Chapter 4
Rethinking Hobbes and Locke on Toleration

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On a natural reading of his philosophy, Hobbes appears as a paradigmatic opponent of religious toleration. His official position is that the church is subordinate to the state, which in turn has the right and duty to determine what religious doctrines will be espoused and what forms of religious worship will be practiced by members of that state. However, the received view of Hobbes as anti-tolerationist has been increasingly challenged in recent decades. In a seminal article, Alan Ryan (1988) suggests that we might understand Hobbes as allowing more room for religious diversity than had previously been thought. Richard Tuck (1990) followed with the stronger claim that *Leviathan* was in fact a "defense of toleration." Tuck argues that Hobbes, especially in his later works, supported many of the tolerationist policies advocated by John Locke and so should be read as a kind of intellectual ally to Locke, as least on this particular issue. Ed Curley (2007) accepts the idea that Hobbes's philosophy is "favorable to toleration", but insists on a "more nuanced verdict", namely, that the Latin *Leviathan* is more so than the English *Leviathan*.

What are we to make of this picture of Hobbes as defender of religious toleration? Have we scrubbed Hobbes free of misunderstandings only to find Locke underneath? In this paper, I argue that we have not, and I defend an alternative reading according to which Hobbes can be best understood as providing a powerful critique of organized religion, at least in most of its forms. This invites us to reconsider the relationship between church and state in Hobbesian political theory. I argue that the duties of the Hobbesian sovereign with regard to religion are twofold: (1) the duty to not only *allow* but also to *encourage* religious diversity and pluralism, and (2) the duty to educate his subjects so it is nearly impossible that they be swayed by religious extremists and fanatics, who will invariably arise in any society. In this sense, I think it is fair to say that Hobbes is not concerned with *toleration* of

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religion as much as he is concerned with the *regulation* of religion. While Hobbes may have more in common with Locke than has typically been allowed, he still remains a far more peculiar – and indeed radical – ally to any advocate of religious toleration. In fact, he may not even be the sort of ally that an advocate of toleration should choose.

4.1 Introduction

The question of religious toleration was often a matter of life or death in medieval and early modern Europe. The Edict of Nantes may have officially ended the famed wars of religion that plagued France throughout the sixteenth century – and indeed, it succeeded in preventing further egregious, large-scale acts of religious violence on the scale of the St. Bartholomew's Day Massacre of 1572. However, religious minorities were still subjected to abuse and discrimination, and the proliferation of increasingly antagonistic Christian sects that began with the Reformation and Counter Reformation continued to plague Europe. Religious persecution – the use of force against a person or group on the basis of their religion – ran rampant. It included both legal penalties (e.g., arrest, imprisonment, exile, fines, loss of property, corporal punishment, and execution), and acts of persecution by non-state actors including churches, their representatives, and those acting in the name of 'true' religion. Furthermore, states were often all too willing to permit, or simply turn a blind eye, to attacks committed by others. The ensuing violence decimated Europe, and pleas for toleration – often meaning little more than the cessation of active persecution – gained currency.

It is hardly surprising, therefore, that a throng of philosophical and intellectual voices took up the question of toleration. Of the many political and philosophical players in seventeenth century England, two of the most famous combatants were Thomas Hobbes and John Locke. Indeed, the perceived disagreement between the Hobbesian anti-tolerationist and the Lockean tolerationist is not only notable for its role in these wider debates; it has, in some sense, become definitive of it. Arguments for toleration have been taken up and embraced by increasingly diverse, multicultural, liberal societies. In this context, when we look back to the seventeenth century, Locke remains – to many contemporary eyes – the foremost champion of toleration, and Hobbes remains the defeated nemesis. Of course, we must not discount the importance of other thinkers – powerful defenses of toleration were given by the likes of Milton, Spinoza, various Levellers, and many others.

In this paper I revisit the case of Hobbes. Though I discuss Locke as well, I do so (as will become clear) mostly as a kind of foil for Hobbes. After some preliminary remarks and background material, I address the reasons why Hobbes's view has frequently been seen as radically lacking or misguided from a contemporary perspective – he easily gives the impression that he is advocating state imposition of religious uniformity, making him into an apologist for the persecution of religious minorities or nonconforming religious groups. I argue that this is a mistaken

interpretation, and I defend a reading of Hobbes according to which he can be understood as a radical tolerationist, though – characteristically for Hobbes – one of a peculiar stripe. More specifically, I suggest that the logic of his argument ultimately leads to a position that emphasizes or gives priority of place to the promotion of diversity as a kind of regulation of religion. If this interpretation is correct, then it has certain interesting and important implications, not only for how we understand Hobbes in his own right, but also for how we understand his relationship to Locke and ultimately the challenge they both pose to contemporary thinking about toleration.

A methodological note: My concern here is not to say anything about what Hobbes's actual religious beliefs might have been, nor is my purpose to enter the debates about the nature of his actual political views on church/state relations as they were constituted in the historical context of his time. Rather, I want to work out the logical entailments of some of Hobbes's basic principles and assumptions. In this sense, my project is more akin to the philosophical reconstruction of a Hobbes*ian* position (ala Gregory Kavka) than it is to the projects of intellectual historians or many political theorists. Of course, this kind of distinction only goes so far, but it does (I hope) account for the relative lack of attention that I give to the rich discussions of the historical context of the seventeenth century and the history of the concept of toleration itself. Moreover, part of my ultimate goal is to bring out what is so distinctive and so thought provoking about a certain kind of reconstructed Hobbesian position on the problem of religious pluralism, especially as compared to contemporary approaches to 'toleration'.

