

CONTEXTUALISM AND THE HISTORY OF PHILOSOPHY

Craig Paterson

Introduction

Philosophy, as a discipline, often tends to view its subject matter in abstract and ahistorical terms. Concepts are often assumed to be 'fixed' in meaning across many centuries of thought, and their historical change is often neglected. The transmission and reception of ideas is commonly conceived of in terms of a chain of connected dialogue that revolves around an established canon of great intellectual thinkers discussing great philosophical works, divorced from contextual-historical influences. While there has been, in the wider academy, a movement for the 'history of ideas' as an approach to intellectual history, this movement has tended to function as a separate discipline and has failed to make much of an impression in the interpretative methodology typically pursued by philosophers in analytical philosophy departments. Attention to historical inquiry, it is often thought, tends to 'dilute' or 'corrupt' the genuine spirit of philosophical inquiry by corrosively attacking its dedication to the universal (perennial validity), the abstract (departicularization), and the heroic (philosopher *contra mundi*).¹ The minds of several generations of students of philosophy, raised in the Anglo-American analytical tradition, are marked with a lesson from the 18th century idealist philosopher Immanuel Kant who castigated those "scholarly men, to whom the history of philosophy (both ancient and modern) is philosophy itself."² For Kant, the search for the transcendental foundations of all reality necessitated

¹ This, for example, is very much the kind of position taken by Bertrand Russell, a leading influence in contemporary analytical philosophy. See Russell on *Metaphysics: Selections from the Writings of Bertrand Russell*. Stephen Mumford ed. (London: Routledge, 2003). For another example typical of this kind of de-contextualized approach to philosophical history, see also Anthony Flew's, *An Introduction to Western Philosophy: Ideas and Argument from Plato to Popper* (London: Thames and Hudson, 1989).

² Immanuel Kant, *Prolegomena*, trans. Paul Carus (Chicago: Open Court, 1993), p. 1.

Law, Ethics & Society

discounting concerns about how a proposition came to be formed as a mere distraction from a proposition's epistemological status (a concern shared by contemporary analytical philosophy—philosophers are not mere “curators in the museum of ideas”).³

The above picture is, of course, something of a distortion of my own creation. Most philosophers are aware that ideas do not just spring forth miraculously from the mind of a philosopher, and therefore accord to philosophy the need for some kind of historical connectivity. But the attention to historical context is one that is often understood in terms of a kind of history that we may call ‘idealized history.’ Idealized history is the history of great minds battling with the perennial ideas of other great minds, in one long continuous great and noble conversation, removed from the taint of more particular concerns. The kind of historical understanding operative here often amounts to little more than a discussion of broad philosophical doctrines organized into chronological time slots allotted to the great philosophers, and fleshed out, for good measure, with some ‘human interest’ stories. History of philosophy, in short, is often viewed as something amounting to hagiography.

This tendency towards ahistoricism (even anti-historicism), still very prevalent in the mindset of contemporary analytical philosophy, needs, I think, to be challenged by a form of approach that stresses the ‘contextually mediated’ nature of much philosophical thinking and writing. We need, in short, to focus upon an approach to understanding human thought processes that channels our attention to how the human mind is strongly influenced by, and reacts to, the ‘ideational ecology’ it inhabits—a complex web made up of various kinds of intellectual, cultural, and social networks that are closely woven into the thought processes of any given thinker.

In this paper, I seek to advance the thesis that if we are to come to a better appreciation of the historical rootedness of philosophical thinking, we must strive to encourage the

³ D.S. Hutchinson, *The Virtues of Aristotle* (London: Routledge, 1986), p. 12.

Contextualism & Philosophy

contextualization of philosophical texts and support this goal by developing methods and tools for research that are facilitative of this contextualist goal.

In my analysis of this thesis, I will first turn to a discussion of some of the conceptual issues that underpin the need for philosophers to understand, and apply to the history of philosophy, better interpretative practices. The analysis will draw upon helpful developments that have occurred in ordinary language philosophy, a 'post-analytical' philosophical approach conceptually more amenable to contextualist historical interpretation. I will also draw upon helpful developments in literary theory that offer useful insights into the analysis of texts that also seem applicable to the study of philosophical texts.

Secondly, I will then seek to advance the case for the thesis by focusing on a case example, John Locke and his *Two Treatises of Government*, that illustrates, by way of a *via negativa*, the problems of distortion and error in attempting to interpret philosophical texts with little regard for context.

Thirdly, I will address the question of why unhistorical forms of approach to the history of philosophy continue to be perpetuated within the ranks of contemporary practitioners of philosophy, tracing this problem to the inculturation practices that typify the academy bound profession of Anglo-American philosophy.

Lastly, by way of conclusion, I will set about the task of examining some issues pertaining to the development of resource-based initiatives designed to better facilitate historical based scholarship in philosophy, resources that will furnish the philosopher with a better array of tools for the development of their research, for example, digital libraries of primary source documents.

