whether there is a contradiction, or at least a tension, between Locke's empiricist epistemology and his natural law doctrine. When Locke presupposed the existence of a nature while speaking about natural law, he meant the nature around us and human nature. From this perspective, presupposing the existence of human nature might be in contradiction with his argument that there was no innate ideas. If Locke meant the universal human tendencies with the notion of human nature, these tendencies might be indicating to the knowledge written on human reason, soul, conscience or heart, which might in turn result in the argument that man has innate ideas.

Despite these inconsistencies in Locke's philosophy, according to Sandoz, the consequences of Locke's political thought are happy. In England and America, Locke's political theory was, to much extent, implemented and even today it is still functioning. However, Locke's epistemological theory in the *Essay* has given birth to a complete rejection of metaphysics and to a purely materialistic *Weltanschauung*, as well as to proto-positivism, since it, to much extent, rejected *Nous* –the reason that participated in the harmony of the universe– and Aristotelian teleological ontology. The impact of this on the politics was the birth of what Sandoz called “despotic enthusiasm”, which Locke strove to defeat in England, in other parts of the world by Westernisation.

Many points about which Locke is inconsistent are related to Locke's doctrine of the law of nature. The fact that Locke had difficulty in setting the balance between revelation and reason and the partial change of his position between the law of nature and divine law show that his mind is not clear about them. Locke has materialistic premises in the fields of human nature and epistemology whereas he has theological premises in ontology and political theory. The difficulty to reach a compromise between materialism and theology, and the tension he felt while devising a political theory that would not only build a government, but also would secure fundamental rights of individuals are main reasons for the inconsistencies in his philosophy. One of the philosophers after Locke would harshly criticise Locke's doctrine of the law of nature by attacking on the law of nature.

7.7 Inconsistencies and Dilemmas in the Doctrine of Natural Law: the Problem of Hume and Instrumentalisation of Reason

Hobbes accepted the existence of the law of nature and natural rights in *Leviathan*; however, since the law of nature will be without sanction in the state of nature, he rejected the claim that the law of nature is a true law. Therefore, Hobbesian state of nature is a perfect chaos in which *homo homini lupus*. The state, which protect the people from this chaos, enforce the law of nature and protect the rights of individuals, get a central position in Hobbes' political theory and, for that reason, it becomes a threat for the rights of individuals as criticised later. Hobbes' political theory is quite consistent and his argumentation is quite sound. The only salient inconsistency in his theory is that Hobbes does not effectively explain how the individuals who are bitter enemies of each other in the state of nature could come together and form a society. Although human life in the state of nature was short, bad and difficult, the distrust between individuals would not let them come together when observed more closely. Asocial and clever animals who are so wild that they could even eat themselves are extremely difficult to form any society no matter how short the life was. Hobbes seems to need much stronger arguments in clarifying this point.

Locke solved this problem by arguing that individuals enforced the law of nature in the state of nature, and they lived in peace. Accordingly, individuals in the state of nature have understood the law of nature placed in the nature by God, taken notice of their rights, and, by using their reasons, lived in congruity with the law of nature, as well as respecting each others' natural rights. The reason why individuals quit the state of nature and build the state was that they make injustices in the enforcing of the law of nature. For example, when an individual violate a right of another individual, the lust for vengeance leads to another injustice and the state of nature which Locke depicts as a state of peace and happiness is exposed to threat of being dissolved. On this basis founds Locke his theory of government whose only duty is to protect the rights of individuals, which is, therefore, a quite limited government.

Some inconsistencies can be discerned in this theory. Firstly, it is very much optimist expectation to anticipate that individuals will obey the law of nature where there is no pre-determined enforcer for it. Before examining Hume's criticism against the argument that human reason understands the law of nature and obeys it, one should handle the second inconsistency in Locke's theory. How strong a motivation one needs for daring to punish a wild criminal who, say, has murdered a man and eaten him, is clear enough. Undertaking a task as perilous as punishing a wild murdered, who, for example, killed a woman who has no relatives, is extremely troublesome and has no reward in return. In such a case, individuals might be expected to stay still if the wrongdoing in question is not related to them. Locke silently passes off here. Hobbes' argument that a sanctionless law cannot be a true law is much more reasonable than that of Locke. "Where there is no common power, there is no law; where no law, no justice. Force and fraud are in war the two cardinal virtues (Hobbes, 1651: 79)." Locke's this manoeuvre was to lessen the need for a political authority in the state of nature is of vital import in his political theory and is the fundamental reason of his success in developing a theory of limited government. Besides, Locke's depiction of the state of nature is not as bad as the individuals' letting a political authority be founded, which would later enslave and exploit them, even kill them, by violating their fundamental rights no matter how limited it is. It is more reasonable to expect that individuals who formed a society and founded a political

authority, after experiencing the brutality of the tyrannised political ruler, would whittle away the state over time by dispersing to distant places of the country, for example, to the mountains and hills, and would never try to found another political authority after they have learnt this knowledge based on their experience.

