Liberal conduct

DUNCAN IVISON

Liberty is a practice. So there may, in fact, always be a certain number of projects whose aim is to modify some constraints, to loosen, or even to break them, but none of these projects can, simply by its nature, assure that people will have liberty automatically, that it will be established by the project itself. (Michel Foucault, 'Space, Knowledge, Power' [an interview], 1982)

The Commonwealth of learning here is taking a complete holiday; we have all become politicians. (John Locke to P. van Limborch, 7 August 1689)

I

Recently, liberal theory has been confronting itself in a historical guise. One result has been an interpretation that says it is simply one tradition among others and thus embodies certain contingent rather than universal features. More interestingly, another interpretation claims that even if this is the case, it is a 'contingent' tradition that embodies universal claims; it might just be *a* tradition but it is one that includes, for example, the Declaration of the Universal Rights of Man.[1] Whatever the case, there is a need to come up with the goods, so to speak, and to show as precisely and carefully as possible the historical contours of this tradition. There are (at least) two general reasons for doing so. One is to identify a cluster of practices or constraints working on or through an ideology, and which seem to remain opaque to its objects (and sometimes its practitioners); hence the imperative to 'excavate' or 'restore'. The second reason is that in doing so we loosen the grip of these conceptions and practices by seeing them as recent or contingent, and thus learn to distinguish between 'the necessary' and possibly modifiable. The point, as Foucault put it, is to lay the depth out in front; 'depth is

resituated as an absolutely superficial secret' (1967: 187). Recent developments in
contemporary liberalism lend themselves to an understanding of its own history
in terms of 'writing a history of the present' (Foucault, 1977: 31).

According to Foucault (and others), the development of a raison d'état and a
science of 'police' in the early modern period constituted the activity of
government as an 'art' with its own distinctive form of rationality, including
(among other things) the twin objectives of secular security and prosperity.[2]
Developing in unique ways from this was liberalism, which was not simply a set
of political and economic theories according to Foucault, but a style of thinking
concerned with a specific 'art of governing'. What distinguished liberalism from
earlier 'police states' was its apparent distance from the previously isomorphic
relationship between 'police science' and state action. Thus liberalism proposed
limitations and restraints as a result of its stance towards 'state reason' which
displayed the bounds of its power and determined what government could do,
and what it must not try to do if it was to accomplish its purposes (Burchell et al.,
1991: 14–15). Attached to this was the need for members of the 'population' (as
the inhabitants of national territories begun to be understood conceptually in the
mid and late 17th century) to assume a certain stance towards themselves which
would issue forth in a kind of conduct. Foucault identified the key moment here
as the emergence of an understanding of man as a 'subject of interest' who
possessed a set of individual preferences and choices which were both irreducible
and non-transferable. Hence his interest in the theories of the great Scot political
economists, whom he saw as constructing a complex domain of 'governmen-
tality' within which economic and juridical subjectivity were not reducible to
each other but, rather, situated as partial and relative aspects of a larger element –
i.e. 'civil society'. This constituted the double meaning of 'economic govern-
ment' for Foucault; government informed by the doctrines of political economy,
but also a government economizing on its own costs, accomplishing more by
doing less. He saw this as disqualifying the Lockean conception of political
jurisprudence, embodied as it was in the inaugural act of delegation and then
renunciation in the social contract whereupon the individual was constituted as a
political and juridical subject. In earlier work, this juridical knowledge and
power for Foucault were rigidly symmetrical between sovereign-subject and
essentially repressive, concerned as it was with the strict demarcation of the
'legal' and the 'illegal'. This in turn was set against a 'new type of power'
emerging in the late 17th and early 18th centuries which he called a 'non-
sovereign power', or 'disciplinary power' (Foucault, 1980: 105). The relation
between the two is complex, but Foucault saw them as essentially heterogene-
ous; 'the one . . . is the re-organization of right that invests sovereignty . . . the
other . . . the mechanics of the coercive forces whose exercise takes a disciplinary
form' (107). The juridical apparatus as a 'system of right' or legal code imposes
itself over the mechanisms of discipline but only in such a way as to conceal its
'actual procedures, the element of domination inherent in its techniques', rather