Let me begin with a very brief overview of what was historically the most important argument for religious persecution, namely, the argument that it is not only *legitimate* but also *required* to use force to compel nonbelievers. Consider two quotations as exemplars of what we could call "The case for religious persecution" or, to put it more charitably, "The case for the enforcement of a particular religious doctrine".

> (1) "[Obstinate heretics deserve] not only to be separated from the Church by excommunication, but also to be eliminated from the world by death" (St. Thomas Aquinas *Summa Theologica* 1265–1274).
>
> (2) "He is not only by his private Conscience, but publick Ingagement obliged: For he who sees another man in his Opinion blind, and going directly upon a pit, or Precipice, where he shall be sure to pitch upon his own death, is very much to blame if he do not hinder him from running thus foolishly to his destruction…" (John Shafto, *The Great Law of Nature* 1673).[1]

These ideas contained in these two quotations are representative of some of the dominant arguments made in favor of religious persecution at the time, though advocates of persecution made use of other considerations as well. Given that the conditions of salvation are known, and what matters most to any person is whether or not he or she will be saved, it is obviously legitimate and good to bring sinners to

[1] Cited in Ryan.

salvation by any means necessary. It is not *persecution* but rather *good will* to prevent people from imperiling their immortal souls. This is the point of John Shafto's comment above: sinners lose nothing by being made to conform to the true faith; in fact, if they had full knowledge of the truth, they would be grateful to their 'persecutors.'[2] Compulsion could be mild (fines, minor whippings) or severe (burnings). And if the heretics are "obstinate" then, as Aquinas tells us, the world is made better by their elimination.

To justify the *state* enforcing religious uniformity and enacting strict penalties for nonconformity, this same kind of argument was used but with the important caveat: the political ruler should consult 'the experts', those best informed on religious matters or those most versed in religious truths – priests, theologians, councils of the church – to find out what God required for salvation. The proper role of the state was to see that true doctrines were taught and enforced and anything alternative or hostile was suppressed. And private individuals ought to be grateful for not having to figure it out for themselves: they could simply follow the guidance of the learned clergymen, codified through the laws of the sovereign.

4.2 A Brief Outline of the Basic Lockean View

After the Restoration of the English Monarchy and the Church of England in 1660, a new series of measures – called the Clarendon Code – were passed. These provided for the enforcement of religious orthodoxy and the persecution of members of dissenting religions, called Dissenters or Nonconformists. Very briefly, the Clarendon Code consisted of four legal statutes passed in the early 1660s that effectively re-instituted the supremacy of the Anglican Church after Cromwell's Protectorate, and put a stop to whatever toleration had existed for dissenting religions. The Corporation Act (1661) made taking Anglican Communion required of all municipal officials, effectively excluding all Nonconformists from holding public office. The Act of Uniformity (1662) compelled the use of the *Book of Common Prayer* in religious services. At least two thousand clergy refused to obey and they lost their jobs. The Coventicle Act (1664) prevented dissenting religious groups from meeting by outlawing coventicles, meetings of more than five people who were not members of the same household for the purposes of unauthorized worship. Finally, the Five-Mile Act (1665) forbade Nonconformist ministers from coming within five miles of incorporated towns or teaching in their schools.[3] In was in this context that Locke developed his theories regarding toleration. Locke moved from

[2] Ryan points out that "*Compelle intrare* had long been the basis of Catholic thinking on the absurdity of tolerating heretics; neither the Puritan contemporaries of Hobbes, nor his Anglican assailants, were going to appeal to a Papal Bull for authority, but they were content with the same logic." Note that there is a great deal more to be said about these types of arguments; however, since they are not the arguments invoked by Hobbes, I will offer only this vastly oversimplified summary.

[3] The Five-Mile Act was not rescinded until 1812.

an opposition to toleration in his early works, the *Two Tracts*, written in the early 1660s to his impassioned defense of toleration in *A Letter Concerning Toleration* written over 20 years later. There is no doubt that his experience of the imposition of intolerance was in part responsible for the change in his views.[4] While there is a lot more to say about the evolution and transformation of Locke's thinking, his mature views – and the ones for which is he so famous – are contained in the *Letter*. So let me give a very brief overview of some of the main arguments that he advances there.

Locke argues that what he calls the "Duty of the Civil Magistrate" extends only to "civil interests," which include "Life, Liberty, Health, and Indolency of Body; and the possession of outward things, such as money, Lands, Houses, Furniture, and the Like." This duty "neither can nor ought in any manner to be extended to the Salvation of Souls…the Magistrate's Power extends not to the establishing of any articles of Faith, or Forms of Worship, by the force of his Laws" (Locke 1983, 26–27). The force of law cannot be used to affect anyone's civil interests (life, liberty, property) on the basis of religion. The religious sphere (concern for the salvation of souls) is given completely over to "churches," which Locke understands to be "voluntary Societ[ies] of Men, joining themselves together of their own accord in order to the publick worshipping of God, in such a manner as they judge acceptable to him and effectual to the Salvation of their Souls" (28). In the same way that the civil magistrate has no jurisdiction over anyone's *spiritual* interests (i.e. their interests in salvation), churches do not have jurisdiction over anyone's *civil* interests. Locke contends that states cannot legitimately use their power (which is the force of law) to coerce religious belief or practice. Similarly, the power of churches consists in laying down minimal rules for what counts as worship in that church and so determining membership, and also excommunicating those who do not conform; and they cannot legitimately use this power to interfere with people's civil interests. Churches are not allowed to impose upon the lives, liberties or property of their members, those who have been excommunicated, or those who are not members.