The Significance of Contextualism

While I do not intend this paper to be an exercise in philosophy, I wish to illustrate some conceptual ways in which philosophy itself may fruitfully respond to the kinds of concern that I have highlighted in my introduction. This legacy has now been coming under fire for a number of years, in particular, with the retreat of the hitherto very dominant influences of

Law, Ethics & Society

both empiricism and positivism in analytical philosophy. In a forthright essay by Stephen Turner, the author berates modern analytical philosophy for its lack of historical character, arguing that a contextualist understanding of philosophy's own history is itself an indispensable part of any adequate philosophy. Turner identifies two helpful turns in philosophy, the turn away from empiricism, and the turn away from positivism, as offering some weak rays of hope in support of his plea for a broad contextualist approach to the study of the history of philosophy.⁴

Firstly, the anti-empiricist turn. Empiricism, the belief in sense data which are capable of being directly perceived and embodied in a non-interpretative observation language, has been undermined by, amongst others, W.V.O. Quine, and Paul Feyerabend. Quine, and Feyerabend have deeply challenged the belief that we can gather a structure of empirical knowledge that is independent of our own evaluative judgments that mediates the interaction of the human mind with the word around it.

Secondly, the anti-positivist turn. Another helpful turn has been the questioning of the credo of positivism that meaningful statements must refer to facts, and that the meaning of a sentence must be demonstrated by its method of verification in order to establish its truth content. The main challenge to this key idea of logical positivism was the later work of the Cambridge philosopher Ludwig Wittgenstein in his *Philosophical Investigations*.⁵ In the *Investigations*, he asserted the famous injunction not to ask directly about the abstract meaning of propositions but rather about how they are used in particular "language games."⁶ The underlying assumption of this approach—that the analysis of meaning needs to be connected with the use of language for purposes of communication—has been further refined by the Cambridge ordinary language philosopher John Austin and his theory of

⁴ Stephen Turner, "Teaching Subtlety of Thought: The Lessons of Contextualism," *Argumentation* 15(1) (2001): 77-95.

⁵ Ludwig Wittgenstein, *Philosophical Investigations*, trans. G.E.M. Anscombe (London: Macmillan, 1958).

⁶ Wittgenstein's earlier work, for example, his *Tractatus Logico-Philosophicus*, was highly positivistic.

Contextualism & Philosophy

“speech acts.” Austin, in developing his theory of speech acts, proposed that the “utterance itself,” whether verbal or written, in short, the words divorced from their context, is a “locution,” and a locution can only be understood by exploring the locution in context.⁷

Contribution of Literary Theory

Literary theorists seem to have embraced some of the subtler lessons of ordinary language philosophy more fully than many writers in the history of philosophy. In consequence, literary theory has, on the whole, been more directly aware of, and keener to apply, ways of textual analysis that meaningfully relate the text to a wider context of conventions and assumptions. These conventions and assumptions shape a text, and give a text a context which serves to relate the parts of the text, its utterances, patterns, and forms of words, to a meaningful frame of reference that does not seek to divorce the text from the social, political, and cultural contexts that influence its ideational content.

Unlike much writing in the history of philosophy that has been produced (though not without some notable exceptions), it is common for literary theory to delve into the different senses in which it is possible to flesh out the background of a given text, and to make it clear that their main concern is with a weaved context of meanings. There is, consequently, more awareness of, and resistance to, the problem of *post-hoc* rationalizations of contemporary concepts being stamped onto the past writings of a given thinker in what amounts to the ‘cookie-cutter’ fashioning of a text.

It is not possible to find out what a philosopher meant simply by studying his or her written statements (a ‘just look at the text’ approach) in isolation from the milieu of the author of the text. The kinds of questions that the author is addressing and communicating to the reader need to be examined. In other words, it is not possible to understand what has been said in a text until the detailed and specific questions being engaged by a text, and by the author’s agenda in writing it,

⁷ J.L. Austin, *How to Do Things with Words* (Oxford: Clarendon Press, 1975).

Law, Ethics & Society

are scrutinized. The emphasis, however, needs to be on the detailed and specific questions relevant to an author, definitely not the practice of attempting to link an author to some general 'meta-question' supposedly abstracted from any place in time. Instead, questions should be related to the specific context in which a given written expression was being made.

Interpretative Meaning and Evaluation

The need to separate contextual approaches to the study of the history of philosophy from unhistorical approaches, can be further clarified, here, I think, by stating that the job of a historical approach to philosophy is to be aware of the need to identify two distinct types of concern, and not to seamlessly merge the two distinct types of concern together into a hybrid conflation of the two (as difficult, as it is, at times, to put this into practice). Of the writings of any author in the past (or indeed the present), it is possible to firstly explore the notion "what did the author say and mean by this statement?" and secondly, given our exploration of the first question, the second question can then start be addressed, "given that A meant B ... in what sense can the statement be said to be true or not?" The first question addresses the genesis of an idea in context. The second question, building on the first, goes on to address the epistemological status of a proposition as it was likely held by a given philosopher. The second question does not just confine itself to the accurate representation of an idea but addresses the valuational status of an idea.⁸

The effects of the work of Wittgenstein and Austin, among others, working in the philosophy of language, has been to help focus our attention on the role of factors like

⁸ One of the clearest statements I have read by a philosopher concerning questions of textual interpretation, one that stresses the importance of respecting this twofold distinction, was made by Alistair MacIntyre in a paper written on the interpretation of a key passage in David Hume's *Treatise on Human Nature*—"There are, of course, two distinct issues raised by this paper so far. There is the historical question of what Hume is actually asserting in the passage under discussion (Treatise Bk. III Sect. I Pt. I), and there is the philosophical question of whether what he does assert is [both] true and important." See his "Hume on Is and Ought," *Philosophical Review* 68 (1959): 451-68.