than control it or subject it to any kind of collective sovereignty (105). The former power exerts itself over the earth and its products – i.e. goods and wealth – through a system of levies or obligations distributed over time. The latter is grounded in the continuous and permanent processes of 'surveillance', and a 'tightly knit grid of material coercions', that is concerned more with the human body and its operations than with the goods or materials it might claim on its behalf (104). In later work, and especially in his lectures on governmentality (as we shall see), the rigidity of this distinction is lessened somewhat and the use of law as an aspect of discipline itself, rather than as simply a cloak for its 'actual' effects, enters into the picture. But it still seemed to be the case for Foucault that this development took place well beyond 17th-century formulations of social contract theory and the juridical mode of government.

I want to take a step back from this, however, and return to a consideration of the kind of rationality, of governmentality, wrapped up in the social contract tradition. This is in part informed by the obvious fact that contemporary liberalism, especially in the form of its most celebrated and sophisticated exponent – John Rawls – is still deeply enmeshed within its matrices, though of course carried on at a higher level of abstraction than the original theories (Rawls, 1971: 11). The assumption has been, both in traditional liberal historiography and theory, that liberalism, though always intensely interested in political power as such, has usually interpreted it only in terms of, first, its limitations and, second, the prevention of its abuse – i.e. the supposed traditional concerns of juridical social contract theories. In contemporary terms this has perhaps manifested itself most visibly in the various approaches liberal theories have taken towards the 'fact of pluralism' (Rawls, 1989); the epistemic abstinence of anti-perfectionist theories, and the trepidation with which theorists have addressed the issue of the kind of moral personality involved in liberal theories (and thus also the ferocity of attacks on this 'liberal self' from its critics).[3]

In particular I want to show how one of the pre-eminent theorists of juridical liberalism – John Locke – was implicated in the development of a specific governmentality, or 'art of government' (as he himself called it). The first thing to point out, something the Locke academic industry has been slow to indicate, is that he was deeply implicated in the concerns and practices of 'police' and government as they were towards the end of the 17th century, beyond his ideological and practical support of radical Whig politics. To see this it is necessary to make connections between aspects of Locke's work that are too often treated in isolation.

II

Interestingly, by avoiding consideration of 17th-century theorists of natural jurisprudence, Foucault passed over an explicit discussion of the 'arts of

government', both in terms of the exercise and limits of legitimate political power and the implications for the development of an understanding of civil society. Locke is a paradigmatic figure with regard to both of these aspects, and also provides us with not only a discussion of the nature and meaning of an 'art of government', but a glimpse of it at work.

Let us briefly familiarize ourselves with the contours of the relation between political authority and the public good in Locke. Political power is exercised on the grounds of people's delegation of their original natural powers and liberty in order to protect their 'Lives, liberties and estates'. It is also grounded in a relationship of trust between the governed and their governors; that is, that the laws made and executed are in accordance with the common good (natural law), that no one is exempt from these laws (including the governors), and that any change in the laws cannot be made without the consent of the majority through their representatives: 'Their power (the Legislative power) in the utmost Bounds of it, is *limited to the publick good* of the Society. It is a power that hath no other end but preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the Subjects' (II.135; see 140 on changing laws; 'what property have I in that which another may right take, when he pleases to himself?').[4] However, we must not forget the other contour of political authority which permeates all of Locke's political theory, which is power the government has beyond the letter of the law to protect and enhance the public good. This is in part what Locke calls the 'art of government', which I shall turn to below. But here I want to mention one aspect of this power, which is the role of the 'prerogative', discussed at Chapter XIV in the *Two Treatises*. There he defines it as the 'Power to act according to discretion, for the publick good, without the prescription of the Law, and sometimes even against it . . . *Prerogative is nothing but the Power of doing publick good without a Rule*' (II.160, 166). In a real sense, men and women were entrusting their fate to a power that could not be *strictly* regulated, without a specific institutional locus (except that it was in the hands of the sovereign), and with its formal legitimacy based only on the criteria that it be used for the public good. Public authority exercised according to constitutional limits was indispensable to the protection and enhancement of the public good, but it is potentially equally so beyond these limits. And this is because Locke was steadfastly insistent that government could not be a set of practices resting on a frame of abstraction, but rather, on men; 'Allegiance is neither due nor paid to Right or Government which are abstract notions but only to persons having right or government.'[5] In this sense, the *Two Treatises* is far from being a strictly constitutionalist tract, and Locke's political theory far from being one wholly concerned with nailing down the limits of government power.