Locke gives a number of arguments for this strict separation of church and state, some directed at Christians in general, some at "zealots," some at magistrates, some at established churches, and some at individuals. *A Letter Concerning Toleration* consists in a series of such arguments, and though some are tailored to one audience more than another, there are recurring themes. First and foremost, he emphasizes the *impossibility* and *irrationality* of coercing genuine religious beliefs. The state's tool is coercion – the use of force or the threat of the use of force – and force is incapable of affecting a "genuine inward persuasion of the mind," which is necessary for salvation. Coercion, thus, simply *cannot* be employed for salvation – it is simply the wrong tool for the job in *every* sense. From the perspective of the persecutor, it is irrational to use force in matters of religion because force cannot affect a sincere change of heart or mind. Compelling people to profess what they do not believe comes down to forcing them to lie.

[4] See Wootton's Introduction to his edition of Locke's *Political Writings* for an excellent analysis of the transformation of Locke's views.

In an especially perspicuous and pointed passage, Locke addresses those who argue in favor of forcing nonbelievers to profess the "true religion." Locke says, "A sweet religion, indeed, that obliges men to dissemble and tell lies, both to God and man, for the salvation of their souls! If the magistrate thinks to save men thus, he seems to understand little of the way of salvation. And if he does it not in order to save them, why is he so solicitous about the articles of faith as to enact them by a law?" As far as Locke is concerned, we cannot be coerced or terrified into experiencing a genuine change of heart. And since only a genuine change of heart will achieve the churches' true aim (i.e., salvation through the one true belief – conveniently, *theirs*), they must limit their methods to persuasion, not coercion. Thus, the *goal* at which churches aim cannot be separated from the methods that they employ.[5]

Moreover, Locke argues that from the perspective of the persecuted, it is similarly irrational to follow the directives of someone else on religious matters: they might well be wrong about what is or is not pleasing to God and either way, if you do not genuinely believe, following someone else in action (even if they are 'right' about what Locke calls the "true religion") is not a way to get into "the mansions of the blessed" (Locke 1983, 38).[6] If the magistrate steps outside his proper sphere and commands a person to do something against his or her conscience, he or she should disobey the command, but yield to the punishment that accompanies acts of breaking the law (Locke 1983, 48).[7] This was sometimes called the doctrine of "passive resistance" or "passive disobedience" – disobey the offensive command but accept the punishment – and it was a familiar move within these debates. There is a sense in which this argument for the legitimacy of disobeying commands that require you to violate your conscience as long as you accept the resulting punishment arguably provides a foundation for the right of revolution in the *Second Treatise of Government*, where Locke suggests that religious reasons are one possible justification for overthrowing a government. In sum, then, religious persecution for the sake of converting people is not only bound to fail but is also self-defeating: you simply cannot save people's souls using coercion. In short, X cannot save Y's soul using force and Y cannot have her soul saved by X if she gives into the force.

No doubt one could easily offer a richer and much more sophisticated discussion on the precise details of Locke's arguments, not to mention the interpretive debates that have arisen about them, and the deep and trenchant criticisms that have been offered against them. However, that would lead us far afield of the central issues that I wish to address. So, for my purposes, I will only mention two of the most damning objections to this view. First, Locke explicitly denies that Catholics and atheists need to be tolerated; and second, his defense of toleration seems to proceed from

[5] This point becomes even clearer if we consider how Locke might have responded to the Shafto and Aquinas position.

[6] It is worth noting here the connection that Locke makes between conscience and responsibility: we are responsible for our own beliefs – the buck stops with each believer.

[7] This is remarkably similar to the position of Brownlee (2006) on civil disobedience.

exclusively *prudential* grounds rather than from any *genuine* respect for religious freedom. As Jeremy Waldron notes, echoing a claim made by one of Locke's contemporary critics, Jonas Proast, Locke offers only "instrumental" reasons to respect religious difference (Waldron 1988). As a result, this approach may appear unpalatable today, even to those who share Locke's overall commitment to religious toleration.

Of course, the first objection is more easily explained, if not excused, by appeal to the issues that were in the air during the time in which Locke was writing. Most of the famous seventeenth century English defenders of toleration did not defend the claim that atheists should be tolerated. Rare exceptions can be found in the writings of members of a minority of radical Protestant groups such as the Seekers and the Levellers; here, Pierre Bayle is perhaps the most notable example. So, the exclusion of atheists does not distinguish Locke from the vast majority of his contemporaries; more importantly, the issue was not really on the table either politically or philosophically. Those two observations do not, of course, in any way *excuse* Locke on this issue, but they are important to keep in mind. The exclusion of Catholics is harder to make sense of. Locke justifies excluding them on the grounds that they ultimately owe their obedience to a foreign power, namely the Pope in Rome. On this point, it is worth noting that many in England at this time were (and perhaps not unreasonably) afraid that England might soon become a Catholic country. Not only was Charles II rumored to have made a secret promise to the Pope that he would convert to Catholicism, but also the line of succession threatened to install a Catholic on the English throne. This worry, of course, was crucial in giving rise to the Exclusion Crisis and the Glorious Revolution. Again, this does not excuse Locke's refusal of toleration to Catholics, it only explains why it might have made sense that he held such a position.[8] In my view, if we look only to the logic of Locke's arguments, there are likely no principled grounds for excluding either Catholics or atheists. Locke is not philosophically committed to excluding them and their exclusion is not intrinsic to the essence or structure of his argument. More concerning, however, is the second objection. From a contemporary perspective – in which basic respect for religious freedom is a defining feature of the ideology of liberal democracy *and* human rights – it remains true that Locke's defense of toleration seems to draw on what some have called the "wrong kinds of reasons". So while there is good reason to treat Locke as an important forefather to more contemporary theories of toleration, there is also an important sense in which he has suffered the fate that all so-called forefathers tend to suffer; he was a product of his time, and in hindsight the shortcomings of his view are rapidly brought into sharp relief.