Contextualism & Philosophy

utterances, intention, and contextual linguistic background, in trying to come to terms with the possible meaning of a philosophical text. This represents something of a move towards an appreciation of the methodology seen in the hermeneutic analysis of literary texts and promises to be a useful avenue for the cross-fertilization of ideas among 'post-analytic' philosophers and literary theorists.

A salutary lesson to be learned from literary theory for the analysis of philosophical texts, acknowledged and supported, as I have said, by some leading work in ordinary language philosophy, is that the genuinely meaningful analysis of a text must place the given text of a thinker against a weave of human conventions, expectations, and practices that crucially inform the meaning of a text (or at least delimit, in a boundary setting way, the array of meanings that can be usefully inferred). Such a lesson for philosophy would, of course, be easier to absorb and put into practice if it were not for what Richard Rorty has identified as the skewing that occurs in the philosophers' perception of their own discipline as the 'queen of the sciences', exalted above all others, with its quest for the indubitable foundations of all reality. This inflated sense of the status of philosophy among the disciplines, tends to result in a kind of 'imperial myopia,' discounting the contribution that other disciplines can make to understanding the contextual development of its own subject matter. The discipline itself, if it is to open itself up to historical inquiry, based on context, must face up to the sobering thought that philosophers are all too ready to turn their "local fallible [i.e. contingent, historically conditioned] canons of argument into a set of imperishable truths."⁹

John Locke and His *Two Treatises*

As I argued in the preceding section, if the writing of the history of philosophy is to move to the terrain of non-hagiographical or non-mythological forms of writing, and wishes instead to proceed to understand the subtleties of an array of different factors that impinge on the mind of a

⁹ Richard Rorty, *Philosophy and the Mirror of Nature* (Princeton, NJ: Princeton University Press, 1979), p. 48

Law, Ethics & Society

philosophical thinker and his or her production of a given philosophical text, then contextualism needs to be embraced in the pursuit of scholarly research.

In order to concretize some of the interpretative problems referred to in the preceding discussion, and to illustrate why a contextualist approach to the history of philosophy is so crucial, I will now turn to an examination of a concrete case—John Locke's *Two Treatises of Government*—an example that, I think, well demonstrates why contextualism as a methodological approach (facilitated by the development of research tools facilitating good contextualist practice), is so sorely needed in this discipline.

John Locke was a 17th century philosopher and political writer. His reputation as an innovator of philosophical ideas is centered on two of his main texts—*An Essay Concerning Human Understanding*, and the *Two Treatises*. The first text is held by philosophers to secure his place in the philosophical canon as the founding father of modern empiricism. The second text is held to secure his place as the founding father of modern liberalism with his theory of the consent of the governed (the latter text being my main focus for discussion).

Let me state it plainly here that I am not concerned to argue that Locke was not a great thinker or that his works are not works of considerable intellectual merit. That would be a fool's errand. Rather, I seek to argue that many myths have grown up about this thinker (spurred on by unhistorical, acontextual practices), myths that inevitably distort our understanding of the actual thoughts of this thinker. In what follows, I seek to show how these myths can be 'debunked,' and can best be avoided by a thoroughgoing attentiveness to good contextualist practice.

Myth Number One

Date of composition and purpose behind composition. Many standard texts in the history of philosophy continue to herald the writing of Locke's *Two Treatises* as a post-hoc justification for the 'Glorious Revolution' in England of 1688, a 'revolution' that saw the deposition of the catholic King James II & VII and his subsequent replacement by the

Contextualism & Philosophy

protestant King William III, of Orange.¹⁰ The main evidence for this claim, an ideological claim, attempting to show how England at the time was motivated by the desire to instantiate and apply rational principles of representative government, is based on the wording of the preface to the original edition of the text, combined with the fact that the text was first published in 1690, some two years after the events of 1688.¹¹

The problem with this claim, however, is that it cannot be reconciled with other weighty evidence that the text could not have been written for that declared purpose. When judged against contrary evidence, the claim functions as something of a 'rationalization' on the part of Locke, because it directs the reader's attention away from the actual circumstances and timing of the writing of the text. The express reasons that motivated this rationalization are not discernable for there is no correspondence on this matter. On a conjectural note, however, congruent with other evidence about Locke's 'shrewd character,' perhaps this prefatory statement was written in order to capitalize on a potential market for the book, benefiting from a turn in political events (not least, Locke's own return from exile in Holland), a turn that created a niche for a well crafted text, that would, from a Whig perspective, act as an intellectual apologia for the 'logic' of the revolution.¹²

The lesson from a simple analysis of the text alone (especially prefatory material), is to be wary of overt claims as to purpose, and carefully scrutinize them, for they may be rationalizations distorting the actual context that informed the writing of a given text. Locke's main aim in writing his Two Treatises, was not to justify to the world the throne of William III and the successful revolution of 1688, but, rather, to enlist cadres in a political conflict that had gripped England some seven to nine years earlier (the 'exclusionist' controversy that

¹⁰ For example, David Hamlyn, *Being a Philosopher: The History of a Practice* (London: Routledge, 1992).

¹¹ John Locke, Preface to his Two Treatises "... to establish the Throne of our Great Restorer, Our present King William; and to make good his Title, in the Consent of the People ... And to justify to the World, the People of England, whose love of their Just and Natural Rights, with their Resolution to preserve them, saved the Nation when it was on the very brink of Slavery and Ruine."