These inconsistencies in Locke's political theory could not have escaped the glimpse of Locke, as Strauss argued. Then, although he took notice of these inconsistencies, the reasons why he did not try to correct them were, firstly, that he lacked an important piece of knowledge that Hume would later discover and, secondly, that he was influenced by the strong trust in reason, which emerged at the dawn of Enlightenment. The construction of the myth of reason that understood the law of nature and act accordingly is, at least, as old as ancient Greece. Renaissance humanism and optimistic atmosphere of the Enlightenment have restrengthened this myth. Locke has never claimed that human reason would save the man on its own. Of the Enlightenment period thinkers except for the French anti-clerics, few claimed that reason only was enough for human beings. But the premise that human reason understands natural law caused a great optimism for human nature, which is the greatest reason for the inconsistencies in Locke's philosophy.

Before Sigmund Freud, Friedrich Nietzsche and the massacres exerted by scientific methods in the Second World War, philosophers such as Edmund Burke and David Hume have directed strong criticism against the rationalist tradition of the Enlightenment. Hume, who criticised the law of nature which has been one of the strongest sources for Enlightenment rationalism, mentions in his work titled *A treatise of Human Nature* about "an opinion very industriously propagated by certain philosophers, that morality is susceptible of demonstration." but also observes that "though no one has ever been able to advance a single step in those demonstrations; yet it is taken for granted, that this science may be brought to an equal certainty with geometry or algebra (Hume, 2009: 706)." The he asks: "what does reason discover, when it pronounces any action vicious? Does it discover any relation or a matter of fact? These questions are decisive, and must not be eluded (Hume, 2009: 955)."

Hume, in reply to those who argue that ethics can be codified into principles that are as certain as the mathematical rules, claim that morality must either be composed of empirical relations or must be derived from the relations between phenomena if the claim of codification is true. Morality cannot be composed of empirical relations since it is normative. Then, it has to be derived from the relations between the phenomena. Hume says, when reason calls a certain deed as immoral, if this indicates to the fact that reason has reached this conclusion from a relation between the phenomena, then, this is evidently absurd and gives an example to better explain the absurdity here:

Let us chuse any inanimate object, such as an oak or elm; and let us suppose, that by the dropping of its seed, it produces a sapling below it, which springing up by degrees, at last overtops and destroys the parent tree: I ask, if in this instance there be wanting any relation, which is discoverable in parricide or ingratitude (Hume, 2009: 711)?

Therefore, according to Hume, morality is not something that could be derived by reason and be understood by it. Because “Reason or science is nothing but the comparing of ideas, and the discovery of their relations (Hume, 2009: 711).”

Hume says that the fight between the reason and desires in the history of philosophy became famous over the centuries and argues that this so-called fight is nonsense. He writes (2009: 633-638):

I shall endeavour to prove first, that reason alone can never be a motive to any action of the will; and secondly that it can never oppose passion in the direction of the will. ... Abstract and demonstrative reason, therefore, never influences any of our actions, but only as it directs our judgment concerning causes and effects; which leads us to the second operation of the understanding. ... Since reason alone can never produce any action, or give rise to volition, I infer, that the same faculty is as incapable of preventing volition, or of disputing the preference with any passion or emotion. ... Nothing can oppose or retard the impulse of passion ... Thus it appears, that the principle, which opposes our passion, cannot be the same with reason, and is only called so in an improper sense. ... Reason is, and

ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them. ... It is not contrary to reason to prefer the destruction of the whole world to the scratching of my finger. ... The consequences are evident. Since a passion can never, in any sense, be called unreasonable, but when founded on a false supposition or when it chuses means insufficient for the designed end, it is impossible, that reason and passion can ever oppose each other, or dispute for the government of the will and actions.