[8] Again, there was the rare exception. John Foxe articulated a "sweeping doctrine of tolerance, even towards Catholics," even though he "detested [their] doctrines with every fibre of his being". And the radical Protestant groups who sometimes advocated for toleration that included atheists also sometimes included Catholics (Dickens 1989, 379).

4.3 Reading Hobbes as an Advocate of Religious Authoritarianism

Where do Hobbes's views on the topic fit into this picture? On a natural reading of many of his texts, Hobbes seems to disagree with Locke at every significant juncture. Whereas Locke advocates a strict separation of church and state, Hobbes insists on the very opposite, rendering the church *subordinate to* the state – this is not only desirable but actually necessary. More specifically, Hobbes (at least in his later works) is widely taken to be a proponent of Erastianism, the view that churches were completely subordinate to the political ruler and that the state is supreme in religious matters. Whereas Locke denies that the civil magistrate ever has the right to prescribe particular forms of religious worship, Hobbes argues that it is an *essential* right of sovereignty to regulate public discourse about religion, politics, and morality; he argues that the sovereign has the right and duty to exercise extensive control over what doctrines are expressed, published, and taught. He specifies the right to determine which books of scripture are canonical (Hobbes 1994, 33.1), the right to decide how we should interpret passages in those books (Hobbes 1994, 33.25), and the right to give legal force to those teachings of Scripture (Hobbes 1994, 26.41, 33.24). Contra Locke, Hobbes explicitly affords the sovereign the right to dictate what counts as worship and require uniformity of such. Whereas Locke permits and even encourages subjects to disobey laws that conflict with their consciences, Hobbes (with one rare exception) clearly and adamantly prohibits such disobedience. Whereas Locke insists sincere/voluntary/genuine belief is necessary for salvation, Hobbes denies the same. It is understandable that, in the received view of such things, Locke is presented as hero and Hobbes as villain.

Examining Hobbes's explicit claims about public worship is particularly instructive here. Hobbes declares: "Public worship consisteth in uniformity … The commonwealth shall ordain [what] … actions and gestures … to be publicly and universally in use, as signs of honour and part of God's worship, are to be taken and used for such by the subjects" (Hobbes 1994, 31.37, 31.39). In one sense, this statement seems to be all the evidence one needs in order to read Hobbes as advocating the most authoritarian position possible in matters of religion. It seems a simple statement in support of the enforcement of religious orthodoxy. This is why Hobbes is often understood as an enemy of religious diversity or freedom. But understanding what the imposition of public worship *means* for Hobbes and how it fits into his overall theory is a complicated matter.

How are we to make sense of the certainty with which Hobbes imposes a uniformity of religious worship and so apparently condemns even the most rudimentary commitment to religious toleration (at least as toleration is understood in the Lockean sense)? Understanding Hobbes's claims here requires that we see them in light of both Hobbes's basic political theory and his views on religion. Since these are large and complex issues, I provide only the briefest overview of some basic points.

First notice that religion/churches were not singled out for state control; *everything* is subordinate to the sovereign in this way. This subordination is required by Hobbes's justification for absolutism: (1) the goal of politics is peace; (2) peace requires a commonwealth, which in turn requires a certain kind of sovereign; (3) and sovereignty cannot be divided or limited. The sovereign does, in fact, possess the complete right to control which doctrines are published, expressed and taught, and second, the sovereign *must* exercise that control in order to maintain civil peace, the end goal of politics.

The Hobbesian state requires a substantial educational system, specifically one in which subjects are schooled in the correct principles of politics. Hobbesian political education is not indoctrination *per se*; he insists that subjects understand the "grounds" for their duties of obedience. So it is ideological education but not in the sense that it serves the interests of one particular class in society, and not another. Rather, we all come to understand why it is in our best interests (individually and collectively) to obey an absolute sovereign. Behind this approach lies Hobbes's denial that there are moral truths in nature and his notion that the sovereign's job is largely *stipulative*: drive on the right (or left) side of the road, this or that counts as adultery, and so forth. We obey the laws of the sovereign because we understand the importance of obedience to ensuring peace, which is the precondition for any enjoyment of life. Properly-educated Hobbesian subjects will come to understand why sovereignty cannot be divided or limited, why they should never resist their sovereign no matter how much they dislike his policies and so forth. Hobbes takes certain propositions (e.g., that dividing, limiting, or trying to overthrow a sovereign power is necessarily a terrible idea) to be demonstrably deductive conclusions of his argument.

Second, Hobbes gives a great deal of advice to the sovereign about how to rule. These are not suggestions; rather he conceives of them as "directives" that are "derived from reason". He thought there were "principles for an everlasting commonwealth" that were available to reason. Hobbes clearly thought that there were better and worse ways of going about being a sovereign *from the perspective of the sovereign's ultimate purpose* (i.e., civil peace) which is why he gives so much 'advice' about how to rule.

The question is: *what laws regarding religious worship should be enacted in a Hobbesian commonwealth?*

In order to answer this question, we can begin with Hobbes's account of "natural religion" or what we can know about God using "natural reason" alone. He frames the issues by saying that we must "consider what precepts are dictated to men by their natural reason alone only, without other word of God, touching the honor and worship of the Divine Majesty" (Hobbes 1994, 31.7). The paragraph note is "Divine Laws" so he seems to be asking us to consider what we know about God's will through reason alone.

The beginnings of this account can be found in his description of human psychology in Chapter 12 ("Of Religion") in Part One "Of Man", which tells a 'just so' story about the origins of religious belief. We can know there is a God because we are curious about causes and thus are led to posit a first mover. Because men are/

were ignorant of causes and fearful, they were led to posit spirits and the like to explain things they didn't understand (earthquakes, crop failures, stillborn births, etc.). They became superstitious and began to try to gain favor with these spirits. But 'organized religion' only started when some men – popular and ambitious men – realized that they could use these fears and superstitions to their advantage and so started claiming privileged knowledge of God's desires and succeeded in getting others to follow them.