¹² On Locke's character, see Maurice Cranston, *Locke*. London: Longmans Green, 1961.

Law, Ethics & Society

tried, unsuccessfully, to change the line of succession to the English throne).

Myth Number Two

The myth that Locke wrote two separate works, not one. Part of the myth behind Locke's writing of the Two Treatises, as an exercise justifying the revolution of 1688, is spurred on by the supposition that Locke really wrote two quite independent works, not one—the first work being: *The False Principles and Foundation of Sir Robert Filmer ...*, and the second work being: *An Essay Concerning the True, Original, Extent, and End of Civil Government*. If the works are essentially independent then why is it not reasonable to suppose that the second treatise, at least, was written around 1689-1690? (No one seriously argues that the first work was not written during the years 1680-1681, a time during which Filmer's absolutist text—Patriarcha—enjoyed considerable popularity and influence.)

The 'independent nature' view of the two works has been facilitated by the subsequent printing history of the Two Treatises. It is usual to publish the Essay separately and isolate it from any connectedness to a refutation of the work of Sir Robert Filmer (with the first treatise seldom being published). Yet, this turn, of effectively isolating the text away from its natural literary companion, is akin to severing a part of a work from its contextual setting within a congruent whole.

The contextual evidence paints a different picture as to the dates of writing. The language and conceptual linkages between the two texts are very close. As John Dunn argues, the interwoven ideational dependency of the two works is such as to discount, in the case of the Essay, a period of eight or nine years of delayed authorship.¹³ The intimacy that exists between the two works is falsely iterated to modern eyes by a literary and publishing device of the period, namely, the labeling of the two treatises as separate books. Historically, this was often merely used as a device for splitting up a large

¹³ John Dunn, *The Political Thought of John Locke: An Historical Account of the Argument of the 'Two Treatises of Government* (Cambridge: Cambridge University Press, 1983), p. 23.

Contextualism & Philosophy

work into different main sections, for reasons of convenience.¹⁴

Bowers, Gerritsen, and Laslett, analytical bibliographers, have analyzed, in detail, the printing history behind the two books.¹⁵ They have demonstrated that the title-page of the second book, in its original printing of 1690, was a later insertion, and was not part of the original print design. They have further demonstrated that the title-page of the whole work was then altered, at a later date, so as to reflect the subsequent incorporation of a secondary title-page for the second book. The phrase “two treatises” itself was actually a post-hoc creation incorporated by the printers into a revised title-page for the two books. Bowers, Gerritsen, and Laslett effectively illustrate the point that the way in which a text is physically presented can later influence how a whole work can be severed into its constituent parts (and, presumably, also, using the same methods of analytical bibliography, how genuinely separate texts can also appear as parts of a single common work).¹⁶

Myth Number Three

Thomas Hobbes, the rational defender of monarchical absolutism, *par excellence*, was the principal interlocutor of the *Two Treatises*. As I have said earlier, philosophers are fond of the vision of philosophy as a continuous conversation of great minds, across the ages, engaging one another in the battlefield of ideas. Like ‘fantasy football league,’ they want their heroes and foes to be a part of a ‘common fixture,’ even if that fixture exists only in the imagination; the fixture being a battle between two great social contract theorists who reached radically different conclusions as to the ends and purpose of civil government. Yet, fiction is not fact, even if the conceptual edges (in an era of deconstruction) are blurry, and there is little evidence to suppose that Locke had Hobbes in his sight

¹⁴ On the stylistic development of literary forms in print culture, see D.F. MacKenzie’s *Bibliography and the Sociology of Texts* (Cambridge: Cambridge University Press, 1999).

¹⁵ Freson Bowers, Johan Gerritsen, and Peter Laslett, “Further Observations on Locke’s *Two Treatises*,” *Transactions of the Cambridge Bibliographical Society* 2(1) (1954): 20-26.

¹⁶ *Ibid.*

Law, Ethics & Society

when he wrote the *Two Treatises*. On the contrary, the warrantable evidence points to Sir Robert Filmer as the main interlocutor of John Locke. Filmer's *Patriarcha*, because it purported to show how royal authority was biblically rooted in Adam, was therefore more amenable to the sensibilities of the population in England at the time than Hobbes' logically tighter but colder analysis of the necessity for absolutist power in the form of *Leviathan*. The question of interlocutor is important because the creation of an 'artificial dialogue' between these two thinkers helps to de-contextualize Locke's thought away from the sources that helped to inform the genesis of his ideas. Reading Locke through the lens of commentary on Hobbes, colors our understanding of the relationship between Locke's work and its relationship to the interstices of political debate in 17th century English society.

Several arguments point against the 'ideal fixture' of Locke versus Hobbes. Firstly, there is only one reference to Hobbes' work directly in the *Two Treatises*. Secondly, the precise language of textual debate does not center around a close association between the two thinkers. Locke was not engaged in writing a 'polemic' against Hobbes' highly rationalistic justification for absolutism in *Leviathan*. If he were, he would surely have made more reference to it and linked his argumentation more carefully to an attempted refutation of its core arguments. (Locke was 'tight' with his analysis of ideas and would have directed his attention more fully if he had Hobbes' work in mind.) Thirdly, Hobbes' own reputation at the time was of a comparatively minor nature. The cult of appropriation of his text *Leviathan* had not yet begun in earnest. Fourthly, the first of the two books written was expressly directed against the arguments of Filmer's *Patriarcha*.¹⁷

Am I, therefore, seemingly against any form of comparison of the two texts produced by two very different thinkers? No. A comparison of the thoughts of both thinkers, as an exercise in philosophical dialectic, of seeing what congruencies, dis-congruencies, and different possibilities of approach may emerge from a comparison of both thinkers, is important to

¹⁷ Richard Ashcraft, "John Locke's Library: Portrait of an Intellectual," *Transactions of the Cambridge Bibliographical Society* 5 (1) (1969): 47-60.