Hume's argument that reason is the slave of passions was met with great astonishment at a time when the enthusiasm of Enlightenment was at its zenith. Hume, in fact advocated for the absurdity of the fight between reason and passions by arguing that reason has no normative function. According to him, reason's function is not preventing passions' taking control of human being, but to serve for the passions. Hume writes (2009: 702) about the functions of human reason as follows:

It has been observed, that reason, in a strict and philosophical sense, can have influence on our conduct only after two ways: Either when it excites a passion by informing us of the existence of something which is a proper object of it; or when it discovers the connexion of causes and effects, so as to afford us means of exerting any passion.

Therefore, the argument that reason can understand a virtue or a vice is not true for reason has no normative function. Those who load reason with normative function derived normative principles from phenomena, thereby arguing that reason may rein back passions, which is evidently wrong. If there is a relation of superiority and inferiority between reason and passions, it should be put as that passions is the lord of reason. For example, from a scene in which there is a businessman and a starving kid, a normative derivation that the businessman should feed the kid cannot be derived by reason. These arguments of Hume directly attack on the law of nature and natural rights. According to Hume, virtue is not embedded in the nature unlike natural law philosophers argued. He writes (2009: 724): "It is evident, that the actions themselves are artificial, and are performed with a certain design and intention."

Hume develops his theory of moral sense after his criticism against the natural law and normative function of human reason. According to him, morality is only felt, not reasoned. “Here we cannot remain long in suspense, but must pronounce the impression arising from virtue, to be agreeable, and that proceeding from vice to be uneasy (2009: 717).” Hume argues that morality is not something embedded in the nature and therefore it is not something to be conceived by reason; to the contrary, it is an artificial phenomenon and hence its source should be looked for in different from reason. Hume (2009: 716) concludes:

Morality, therefore, is more properly felt than judged of; though this feeling or sentiment is commonly so oft and gentle; that we are apt to confound it with an idea, according to our common custom of taking all things for the same, which have any near resemblance to each other.

The argument that morality is not something to be derived by reason, that it is felt by what Hume called as moral sense led Hume to the conclusion that justice, like morality, is an artificial phenomenon. According to Hume, the foundation of justice is the search of people to secure their properties; therefore, the original motive of justice is individual interests, which is also accompanied by a limited generosity. The motive for individual interest is better satisfied by the self-limitation of this motive than it is satisfied as unlimitedly and this information, once learnt, was transferred from generation to generation under the rubric of justice (Uslu, 2011: 186). According to Alford, Hume thinks that there is a point in the public opinion, but that is not something to be explained. There are some things that almost all people may agree on, and this is completely by the help of moral sense. Moral sense, just like sense of vision guides people. Alford (2010: 84) called the fact that Hume shook the doctrine of natural law as Hume’s guillotine.

Hume’s claims do not stop here. Hume also attacked on the driving force of scientific revolution, viz. determinism, which underlies the notion of clockwork universe that emerged after the physical theory of Newton. He writes (2009: 710):

I say, ... that there is no connexion of cause and effect, such as this is supposed to be, which is discoverable otherwise than by experience, and of which we can pretend to have any security by the simple consideration of the objects. All beings in the universe, considered in themselves, appear entirely loose and independent of each other. It is only by experience we learn their influence and connexion; and this influence we ought never to extend beyond experience.

The problems that Hume set forth in philosophy are called as the problem of Hume and there is still a compromise that those problems have not been solved yet. Hume's arguments are so strong that he shook many of the great traditions of philosophy such as Stoicism, Catholic theory of justice and the whole Enlightenment as well as undermining systems of great philosophers such as Platon, Aristoteles, Cicero, Seneca, Lucretius, Aquinas, Suarez, Grotius, Pufendorf, Locke, Newton, Bacon and Descartes.

What Hume wanted to do was to obliterate the myth of able pure reason that was constructed by the Enlightenment and show the inability of *a priori* knowledge. Therefore, he wanted to refute all kinds of *a priori* knowledge including natural law that could be conceived by pure reason and advocated for an absolute empiricism. Although it is difficult to disagree with Hume's criticism about natural law, it would be better to juxtapose his criticism with what Hobbes called as "natural punishments" in his *Leviathan*. Hobbes writes (1651: 226):

There is no action of man in this life that is not the beginning of so long a chain of consequences as no human providence is enough to give a man a prospect to the end. And in this chain there are linked together both pleasing and unpleasing events; in such manner as he that will do anything for his pleasure, must engage himself to suffer all the pains annexed to it; and these pains are the natural punishments of those actions which are the beginning of more harm than good. And hereby it comes to pass that intemperance is naturally punished with diseases; rashness, with mischances; injustice, with the violence of enemies; pride, with ruin; cowardice, with oppression; negligent government of princes, with rebellion; and rebellion, with slaughter. For seeing punishments are consequent to

the breach of laws, natural punishments must be naturally consequent to the breach of laws of nature, and therefore follow them as their natural, not arbitrary, effects.