So, let's revisit Hobbes's claim about the sovereign imposing uniformity of worship. What we can know about God using 'natural reason' alone is extremely minimal. We know God is omnipotent (insofar as we can understand what that actually means) and should be worshipped (meaning honored, which only means giving signs that you recognize the superior power of something). So divine worship is appropriate because as Hobbes defines it: if X has superior power to you, then you should acknowledge that through signs of honor. He says, "actions that are signs of Divine Honour" include prayers, thanksgiving, gifts (offerings and sacrifices) and the "best of its kind and most significant of honour," not swearing by anyone else, speaking considerately of God, public worship, and, most importantly, obedience, "the greatest worship of all" – because when we obey we acknowledge the superiority of power, obedience is the highest sign of honor.

The crucial point is that what counts as a sign of honor – and so, an act of worship – is radically underdetermined. Some things can never count – speaking disparagingly is never a way of showing honor – but there are almost an "infinite" number of things that *can* count. He refers to these as "things indifferent". And the sovereign can determine which of the "things indifferent" count as signs of honor and so what counts as worship in his commonwealth. So it's easy to see how Hobbes is read as a religious authoritarian or a religious uniformist or something of the sort.

4.4 Reading Hobbes as an Advocate of Religious Toleration

It should be noted first that Hobbes wrote explicitly *against* the persecution of heretics. In an appendix to the Latin edition of *Leviathan* published in 1668, he argued that there was no basis for persecuting heretics. Some have speculated that this might very well be because Hobbes had become a possible target of the anti-toleration measures that were being passed in Parliament in the 1660s, one of which made "atheism and profanity" punishable by law. In fact, a bill was introduced which called for interrogating and possibly burning the "old gentlemen himself" (i.e., Hobbes). Hobbes appeared before the House of Lords in 1667, but the bill was not passed. He escaped burning, though Aubrey reports that Hobbes burned many of his papers in anticipation of a possible prosecution (Tuck 1990, 158–9). And copies of *Leviathan* were publicly burned at Oxford, where Hobbes himself had been a student over 50 years prior.

But though his opposition to persecuting heretics served Hobbes's self-interest, the case for reading Hobbes as an advocate of toleration depends not on that but on

the philosophical resources in his theory for such a position. There are at least three main points in favor of this reading. First, for Hobbes, the law cannot command belief. This is a descriptive claim. Beliefs are not under endogenous control and so cannot change of command, even under pain of death. Hobbes has no problem with this; all the civil peace requires is *action*, not belief. As he says, it is an "error … to extend the power of the law, which is the rule of actions only, to the very thoughts and consciences of men" (Hobbes 1994, 46.37). Second, Hobbes recognizes the costs of imposing religious views on those who believe something else; it is likely to cause bitterness and resentment and can actually increase the power of those one is attempting to control. He puts the point in *Behemoth* saying "A state can constrain obedience, but convince no error, nor alter the minds of them that believe they have the better reason. Suppression of doctrine does but unite and exasperate, that is, increase both the malice and power of them that have already believed them" (Hobbes 1990, 62).[9] Third, Hobbes has a general principle that the sovereign should control the actions (including the expression of opinion and doctrine) only to the extent that doing so is necessary for civil peace, *and no more*. He encourages the sovereign to allow subjects as many "harmless liberties" as he can. He gives examples like the liberty to choose one's trade or profession, manner of dress, and the name to give one's children. This all falls under "civil liberty" for Hobbes – the liberty to do those things about which the law "is silent." What isn't forbidden is permitted. Consider two representative passages: first, "That there be no prohibition without necessity of any thing to any man which was lawful to him in the law of nature, that is to say, that there be no restraint of natural liberty, but what is necessary for the good of the commonwealth" (Hobbes 1969, II.28.4); and second, "For the end of laws is not to restrain people from a harmless liberty, but to prevent them from rushing into dangers or harm to themselves or to the commonwealth, from impetuous passions, rashness or foolishness, as roads are hedged not as an obstacle to travelers, but to prevent them from wandering off, with injury to their fellow citizens. And therefore, a law that is not needful … is not good" (Hobbes 1994, 30.21).

We can now give a very quick argument for a Hobbesian tolerationist position:

(1) If it is not "needful" to control private religious worship, then the sovereign *should not do so*.
(2) It might not be needful; in fact, it is likely to be *contrary* to civil peace.
(3) Therefore, the sovereign should tolerate private religious worship (as long as it is not seditious).

The sovereign of course has the *right* to dictate what counts as public worship (wearing hats during prayer or not, lighting candles or not, etc.). But should he exercise that right? Or more specifically, *how* should he exercise that right? How much in the way of doctrine should be imposed? He also has the *right* to dictate private worship entirely. But should he do so?

There is a good case to be made that the answer to the question about how much in terms of public worship the Hobbesian sovereign should require: not much or as

[9] Note that Locke makes the same exact two points.

little as possible. Alan Ryan says the Hobbesian sovereign should use his power over religion “sparingly”, comparing it to enforcing a kind of “public politeness” to God, which was compatible with people worshipping in ways of their choosing in private, as long as they did not act against or conflict with the law of the state.

What are we to make of this tolerationist – and seemingly more benign – picture of Hobbes on religion? Previous scholars of Hobbes who have been amenable to this more tolerationist reading have noted that his view is remarkable, but I don’t think that they have seen just how radical and how peculiar the view really is.