Contextualism & Philosophy

the practice of philosophy. Notice here, however, that my focus of attention has shifted from the first area of inquiry—what was meant by a given author in a given text?, to the second area of inquiry, namely—what follows from our subsequent analysis of that delimited meaning? Given that A meant B, how does A's use of the concept differ from C's use of A? Is C's use of the concept really the same concept as A? Given that A means B, is it true?—and so on.

Misrepresentations often come about by an interpreter's assumption that the problem he or she is addressing, is the same as the problem the original author was addressing, when it is not the same problem. Correction of the misrepresentation due to misunderstanding can be accomplished, very often, by adopting a less cavalier attitude to the text and by paying closer attention to its proper context. When we start to engage in philosophical speculation, it is good contextualist practice to be cautiously aware of the different kinds of appropriation of a text, for present purposes, that we can engage upon. Often, with good contextualist practice, we may be forced to revise our attribution of ideas from X argued for Y, to, Y is an idea that I have, that I want to defend, inspired by or indebted to my reading of Y

Myth Number Four

Locke was a consistent thinker, ergo, he was consistent, minor peccadilloes aside, in everything he wrote. It is often tempting in philosophy to opt for explanations of texts that gravitate towards coherence and consistency. These are, rightly, considered to be highly desirable qualities in philosophical thinking. Interpreters, motivated by sympathy, often lean towards this tendency. Yet, I would argue against any wholesale attempt to unduly privilege consistency of interpretation by thinking of it as a purely neutral form of interpretative device, for it is often blind as to context (as is the opposite tendency, when attacking a thinker, of generating inconsistencies, often through the device of crafty word-play). We should, in short, try and appreciate that two different forms of approach stand in danger of being muddled: a shift from the interpretative—did A recognize a contradiction in his or her

Law, Ethics & Society

thought? or was A (implicitly) operating with a contradiction?—to the appropriate—on the basis of A's work, how can we overcome the contradiction? how can we, with additional insights, improve upon A's thought?

Alas, in the battle for reputation, and also in philosophy's quasi-religious reverencing of the reputation of its past greats, conjoined with the philosophical desire to want to either save or condemn a thinker due to charges of inconsistency, the conditions become ripe for the creation of distortion through partiality.

If we attempt to impose, in high German fashion, a logic of vigorous consistency across the corpus of Locke's writing, we will greatly distort the different and disparate influences that informed different facets of his work. Locke was not able to reconcile his work in epistemology (*Essay on Human Understanding*) with his foundations for political theory (*Two Treatises*), nor is there any evidence that he attempted to do so, for he made little attempt to create any express linkages between these two areas of philosophical inquiry. The latter, for Locke, was informed by a different milieu and a very different method of approach. Many grand overarching attempts to interpret both texts as one large exercise in continuous writing, held constantly in the mind, run the risk of gravely distorting the meaning of both texts. This, alas, is what Leo Strauss attempted to do in his *Natural Rights and History*. Strauss, anxious to find a justification for Locke's 'paired' down commitment to natural law theory, compared to its Scholastic forms, attributed this to Locke's skeptical epistemology concerning the possibility of knowing the essences of natural kinds. A more limited capacity to know essences equals a more limited content to the natural law.¹⁸

This is an erroneous interpretation, however, charged by the desire to seek consistency across the board of Locke's thought. It involves a major distortion of his political thought to make the fit. In his search for consistency, Strauss represented Locke's commitment to natural law theory as a paired down version of full-blown natural law theory, thus more able

¹⁸ Leo Strauss, *Natural Rights and History* (Chicago: Chicago University Press, 1953).

Contextualism & Philosophy

to be reconciled with Locke's skepticism concerning our ability to know the essence of natural kinds. Whilst it is accurate to say that Locke's theory of natural law theory was substantially different from Scholastic forms, it was not simply a chopped down form of the latter. His theory of a law of nature had more flesh on its bones than that. Strauss sought to minimize the content of Locke's commitment to natural law theory in order to help with the consistency objective. Yet, Strauss did not adequately familiarize himself with the religious context of Locke's Christianity and the way this functioned as a source that inspired many of his political claims.¹⁹

Locke the political philosopher and strategist is not merely Locke the epistemologist transplanted into a different terrain. Locke, so to speak, in the 'political arena,' claims far more for the power of human reason, and also for divine sources of knowledge, than Locke the epistemologist would permit given his defense of our limited sources of empirical knowledge (the mind being a *tabula rasa*, with no inner power via adequation to comprehend the natural essences of things). The central problem, in the first place, is to attempt to create a neat rational fit between Locke's epistemology and what he was prepared to make use of (in terms of knowledge gained and assumed) in other contexts of discourse.