It is hard to disagree with what Hume argues in his *A Treatise of Human Nature* about natural law. Then, one should utilise Kant's categorisation and differentiate pure reason (*reinen Vernunft*) from practical reason (*practischen Vernunft*). Kant told that Hume woke him up from his dogmatic sleep and wanted to close the gap, at least a bit of it, between two main epistemological traditions of the Enlightenment: rationalism and empiricism. According to Kant (1998), pure reason has limits and for the sake of protection of itself, these limitations must be maintained. Kant (1909) has shown mathematical rules such as that two times two makes four as an example of *a priori* knowledge. Besides, he argued that law could be obtained by means of practical reason.

Taken all the thoughts of Hobbes, Locke, Hume and Kant about natural law into consideration, it seems reasonable to argue that natural law cannot be derived from pure reason, that pure reason does not have normative function, that it is practical reason that could discover the law of nature embedded in nature by experience, e.i. as *a posteriori*. Philosophers of classical natural law have argued, without making differentiation between pure and practical reason, that natural law can be derived by means of reason which apparently included both pure and practical reason. Hume's criticism seems to have strongly shaken the classical doctrine of natural law. Nonetheless, although pure reason is unable to reach any normative principle without help of the senses, it appears that some normative principles could be obtained *a posteriori* by means of knowledge acquired by senses. As Hobbes observed, intemperance will naturally be punished with diseases and cowardice with oppression. A people with very little courage have reason to fear that a tyrant is rising.

In fact, Giambattista Vico (cited by d'Entreves, 1994: 57) at that time said, without being able to attract the attention of the intelligentsia, that law would manifest itself after long sufferings of mankind. For all that, natural law, which is embedded in the nature and whose principles are to be learnt on the long term with sufferings functions so

indirectly that it is very difficult to codify it as Locke passionately longed for in his early ages. Besides, a law whose consequences appear in such a long term seems very ineffective given the impetuosity of human nature and well-known principle of penal code prescribing that a punishment should be given right after the guilt. Moreover, it is difficult to claim that the law of nature is stable since, for example, it seems that not every wrongdoing is punished, even in the long run. Hobbes' argument about natural punishments is evidently reasonable; however, it is quite doubtful that these natural punishments always emerge after a wrongdoing. In conclusion, considering Hobbes' natural punishments, inconsistencies in Locke's philosophy, Hume's criticism of rationalism and natural law and Kant's reply to this criticism, although there is a law of nature, it is so indirect and uncertain that it is not stable and definite enough to give birth to a political theory. It seems that this is the reason why Locke's political theory is endlessly equivocal.

With his criticism against the law of nature, Hume began to be seen as the father of legal positivism. Hume's problem have sharply lessened the strength of natural law doctrine after the Enlightenment era. Today, legal positivism is the most prevalent paradigm in legal and political theory and is opposite to the natural law doctrine. Besides, there is a strong tendency in the modern legal and political philosophy, which argues that the doctrine of natural law should be examined in the field of theology and metaphysics, not in that of politics or philosophy.

However, Hume's criticism have not eradicated tradition of natural law altogether, and there were influential philosophers after Hume, such as Murray N. Rothbard in 20th century, who have made natural law the center of their thoughts. Rothbard does not accept attribution of mystic or metaphysical meaning to the word 'nature' and criticises legal positivists. According to Rothbard, nature is as concrete as the fact that an apple falls on the ground due to gravity and that hydrogen and oxygen atoms get into reaction and water molecules emerge. He is astonished at the fact that it is argued by some writers that human beings have no nature whereas the fact that plants, animals and all other things have nature is accepted. According to him, like everything, man also has a

nature, and moral values are determined in accordance with this nature. “The natural law ethic decrees that for all living things, “goodness” is the fulfillment of what is best for that type of creature; “goodness” is therefore relative to the nature of the creature concerned (Rothbard, 1998: 11).”