Consider these remarks by Ryan, who is credited with being the first to have this insight in the 1980s,

> Hobbes offended his contemporaries by his skepticism, his anti-clericalism, and his Erastianism; they could not help seeing that at the end of the Hobbesian road lay a wholly secular society, where religious belief is a matter of private inclination. This is not to say that Hobbes was identified as a ‘liberal’ by his contemporaries; given the absence of the term from seventeenth-century vocabulary, it is hard to guess what they would have thought of our classificatory difficulties with him. He is rightly identified as a secular utilitarian, who would *generally* but not as a matter of principle side with intellectual *laissez-faire* (Ryan 1988, 46).

Ryan assumes that there is no principled case for requiring religious uniformity at all; a *perfectly secular* state is compatible with Hobbesian requirements for a stable and peaceful commonwealth. He speculates that Hobbes did not entertain (at least directly) this possibility because he thought it was impractical at the time. There was so much religious dissension and the clergies, though they “squabbled,” were incredibly powerful. “Hobbes seems to have thought that the contentiousness of his contemporaries would make it exceedingly difficult to put this [doctrinal agreement considered as genuine intellectual agreement is a private matter] into practice, and therefore that for the foreseeable future there would have to be a large measure of public regulation” (Ryan 1988, 50). But, as Ryan implies, the inevitable goal or logical implication of Hobbes’s theory would be a completely *secular* state. This is the ultimate rejection of the uniformist reading of Hobbes – for Ryan, the Hobbesian society not only lacks a national church, it also lacks state enforced, sanctioned, or approved religion of any kind.

Curley, writing more recently, focuses on the skepticism and the anti-clericalism of Hobbes’s position, making the case that Hobbes should be seen as a member of what Jonathon Israel called the “radical enlightenment”, which involved what Israel called the “*pulling down*” of many if not most churches. Curley says:

> [Hobbes is] bent on destroying the influence of a clergy whose access to wealth, honor, and power depends on their being widely perceived as godly men, who have a special insight into saving truths and only the good of their flocks at heart. With Voltaire, he says: ‘Ecrasez l’infâme.’[10] To the extent that Hobbes had that project, and succeeded in it, he served the cause of religious toleration. Wherever there is a clergy, in the sense relevant here – a politically powerful group of men, whose power depends on their ability to persuade their fellow men that they have a privileged access to religious truth, which they can use to help their

[10] Voltaire’s phrase was used in his disparagement of the royalty and clergy, whom he accused of breeding superstition and intolerance within the people.

> fellow men attain the greatest good possible, and avoid the worst possible evil – wherever there is clergy in that sense, there is a force that has a very strong incentive to work against religious liberty and is thus very apt to pose an obstacle to liberty. Diminishing the power of such a clergy removes that obstacle (Curley 2007, 326).

What is surprising about these views is that although both Curley and Ryan notice Hobbes's skepticism regarding religious doctrine and his abiding suspicion of those who would use it to gain power, they do not notice how deep and extensive this indictment is. Curley's reading seems to point naturally to a Hobbesian dismissal of figures like Jerry Falwell and Pat Robertson; but, if we take Curley's description of the obstacles that should be removed seriously, it is clear that Hobbes (understood along these lines) targets the liberal Episcopalian minister down the road, as well as the TV evangelist: that is, virtually everything we would recognize now as established religion. As Curley notes, Hobbes promotes a deep skepticism and suspicion about scriptural interpretation, revelation, prophecy, and miracles, thereby systematically undermining the bases for most religious organizations. Furthermore, Hobbes indicts the leaders of those religions, suggesting that we should be skeptical of claims to right interpretations of the Bible, claims to revelation and prophecy, and claims about the miracles upon which traditional interpretations are based. Hobbes chastises power-seeking men, at one point referring to certain priests as "pious frauds" (Hobbes 1994, 47.20), thereby inviting skepticism regarding *virtually all* religious figures, both past and present.

Curley locates Hobbes in the tradition of biblical criticism and argues that his theory invites deep skepticism of scripture, miracles, prophecy, and revelation. In fact, it seems to invite the deepest suspicion of any religion or religious leaders who appeal to such things. Curley thinks that Hobbes's reasoning would make us "suspicious" of "any minister who claimed to be able to tell us the way to salvation" (Curley 2007, 324).[11] Religions that are hierarchical – that assume a superiority of clergy over laity – are also ruled out. In short, on this reading, Hobbes rejects any hierarchical religious institution, any institution whose agents can claim privileged knowledge of or access to salvation, and frankly, he rejects any religion that includes anything remotely resembling a priest, minister, rabbi, imam or guru. Only the most egalitarian, individualistic, intellectually modest and non-hierarchical religious figures would escape his scorn.

Neither Curley nor Ryan draws out these peculiar consequences of Hobbes's radicality for the *kind* of tolerationist policies Hobbes would therefore advocate. But there is an important implication of this radicalism that has been overlooked in the literature. If clergy – in this wide sense – represent the obstacle to be removed, on the one hand, and if there is a tolerationist program to be implemented, on the

[11] Curley is importing modern-day notions here; Hobbes did not see the protection of religious liberty as a good in itself, as we (arguably) do today. But more importantly, Curley simply concludes with this observation – literally. The remarks I quoted are at the very end of his article. He does not draw out the implication that most religions as we know them would not pass the Hobbesian test of tolerability. More importantly, if this is right, all of those churches will need to be "pulled down." The Hobbesian state will be required to prevent the emergence of clergy, in this sense, and to "pull down" the ones already in existence.

other, then the only remaining agent to implement and enforce this program seems to be the state. Furthermore, the most effective and reliable method of implementing this program is not found through coercion and arrest but rather through Hobbesian education.