Myth Number Five

The myth of the lonely creator-genius. As I have already stated, it is not my intention here to argue that the Locke of lauded reputation was not a thinker of prodigious talent. His *Two Treatises* is a highly accomplished work. Rather, what I do seek to argue is that his creative talent, when viewed against the period of his writing, is not so startlingly original as we might think, and indeed, when viewed contextually, is much more heavily dependent on the work of 'lesser' thinkers,

¹⁹ Consider, for example, Locke's religious justification for the basic equality of persons in the state of nature, prior to civil government: "Creatures of the same species and rank, promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal one amongst another, without Subordination or Subjection, unless the Lord and Master of them all should, by any manifest Declaration of his Will, set one above another, and confer on him, by an evident and clear appointment, an undoubted Right to Dominion and sovereignty." *2nd Treatise*, para. 4.

Law, Ethics & Society

as well as the general political cultural air of the time, than is generally thought.

A clue to the way in which Locke's text was less original or revolutionary than we might think, looking at the work in isolation, and relating it to an idealized pantheon of great texts, is that the work was treated somewhat indifferently by his contemporaries.²⁰ Locke's work did not appear remarkable to his contemporaries because the ideas it expressed, albeit very well written and organized, were not viewed as novel. In this case, unlike the indifference accorded to the contemporary reception of other innovative philosophical works, the prevailing judgment was not a case of 'too radical, profoundly mistaken, or incomprehensible,' so much as a case of 'well written, but not very remarkable.' Analytical bibliography is able to demonstrate that Locke's work did not give rise to any detailed critical replies in print before the year 1703, and there was no systematic refutation of it at all until 1705 with the appearance of Charles Leslie's *Rehearsal and the Anonymous Essay Upon Government*.²¹

Part of the reason for this, surmised by Martyn Thompson, was due to the unremarkable nature of many of Locke's claims and arguments when viewed against the contextual background of English political writing during the latter part of the 17th century. (The pamphleteers of the period popularized much of the Whiggish stock of political ideas, as they fermented in the political atmosphere of the time). While the *Two Treatises* is now taken as the best articulation of classic English (and North American) liberal political theory, contemporaries saw James Tyrrell's *Patriarcha non Monarcha, or The Patriarch Un-monarch'd* (1681), James Harrington's *The Commonwealth of Oceana* (1656), Henry Neville's *Plato Redivivus* (1681), and George Lawson's *Politica Sacra et Civilis, or, A Modell of Civil and Ecclesiasticall Government* (1660), as more effective justifications for the general Whig position on constitutional affairs. All of these authors, like Locke, were concerned in the first instance to

²⁰ Martyn P. Thompson, "Reception of Locke's Two Treatises of Government, 1690-1705," *Political Studies* 24(2) (1976): 189-204.

²¹ *Ibid.*

Contextualism & Philosophy

provide a detailed refutation of Filmer's absolutist position (due to his popular influence), and they all then branched out to analyze and assess general issues of liberal political theory—consent, social contract, limitations on power, representative government, and so on.²²

An article written by B.A. MacLean, is particularly interesting in this regard, concerned, as it is, with the intellectual dependency of ideas, and raises a key question concerning Locke's familiarity with the work of George Lawson, an Anglican cleric. MacLean argued that if a reader were to make a detailed textual comparison between Lawson's *Politica* and Locke's *Two Treatises*, the reader would be struck by the many similarities of principles and arguments advanced by both texts. The conclusion, for MacLean, is that Locke must have read and studied Lawson, and was directly influenced by him as he drew up the structure he used for the subsequent composition of the *Two Treatises*.²³

Challenging Professional Myths

The rarefied view that we have of Locke, as the brilliant *ex nihilo* creator of classical liberal political theory, is decidedly broadsided by MacLean's assessment of Locke. Locke created his text upon the foundation of crucial preliminary work done by another theorist of the period. There is, however, much work to be done in advancing this kind of analysis of key thinkers against the contextual background of ideas that influenced them in their philosophical writings. Apart from MacLean's article, for example, I have been unable to trace very much in the way of work done by philosophers in the Anglo-American tradition that systematically attempts to assess the creative novelty of Locke's political writing against the background of his lesser known predecessors or contemporaries.²⁴ The comparative lack of scholarly output, here, I think, is related to the non-generation of a sufficient critical

²² James Farr and Clayton Roberts, "John Locke and the Glorious Revolution," *The Historical Journal* 28(2) (1985): 385-98.

²³ A. H. MacLean, "George Lawson and John Locke," *Cambridge Historical Journal* 9(1) (1947): 69-77.

²⁴ An exception that I have not been able to assess, but looks very promising, is Conal Condren's *George Lawson's 'Politica' and the English Revolution* (Cambridge: Cambridge University Press, 2002).

Law, Ethics & Society

mass of interest in the academy, inhabited, as it is, by a professional cadre of analytical philosophers who are haunted still by the ghost of Immanuel Kant, and who still seek to replicate, in the minds of their students, their indifference towards, or even open hostility to, contextualist approaches to the study of philosophical thinkers and their concepts.

The indifference or hostility to the kind of method that I have been arguing for, has itself an historical basis in the way that philosophy as a profession has developed over the last 150 years in Anglo-American philosophical culture (though the reception of contextualist approaches to the study of philosophy has been rather more popular in continental Europe); a profession with its own mythology of inculturation passed on from one generation of professional philosopher to another as the initiated in turn become the future initiators. It entails claims of 'respectability' concerning what philosophers as professionals are essentially about and do, contra many claims associated with its messy and 'disreputable' past. An implied principle of the analytical credo is the belief that an 'us' versus 'them' gulf emerged between traditional philosophers and professional analytic philosophers such that what emerged was not simply some new set of concerns for philosophy, new variations, so to speak, on past themes, but what was virtually tantamount to a new discipline of inquiry.