The question whether there is a universal and specific human nature is an important matter of discussion. One of the points that were set forth by the advocates of the doctrine of natural law is that general inclinations of men constitute human nature. Accordingly, thousands of inclinations could be found in a human being and moreover, there might still be some inclinations undetected. The question here is whether it is true to derive a normative principle from these inclinations. In a nutshell, can principles of natural law be derived from the inclinations of human beings? As well as some inclinations that are generally accepted as good such as abstaining from giving harm to anybody, showing affection to the needy and the weak etc., one should also consider some other inclinations that are generally accepted as wicked such as jealousy, sadism, unlimited lust for sexuality etc. Does the fact that the former gives pleasure on the long term whereas the latter gives pain mean that natural law should only take into consideration the inclinations that cause pleasure on the long term? For example, is the possibility of catching a disease the natural punishment of unlimited sexuality, as Hobbes similarly argued?

Rothbard (1998: 11-12), by repeating one of the widespread ideas of ancient Greek, writes “the natural-law ethic states that goodness or badness can be determined by what fulfills or thwarts what is best for man’s nature. In a significant sense, then, natural law provides man with a “science of happiness.”” Here Rothbard seems to exclude the human inclinations generally accepted as wicked. Otherwise, there are natural inclinations in human beings that force them into existential sophistication, as Aquinas argued by incorporating Aristotelian notion of *telos* into Christian theology and should only they be considered while determining the principles of natural law? Locke (in Goldie, 1997: 100) also mentioned about natural law that “leads us to that height of virtue and felicity whereto the gods invite and nature also tends.” But it is also possible

to find a wicked inclination as against a good inclination in human nature, if it exists. Man is inclined to dominate others as well as showing affection and to steal as well as to donate. Is man more inclined to help a suffering man or rather, to improve his existence over the suffering of that man by taking pleasure from his pains? What constituent of man is the bearer of these inclinations if not his nature? Are these inclinations innate or learnt later? If they are innate, how could, say, little children and babies kill insects without feeling anything? If conscience that is said to be the judge of one's own deeds feels pleasantness upon a good deed and sourness upon a wicked deed, since the babies and children could kill or hurt anything without feeling anything, it is evident that conscience is something socially constructed. For example, sacrificing an animal for God may make a believer feel good, but the same deed makes an extreme defender of animal rights feel sorrow. Thus, conscience is not innate; it is socially and religiously constructed. It seems that traditions and religion are two main constituent of one's conscience. Any writer who accept the existence of a universal human nature and derives principles of natural law from this nature has to make these issues clear.

Hayekian theory of law also has an implication that indicates to the existence of a partial, if not complete, natural law. According to Hayek, law is a body that emerges spontaneously out of an evolutionary selection process. According to this account, it is to be asked why almost the same legal principles have emerged out of this process almost in every society, but not the principles that are fully contradictory with today's legal principles. The answer is that the principles socially selected and developed over time have been found more beneficial to the mankind than others. That fact indicated to a reality called as natural law, to which human beings across the world have so far felt obliged to act accordingly – an argument that implies for the existence of, at least, a partial natural law.

Even H.L.A. Hart who openly defines himself as positivist and who is one of the pioneers of legal positivism, in his article written in 1955 titled "Are there any natural rights?", argued that there must be at least one natural right, e.i. the right to personal freedom (Hart, 1955). Therefore, even Hart accepted the existence of one natural right,

or, a minimum set of natural rights. Barry says (2012: 82) that acceptance of existence of a minimum set of natural rights is vital for any law system. Nevertheless, Barry (2012: 83) takes Hume's criticism into consideration and dilutes the doctrine of natural law by arguing that rules that emerged as results of conventions may be principles of natural law as well.

Horkheimer calls the modern process in which traditional unification between reason and virtue has gradually been destroyed and almost obliterated in 20th century as *instrumentalisation of reason* or *subjectivisation* thereof. Horkheimer argues that notion of reason started to be used as an instrument to reach or obtain pre-determined ends with a change in its utilisation in early modern period. The question whether ends in themselves are congruent with reason is set aside. In the great and oldest philosophical traditions such as those of ancient Greek and of Stoics, human mind was seen as incorporated in a more general notion of reason (*Nous*) and a deed was regarded as rational so long as it accorded with and participated in this reason. Horkheimer called this ancient notion of reason in the classical age as *objective reason*. For instance, Plato's Republic was a work that narrated happiness of people who lived in accordance with the objective reason. In other words, reason was seen as something that is subsumed in the whole reality and that penetrated into all the creation; however, as beginning from early modern times, reason started to be considered as an ability that only man has. Goals of the classical objective notion of reason are seen as mythical ideals today. While calling the classical notion of reason as objective reason, Horkheimer calls modern notion of reason as *subjective reason* (2013: 55-56). From this perspective, Hume played a fairly significant role in the development of the subjective reason.