More generally, these scholars fail to recognize the ways in which the Hobbesian state, even if it is as tolerant as possible, is deeply and unavoidably involved in the regulation of religion in civil society and in particular the regulation of 'private' religious doctrine and practice. Hobbes cannot give up his claim that civic education (one of the main functions of the state) must instill certain beliefs in subjects, namely that divine law dictates obedience to the sovereign's law and that those two doctrines (that faith is gained by revelation not reason and that one should not obey one's conscience against the law) are not only *erroneous* but also incredibly *dangerous*. These claims presuppose no religious content at all, but they are beliefs *about* religion as such. If we take Hobbes seriously in his claim that *Leviathan* should be taught in schools, this would mean that students would be led to skepticism concerning received religions, as well as the people who propagate them. The state will need to inculcate the virtue of toleration in its subjects, respect for difference, skepticism or a deep humility/modesty about their own religious beliefs, and *Leviathan* itself is an indispensable tool for that job.

Hobbes thinks that popular and ambitious religious leaders (or would-be religious leaders) will inevitably arise in human society. People are naturally inclined to believe in the existence of God and there are those who will seek to take advantage of this. Especially if private worship is allowed, one can imagine various sects emerging (and persisting) in which charismatic individuals will seek to gain power for themselves. These people are inherently dangerous, even if they do not say or do anything that directly contradicts the sovereign's power. Hobbes's fear is that if these people gain a significant following, they will be able to position themselves in such a way that *were* they to desire to threaten others with whom they disagree or to challenge the state's authority, they would be well positioned to do so. This is why Hobbes's concerns about the very *nature* of religion are more thoroughgoing and more extensive than has been sufficiently appreciated (though Curley comes the closest to grasping their import). The claim is not merely that religions can be allowed so long as they are not subversive of the government. Hobbes's insight is far more penetrating than this. In fact, he provides a critique of organized religion *as such*; and it is a consequence of this critique that it *must be* the state's job to regulate religion in such a way to keep it innocuous. And this makes perfect sense given that Hobbes has a general objection to any entrenched power structures that operate outside of the state. Power centers in civil society are inherently dangerous, because they always have the potential to become a force in opposition to state power.

Note that Hobbes has a similar account of ambitious and popular men who desire to gain glory through battle. He directs the sovereign to identify those men and put them in the army. That way, their charisma and ability to encourage others can be put to use in the service of the state. If such men are left to their own devices in civil society, they always pose a potential threat to the sovereign. But with ambitious would-be religious leaders, what is the sovereign state to do? *If* there is a state

church, Hobbes could employ a similar strategy there, by, say, putting such men in charge of educating the subjects about how the divine law coincides with and supports the civil law. But such strategies are never foolproof, and a deeper solution to this problem is available to Hobbes (at least as I have reconstructed him). In short, the Hobbesian state must prevent such people from gaining power. This goal could be pursued by arresting or persecuting such people; of course, this is likely a bad idea because, as Hobbes recognizes, this could only serve to make them *more* popular (quiet assassination might be a better strategy). However, the goal could also be achieved by molding subjects' thinking such that they are less apt to be "swayed" by such men; and this is the suggestion that he offers explicitly. If Hobbesian education is successful, subjects will be modest about their own private religious beliefs, and if they desire to persuade others, they will do so with arguments and by leading their lives as examples to be emulated. This can encourage the diversification and proliferation of religions, like preventing economic monopolies.

In this sense, it is fair to say that Hobbes is not concerned with *toleration* of religion as much as he is concerned with the *regulation* of religion. But, part of this regulation occurs as religions regulate one another, i.e., as they use their powers of persuasion and argument to compete for followers. Whatever the case, the Hobbesian state must always be vigilant in controlling religion, though if it's functioning well (that is, if it's accomplishing its purpose) in the sense of keeping subjects happy and well educated in their duties, it will not have to exercise its police power over religion very often. Hobbes seems to start from the fact of persistent disagreement about religious matters, and his philosophical position leaves a lot of room for a *laissez-faire* view of religious belief – but only if certain conditions are met. Insofar as the state's charge is to establish and maintain those conditions, Hobbes offers a theory that supports a large and active role for the state. Of course, we could moderate Hobbes's conclusion (or at least my reconstruction and extension of it) by noting that the state has an interest in creating a citizenry that is as likely as possible to *resist* being swayed by such figures (the powerful religious zealots of the world) – and this is a view that seems entirely worthy of consideration by right-thinking people concerned with issues of religious pluralism.

With this view in mind, we can now return to our comparison of Hobbes with Locke. First, Locke shows the same awareness of the inherent dangers of religious zealots (and their hypocrisy), but he does not think it is a widespread problem. Locke never indicts the clergy *as such*, in the same way Hobbes does. Second, Locke shows awareness of the need for a kind of 'culture of toleration' which includes a modesty about one's own private religious views and the injunction that one can try to persuade others of them but only with gentle arguments and by becoming a model of virtuous behavior. Like Hobbes, Locke thinks that the peaceful coexistence of people with divergent religious beliefs is only possible if these people have certain attitudes towards those beliefs and that extremism and fundamentalism are vices in the truly religious. However, unlike Hobbes, Locke leaves it up to the *churches* to ensure that such a culture exists. Locke insists that it is not the prerogative of the civil magistrate to teach toleration; indeed, for Locke, doing so is outside of the sphere of the legitimate exercise of state power. But he does suggest

that the magistrate need *not* tolerate churches that fail to do so (Locke 1983, 49). Hobbes, for his part, indicts most clergy as well as any religion that is hierarchical and claims to be able to provide salvation to its members through their allegiance. Furthermore, Hobbes gives the power to the state to regulate religion such that it is compatible with civil peace. There is no separation of spheres in Hobbes, as there is in Locke. Yet, there remains a deep similarity between these views: both are acutely aware of the dangers of extremism and the need for a culture of respect for difference; where they differ is on the point of where the duty to instill such a culture ought to be located. For Hobbes, it is the job of the state. For Locke it is the job of the churches. However, there is no reason that the Hobbesian state could not also encourage the churches to do such things, and indeed Locke does insist that the magistrate, though unable to legislate the conditions of a tolerant, respectful culture, should not tolerate churches that do not fulfill their duty to do so.