Analytical philosophers looked to an idealized Kant as their model for the professional code of the philosopher, a thinker who was prepared to slash and burn away the obfuscations of the past with the two torches of logic and analytical rigor. Kant, it is held, established not just the purity of reason itself, but also the purity of philosophy as an autonomous discipline. Hegel, Schelling, Schopenhauer, Fichte, and much German philosophy of the 19th century, betrayed the legacy of their intellectual father who had rescued them from the jumble of confusing philosophy with sophistry, with pseudo-science, with metaphysics, or with religion (German philosophy, according to the folklore of Anglo-American philosophers, is still caught in this legacy of 'corruption,' by engaging in 'incautious speculation').

The belief, so it goes, that Anglo-American philosophers managed to preserve themselves against 'German'

Contextualism & Philosophy

decadence, was due to their faithful adherence to Kant's sobering lessons. Philosophers adhering to this tradition were, in short, Kant's orthodox disciples. They inherited Kant's mantle. At the turn of the 20th century, commitment to orthodox Kantian rigor, with its support for logic and analytical methods, came to faithful fruition in the form of logical positivism, exemplified, for example, in the thought of Bertrand Russell and the thought of the early Wittgenstein—philosophy without a past—pure thought without the taint of historically distorting influence—in short, an infallible method for establishing incontestable, if somewhat unexciting, truths about the world.

This kind of professional myth about the calling of a profession, outlined above, still inhabits the environs of many academies, at least, the corridors inhabited by many Anglo-American philosophers. The myth still exudes a powerful ideological force, shaping professional dispositions, even though the promised land of logical positivism, the new philosophical Jerusalem, has been rejected by some of their 'wayward' children who now stand estranged.

If greater inroads are to be made in the contextualist study of philosophy, in Great Britain or the United States, then greater efforts will be need to be expended by the 'new evangelists' of the contextualist message in order to help seed the academy and produce a new crop of academic philosophers who are receptive to the validity of such an approach to philosophical inquiry.

If a gradual change in the 'historical consciousness' of the academic philosopher in the Anglo-American tradition were to occur, on a wider scale, then the first signs of this growing movement would likely be seen in a change to the curriculum for the teaching of philosophy, whereby courses in historical method would be required for the training of philosophers. Students would need to be come aware of the kinds of tools of approach needed to avoid the cavalier attitude of misrepresenting past texts for present ideological purposes, or of anachronistically imposing on a past thinker views that would not have been seriously entertained by them.

Careful attention to historical context is a powerful counter corrective to the temptation to claim the reputation of a past thinker, when it is not warranted, as an ally in present

Law, Ethics & Society

discourse. Locke did not write his *Two Treatises* to persuade Adam Smith or Robert Nozick of the supreme merits of a minimalist state, or to launch the careers of John Jacques Rousseau or Karl Marx. He wrote to those individuals, then living, who would be willing and able to read him and who, if persuaded, would help him accomplish the political (and other) ends for which he labored in the writing of the *Two Treatises*. Above all, an awareness of interpreting a text contextually would expose students to pseudo-historical-interpretations—to the past works of analytical philosophers that claim to be, on the face of it, historical accounts of the thoughts of a given thinker.

Secondly, we would also expect to see a significant increase in historically aware output as reflected in the traditional philosophical journals of Anglo-American philosophy—*Analysis*, *Mind*, *Journal of Philosophy*, etc. If the profession is to become more receptive to the goals of textual analysis, then this ought, in due course, to be reflected in the publications appearing in those professional journals, journals that have hitherto been key gate keeping sources, shoring up the mythical concept-ualization of analytical philosophy's own understanding of the philosophical past.

Thirdly, more downstream, the undergraduate literature would also start to reflect a change in method, for that sub-genre of the philosophical literature, the standard student textbook on the history of philosophy, would begin to be substantially revised in order to reflect this shift in methodological allegiance. The existing array of textbooks relied upon in instruction would become less useful for pedagogical purposes. In Anglophone academic culture, introductory textbooks play a prominent role in the education of students. No philosophy professor can be assumed to have firsthand knowledge of all relevant philosophical thought. However, what really helps to differentiate a good from a bad introductory textbook, is the fact that a good textbook, paradoxically, tends to be subversive of the genre of textbook writing in general. Janet Coleman's recent two volume narrative on political philosophy, from Antiquity to the Renaissance is, I think, an excellent example of such a textbook, an 'anti-textbook,' that is subversive of the standard genre of philosophical textbooks

Contextualism & Philosophy

with their worn allegiances to the ideas of the great philosophers padded out with some human interest stories.²⁵ Excellent examples of such textbooks may be more common place in other disciplines, but they are not, at least according to the author's experience, common place in philosophy. Colman's book is an example of the genre at its best, and demonstrates how a textbook can be non-trivial, subtle, and nuanced, while also engaging in the valuable expository task of presenting often very difficult ideas in a form appropriate to a 'fledgling' audience of readers.