Thereupon, Horkheimer argues that being virtuous and moral in the classical age was provided by the participation of human reason in the universal order, or in the objective reality in the universe. But after the instrumentalisation of reason and emergence of subjective reason, being virtuous or moral was excluded from among the goals of reason. In the modern age, the objective reason of classical age was gone and, since

reason take only senses into consideration epistemologically, the reason started to be used as an instrument to obtain pleasure and abstain from pains. Result was a situation of absolute relativism in which law differs according to every individual, every individual creates his own law, which is also the hotbed of subjective natural rights theories. The obliteration of objective natural rights theories gave rise to the problem of how individuals who became their own kings could live together (Uslu, 2011: 159-163). Hobbes' *Leviathan* was an attempt to find a solution to that very problem. Locke who followed Hobbes has seen the complicity of the problem. Taking notice of impossibility of determining a set of legal principles that would not only be accepted by all segments of society, but also would not make any reference to any universal norms, Locke developed his understanding of law, by implication his political theory, by synthesising theories of objective natural rights and his re-interpreted Christian theology. As a result, he developed a political theory by which every individual would both give the least concession from his freedom by means of the principle of self-ownership, and would have benefits of living in a society. Locke made this in the best way by balancing way the inclination of men for freedom with their desire to live in a society.

Horkheimer thinks that the instrumentalisation of reason is not an intentional end. According to him, as early as 16th century, there were bitter attacks on the objective reason in France. Some pronounced that people should be governed by reason as the ultimate authority at that time. "Montaigne adapted it to the individual life, Bodin to the life of nations, and de l'Hopital practised in it politics (Horkheimer, 2004: 9)." However, according to Horkheimer, even in the 17th century, the objective side of notion of the reason was dominant. When philosophy, that is reason, started to replace religion at that time, it did not aim to reach the objective reality; it only wanted to find a rational basis for reality. According to him, "The real issue was whether revelation or reason, whether theology or philosophy, should be the agency for determining and expressing ultimate truth (Horkheimer, 2004: 12)." Over time, objective reason was destroyed; philosophy became gradually less interested about goals of life. Modern English analytical philosophy, for example, gradually turned into lingual philosophy, which is quite mechanical, under the strong influence of empiricism. As a result, fight between the

reason and revelation, between philosophy and religion was won by the former ones, and the guarantee of religious dogmas were lost.

Horkheimer investigates (2004: 16-17) about the consequences of the instrumentalisation of reason. He writes:

Justice, equality, happiness, tolerance, all the concepts that, as mentioned, were in preceding centuries supposed to be inherent or sanctioned by reason, have lost their intellectual roots. They are still aims and ends, but there is no rational agency authorized to appraise and link them to an objective reality. Endorsed by venerable historical documents, they may still enjoin a certain prestige, and some are contained in the supreme law of the greatest countries. Nevertheless, they lack any confirmation by reason in its modern sense. Who can say that any one of these ideals is more closely related to truth than its opposite? According to the philosophy of the average modern intellectual, there is only one authority, namely science, conceived as the classification of facts and the calculation of probabilities. The statement that justice and freedom are better in themselves than injustice and oppression is scientifically unverifiable and useless. It has come to sound as meaningless in itself as would the statement that red is more beautiful than blue, or that an egg is better than milk.

Horkheimer says (2004: 66) that religion seems to have benefited from the death of objective reason. According to him, the subjectivisation of reason protects religion from the attacks that would come from philosophy or metaphysics. Nevertheless, religion that was seen as interested in all spheres of life such as science, arts, philosophy and politics in the past, now became isolated as a result of this process and Horkheimer argues that this isolation is hazardous for religion on the long term.

7.8 Conclusion: A Mixture of Legal Pluralism and Justificatory Liberalism as the Way Forward?

The process of subjectivisation of reason that Horkheimer narrated with remorse could in fact be seen as an advance in the search of philosophy for reality given Hume's

criticism and Kant's categorisation of reason in his handling of natural law. But what is left in the hands of legal philosophy? If derivation of legal principles from reason is not possible, how can legal philosophy exist?