Lastly, we must keep in mind the fact that if the radical tolerationist view of Hobbes is correct, then to the extent that Hobbes "serves the cause of religious freedom," as Curley puts it, he does so only *contingently* and *indirectly*. He does so contingently because it is not a necessary requirement of the state that it preserve religious freedom – it is a contingent matter that allowing religious freedom is in many cases more likely to be conducive to civil peace than not allowing it. Hobbes serves the cause of religious freedom only indirectly, because the proliferation and flourishing of a multiplicity of de-centered, nonhierarchical, totally voluntary religious groups is not a direct goal of the state – the direct goal is civil peace. Because Locke does not have any of the critique of organized religion, there is no impetus for stopping the centralization of religious power or promoting competition among religious groups. And, in general, Locke seems more optimistic about religion than Hobbes does. He sees it as a force for good, while, for Hobbes, it is at best an additional prop for state power but, mostly, it is simply a fact about our world that needs to be managed.

This analysis brings into sharp relief one of the most important ways in which the theories of Hobbes and Locke are fundamentally different from our own views of toleration. Each of them defends toleration on prudential grounds; genuine respect for the individual right to religious freedom is missing altogether (though this is much clearer in Hobbes than it is in Locke). Religious freedoms are treated instrumentally, and managed in the service of other ends; they are not ends in themselves, absolutely constraining the decisions of political leaders. We can perhaps see this most clearly when considering Hobbes's approach to charismatic, powerful religious extremists; we would never think that curtailing the power of TV evangelists could ever serve the cause of toleration, or religious freedom – in fact, exactly the opposite would be true. The Hobbesian project in particular invites us to frame the question in a different way, asking about religious peace rather than religious autonomy. In the Hobbesian spirit, we might ask, "What are the requirements for a peaceful coexistence among people with different and incompatible religious views?" Asking the question this way calls our attention to the fact that religious fanatics, extremists, fundamentalists – and the conditions that foster or allow them and the people that follow them – might very well be *antithetical* to that peaceful coexistence.

I suggest that the elements of Hobbes's (and to some extent Locke's) thinking about toleration that appear *most* counterintuitive – and even distasteful – to contemporary intuitions may present us with a unique way of reframing the problem that toleration is meant to address. For both thinkers, toleration is the answer to concerns about the requirements of peaceful co-existence among diverse populations. In the absence of an account of *substantive, meaningful – such that they are prima facie trumping – rights* to religious freedom or the *value* of such freedom or diversity, one is reasonably led to a tolerationist position. Furthermore, given the difficulty of grounding substantive theories of those kinds of rights and values, it is both significant and reassuring to note that one can derive appropriately similar conclusions without necessarily relying on disputed accounts of substantive rights and values. Whole-hearted endorsement of such an instrumental approach would be hasty – after all, if one's concerns are purely prudential, it is likely that toleration will be much easier to override in many circumstances. At the same time, considering this approach demands that we ask whether this is always a bad thing. Put differently, Hobbes's arguments shift the burden of proof to those who insist that a defense of toleration must be grounded in the intrinsic value of religious freedom, by challenging us at least to consider the prudential arguments, and what motivates them. And more importantly it challenges us to think about toleration in the context of the necessary preconditions for peace (alongside or even instead of) the context of rights to religious freedom and the value of diversity *alone*.

To go out on a limb, I want to suggest that an instrumental approach may, at the end of the day, result in *more* tolerant positions than an argument for the intrinsic value of religious freedom. Hobbes treats tolerance as a good to be maximized, rather than seeing religious freedom as a very strong, if sometimes defeasible, constraint on action. This may result in *more* infringements of religious freedom than one would expect if religious freedom were treated as a Nozickian 'side constraint' (i.e., with charismatic extreme zealots), but perhaps it could yield more tolerance overall. On the other hand, since it is not actually a maximizing approach but an instrumental one, there is no guarantee that there will be more tolerance overall.

I find this approach attractive in the sense that it resuscitates the emphasis that both Hobbes and Locke place on (1) the preconditions for peace in conditions of persistent disagreement about religious matters; (2) the necessity of a culture of toleration and respect for difference; and (3) the dangers of extremism and the call for preventing its emergence. Theirs is a call for a more proactive stance in this respect. And, as the divisive expressions of religious difference remain a consistent factor in civil debate and conflict worldwide (as well as in relatively peaceful liberal societies such as the U.S.), perhaps we cannot so easily afford to disregard or ignore the insights of others on the grounds that they base their arguments on the "wrong kinds of reasons." This rings especially true when we consider more moderate (and inoffensive) proposals such as teaching respect for difference, considering the Bible as literature rather than revelation, and so on, where such strategies are understood in terms of basic civic education – and, at the same time, providing incentives for various religious groups to do the same. These proposals are not unfamiliar, of course, and to some extent, in most western liberal societies we already engage in

them (though not with the kind of results that Hobbes – and perhaps many of us – would like to see). In many ways, then, the significance of a Hobbesian approach to toleration lies in the *grounds* offered for these modest, liberal endeavors; grounds we perhaps need not cede to those who promote religious freedom in the service of zealotry and extremism.

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