Conclusion

Professional philosophers, as a breed, tend to trail behind on the coattails of other disciplines as far as their ability to appropriate useful research tools, for their own work, is concerned. This problem is exacerbated when the question becomes one of developing resources for an approach to philosophy that analytical philosophy itself has been disinterested in, or even openly hostile towards, namely, the contextual analysis of philosophical texts.

Here, I think, technological developments in the electronic storage, retrieval, manipulation, and analysis of text-based sources, offers considerable potential for advancing the goal of cultivating an historically aware approach to the treatment of philosophical texts. Scholars have long had access to an array of print editions of scholarly works of the past. Yet, these editions tend to be of the canonical works of philosophers who are already heralded as being worthy objects of study. Critical scholarly editions of the works of many past thinkers, works that contextually inform the political, social and cultural milieu of a past era, may not be available for consultation, thus creating a barrier to the kind of research for which this paper has been arguing.

Contextual based approaches place a much higher demand on the researcher for access to primary source materials than non-historical treatments. If a text is located on

²⁵ Janet Coleman, *A History of Political Thought* (Oxford: Blackwell, 2000). Vol. 1 *From ancient Greece to early Christianity*; vol. 2 *From the Middle Ages to the Renaissance*.

Law, Ethics & Society

a bibliographical source and cannot be lent to a borrower via inter-library loan, then the classic method of approach, especially for rare or older material, has been to travel to the sites where the sources reside and to assess them *in situ*. This can be very time-consuming process and can demand considerable financial resources to undertake such programs of travel. While the development of print culture, and the development of great libraries, has lessened the need to travel as extensively and as frequently as the medieval scholars of the past were required to do, these burdens may not be inconsiderable. Travel also presupposes that permission by the institution that has custody of a text, in order to examine and hopefully copy it, will be granted in the first place (not something that can be automatically assumed).

On the basis of my own work on John Locke, my studies have been hampered by my inability to have ready access to manuscript collections and to rare book collections, mainly in England (Bodleian Library, Oxford, and the British Library, London). The development of an electronic library of resources, benefiting from the advantage of distributed access over the internet, promises to be a fruitful way of connecting scholars to the primary textual materials they need in order to advance their context-based research.

Standards have been developing in the storage and retrieval of full text documents. There has been a trend away from merely using information technology for the provision of bibliographic data about primary sources (important as this is), to the provision of access to the full text itself. While there are many organizational and institutional issues surrounding questions of who pays for the creation and the maintenance of electronic resources on the internet, it is not impossible to envisage a future in which scholar entrepreneurs in philosophy may emerge and help push forward a research agenda that includes a commitment to the development of digital library resources for scholarly research into the history of philosophy.

At present, there are a number of web sites that provide access to classic philosophical texts (often in poor translations that are outside copyright)—Plato's *Republic*, Aristotle's *Ethics*, Hobbes' *Leviathan*, Locke's *Second Treatise*, etc.

Contextualism & Philosophy

There is, however, little or no coverage of less well-known figures in philosophy (or of other disciplines) who have written works of direct interest to the research of the historically aware philosopher. In the paper above, I have mentioned several thinkers writing in 17th century political philosophy that would be excellent candidates for digitization so that scholars can have ease of access to accurate reproductions of these texts. This list, without too much difficulty, could be very considerably extended.

Digitization, as a medium of communication, offers the scholar more exiting prospects than just the accurate digital representation of a text as a surrogate for being able to look directly at the original text (important as this is). Microform, despite its comparative inconvenience of use compared to online digital library access, has been able to provide accurate reproductions of primary documents for several decades. The additional advantage afforded by the digitization of primary sources is centered on the ability of information retrieval systems to search through a large corpus of texts in order to locate the context for the relational use of many words and phrases. Many authors, can, with ease, search very rapidly through a corpus of texts using the techniques of Boolean searching, proximity searching, and incidence ranking in order to locate key terms. This is potentially a very fruitful way of locating and comparing the different contexts for the use of a particular word or phrases denoting an idea, and how its use may have been subtly adapted, changed, or augmented by different thinkers over the years.

In my own research on the historically conditioned conception of 'suicide,' for example, by making use of text based electronic searching capabilities, I have been able to make some very profitable connections revealing many anachronistic usages of the term, thereby exposing the foisting of present definitions onto past usages without regard to differences in meaning.²⁶

The moral of this story may be obvious, but it is still well worth stating in bold terms: the greater the resource base at

²⁶ Dan Kolak, *The Philosophy Source. 100 Classic Masterworks on CD-ROM*.

Law, Ethics & Society

the disposal of a scholar, the greater will be the fruits of this kind of comparative analysis, reinforcing the need for a properly contextualized understanding of philosophical ideas.²⁷

Pioneering interpreters, who utilize these technological opportunities, who seek to examine the contextual settings out of which past intellectual thought emerged, challenge the cozy picture of the hagiographical history of philosophy discussed in the introduction. They render an eminently useful service to philosophical inquiry. They enhance our capacity to view the world as our historically rooted thinkers viewed it, with all the social, cultural, and ideological issues that they faced, brought into sharper focus. Once we have grasped the issues that a given thinker's age confronted, and the kinds of conflicts those issues invited, then we can, with greater insight, interpret the meaning of a philosophical text that a given thinker bequeathed to posterity.

²⁷ Craig Paterson, "Suicide, Assisted Suicide, and Euthanasia," *International Philosophical Quarterly* 43(3) (2003): 351-58.