Considering the widespread paradigm of legal positivism in the literature, although law cannot be derived from pure reason, it could be argued that it can be derived from practical reason on the long term; however, achieving this, as said above, seems to be a very long and cumbersome process. It is quite doubtful that a people have enough time to wait for the emergence of this kind of a practically-verified law of nature. Then, from what can legal principles be derived? Horkheimer gives some clues in his book: "It is true that although the progress of subjective reason destroyed the theoretical basis of mythological, religious, and rationalistic ideas, civilized society has up until now been living on the residue of these ideas (2004: 23)."

This reminds of Locke's argument in the *Reasonableness* that the Scripture gave to mankind a perfect system of morality. A perfect moral system obviously comprises of what Locke has listed in his *Essays on the Law of Nature*. Therefore, religion could be considered as a source from which law will be derived and this law might serve as a basis for a state system. Making religious prescriptions basis of a legal system accords with Aquinas' argument that the criterion of law is not reason, but it is will. As Horkheimer argues, mankind benefit from residues of myths, conventions and religious laws whose sources were forgotten but whose effects became residuum. What is called today as objective natural right upon which almost every society have compromised is perhaps religious prescriptions whose spring was forgotten over centuries.

This idea, the idea that modern systems of law depend on the laws which sprung from religions and whose sources were forgotten, solves the tension between the doctrines of objective and subjective natural rights. The idea that the most secured source of law is a religion results in the construction of a system of law depending on the punitive prescriptions of religion excluding religious recommendations such as those about prayers. Therefore, a theological system of law emerges. Every individual may choose his own religion, and his system of law in a state; plus, atheists or those who wanted to

choose secular, purely rationalist system of law may choose whatever they wished, which gives rise to a legally-pluralist state.

The advantage of objective natural rights is giving to individuals certain, fundamental, universal principles whereas its peril is to impose some totalitarian duties on them, thereby restricting their freedoms. The advantage of subjective theory of natural rights is to secure the fundamental rights and freedoms of the individuals in accordance with the principle of self-ownership and make the least intervention possible whereas its jeopardy is the rising possibility of emergence of an absolute chaos in which everyone is his own king. The system of legal pluralism would bring the advantages of objective and subjective theories of natural rights together. In this system, as the individuals choose law system according to which they wish to live, the jeopardy of the objective theories of natural rights will disappear since there will be multi-legal realities. The peril of subjective theories of natural rights will also be obliterated since there will be objective principles, despite being pluralised, in every system of law. In short, legal pluralism bears the advantages of both systems and excludes the perils of both.

Lastly, the point that the theory of public justification deals with a similar problem should be mentioned. The theory of public justification argues that the use of force in a political system must be justified for as many individuals as possible. The pluralisation of Western societies has raised the issue of pluralisation of the reasons. The roots of this theory go as far as to the thoughts of social contract philosophers. Philosophers such John Rawls, Jürgen Habermas, Gerald Gaus, Seyla Benhabib have written on this topic, and those who argue for “reasonable pluralism” are called public reason liberals. Gerald Gaus has published a book titled justificatory liberalism. A legally pluralist liberal political theory should also benefit from the arguments of the justificatory liberalism.

8. CONCLUSION

This thesis aims to show the *theological kernel* of classical liberalism. Like every theory, liberalism has been founded on very basic theological presuppositions in early English modernity. Since liberalism was the first political and economic system of thought of modernity, it shared many presuppositions of it. In this respect, these presuppositions are investigated in this thesis.

After an introduction on the relation between religion and politics as well as a short narration on the birth of classical liberal political philosophy, firstly, Protestant foundations in the classical liberalism are examined. Reform leaders are generally seen as heroes of freedom by the Enlightenment. Although this view is reductionist, there is also some truth in it. Protestant reformation has led to the devastation of the Catholic hierarchy in many cities throughout Europe – a phenomenon that fostered individuality. The questioning character of Protestantism contributed to the strengthening of reason by attacking on the traditions. Protestantism flourished hand in hand with humanism, which would become an important element of liberalism. Besides, Protestantism formed the motive to earn more, thereby paving the way to the formation of the spirit of economic liberalism. In addition to that, the lessons drawn from religion wars that were triggered by Protestantism helped the liberal principle of religious toleration emerge.

Then, the theological foundations of modern social contractarianism are investigated. The social contract doctrine seems to have appeared out of nothing in the early modernity in the works of Grotius, Hobbes, Locke and Rousseau. But like almost all ideas in the history of political philosophy, it was not brand new when Grotius used it in the modern sense for the first time. The antecedent of the concept of contract was the

concept of covenant that was mentioned and explicated in the Scripture. Covenant theology in the Middle Ages constituted the foundation of modern social contractarianism. The notions derived from medieval covenantalism has contributed to laying the ground for constitutionalism, civil society, federalism and modern democracy. In the works of covenantalists in the Middle Ages, such as Rutherford and Mornay, it is also possible to see the precedent arguments of many Lockean political ideas.

Afterwards, the most basic presuppositions that John Locke has borrowed from Christian theology and utilised in his philosophy are examined. The works that Locke wrote in the early modern age were mostly works of political theology. He founded his philosophy on a re-interpretation of Christian theology. Some of his basic presuppositions, which form a part of the metaphysical kernel of Lockean liberal political theory, are the Christian doctrine of *imago dei*, the absolute equality of men in the state of nature and his hierarchical ontology. It is argued that Locke would have not been able to develop a liberal political philosophy had he not set out from these presuppositions.

After Lockean theological presuppositions, the theological foundations of classical liberal political theory in the tradition of natural law are analysed. It is quite important that the classical doctrine of natural law which had almost always been a conservative theory suddenly adopted a revolutionary character in the early modernity as embodied in the discourse of fundamental natural rights of the individuals. To understand this transformation, the marks of the doctrine of law of nature are tracked in the history beginning from ancient Greece, then passing to Thomistic doctrine of natural law and natural law doctrine in the thoughts of the reform leaders. In late Middle Ages and during reformation, doctrine of natural law began to be secularised by the encroachment of legal rationalism at the expense of legal voluntarism by the Spanish Schoolmen. Later, Grotius furthered and systematised this secularisation of natural law, giving natural law the upper hand in the Thomistic balance of natural law - divine law. Although this was the case before a century ago, Locke tried to set the balance again by intermixing his positivistic epistemology with Christian ontology and came up with a liberal political theory based simply on the law of nature. Hume directed harsh criticism

against the tradition of the law of nature and against the normative function of human reason, which would make him the father of legal positivism. Horkheimer has seen Hume's criticism as a leap forward in the process of instrumentalisation of reason. It is argued that this ongoing and seemingly eternal debate could only be alleviated by a legally pluralist liberal political system. That kind of a theory should also benefit from the arguments of the theory of public justification and justificatory liberalism of Gerald Gaus.

In one sentence, the basic finding of this thesis is that classical liberalism has been founded on some basic presuppositions borrowed from Christian theology. This finding has an important ramifications for Turkey. It is generally assumed that modern ideologies and theories have little in common with religions. Although this assumption was questioned before a long time amongst the Western intelligentsia, it is still prevalent in Turkey.³⁸ Once granted as a truth, this assumption gives rise among Islamist and many conservative intellectuals to an understanding that modern ideologies and even modernity itself are totally secular and therefore should be avoided from. As a result, a strong prejudice emerges which hurdles the comprehension of Western modernisation. This might be a reason why postmodernism, a paradigm that questions modernity and is not still very strong in the West, became so popular in Turkey. That viewpoint, the viewpoint that modernity and ideologies, like every theory, have metaphysical kernels in their centers, invites a critical question whether an Islamic modernity, even an Islamic liberalism is possible. If the presuppositions in the center of the theory are borrowed from Islamic theology, an Islamic modernity or Islamic liberalism might be developed. Actually, it is already evident in the thesis that the presuppositions of Lockean liberalism have no salient contradiction with Islam, which might mean that liberalism, to much extent if not wholly, suitable with Islam. The question of what understanding of Islam or what sect of it is another topic. It is narrated in the thesis that Locke has founded many of his ideas on a re-interpretation of Christianity, which is similar to the mainstream Protestant denominations of his age.

³⁸ It is particularly prevalent amongst Islamists and conservatists in Turkey who argue that modernisation merely means Westernisation, and therefore it also amounts to secularisation.

Lastly, it could be argued that a legally pluralist political system where the government is limited can be the implementation of Islamic liberalism. Since it is recommended in the last chapter of the thesis that a legally pluralist liberal political system, which also benefits from the theory of public justification and justificatory liberalism, might put an end to the disadvantages of legal positivism and legal rationalism as well as bringing the advantages of these two paradigms together, the possibility of such a theory may be a topic for further study. There have been and there still are some implementations of legal pluralism in the world such as early Islamic practices, Ottoman system of *Millet*, Indian and South African practices. A comparison between, say, early Islamic practices, the Ottoman system of *Millet* and the theory of public justification would be a contribution to this field.

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