Before we can understand the content of this 'art' we need to ask about its epistemological grounds; what kind of knowledge did it presuppose and what kind of knowledge did it apply? For Locke there are two necessary components to moral discourse and ethics; 'the one is the rules by which men are generally in

the right though perhaps they have not deduced them as they should from their true principles. The other is the true motives to practice them and the ways to observe them and these are generally either not well known or not rightly applied.'⁶ In other words, moral precepts have to come to be known and then put into practice. These two parts are analogous to the distinctions Locke makes between the two parts of knowledge and the two parts of politics; moral discourse is incomplete if it does not encompass both aspects. In his *Essay Concerning Human Understanding*, Locke, following Aristotle and Bacon, lays out the division of the sciences by making a distinction between general theoretical knowledge and particular practical knowledge. The end of the first kind of knowledge is the 'bare speculative Truth', i.e. the knowledge of things as they are in their own 'proper Beings, their Constitutions, Properties, and Operations' (*EHU* 4.21.2).⁷ The end of the other kind of knowledge relates to what man as a 'rational and voluntary Agent' ought to do to achieve whatever end, but especially 'for the attainment of Things good and useful'. Locke places 'Ethicks' here, which is the 'seeking out those Rules, and Measures of humane Actions, which lead to Happiness, and the Means to practice them' (*EHU* 4.21.3). This is a process of discovering not 'Truth' but 'Right, and a Conduct suitable to it'. Thus, in the natural sciences man seeks to understand things as they really are through deep contemplation, and in the 'practical' sciences he is to try to live a certain way and to make certain things – where understanding is in relation to acting (Tully, 1980: 11). Politics is a practical knowledge which is further subdivided between its own theoretical and empirical-prudential elements.⁸ Political theory, like geometry, is a kind of general knowledge since it involves 'a demonstrative certainty' via a true idea of God and his relations with his creation. Political prudence is very different, being based on matters of fact and history and therefore of a particular nature; 'The well management of public or private affairs depending upon the various and unknown humours, interests, and capacities of men we have to do with in the the world, and not upon any settled ideas of things physical, polity and prudence are not capable of demonstration.'⁹ By definition this type of knowledge cannot be known a priori, since men's action, though subject to all sorts of determinations, is not wholly so and is in large part contingent and 'free'. Thus predictive knowledge of human behaviour – just as the knowledge of whether or not 'rhubarb will purge or quinquina cure an ague' – rests on history, experience, and probability. Locke's *Two Treatises* and the *Letter Concerning Toleration*, are works of political theory (in the above sense) which set out the general moral framework within which lawmakers frame law according to the circumstances, and citizens judge the extent of their duties and rights in relation to these laws and the law of nature, but they also necessarily contain prudential elements, both in relation to the members of civil society and their governors – practices which Locke called 'the art of governing men right in society'.¹⁰

Let us return to Foucault's lecture for a moment because I think he describes

the nature of this 'art' very well in a general way, and is worth quoting at length (in Burchell et al., 1991: 95):

> Government is defined as a right manner of disposing things so as to lead not to the form of the common good, as the jurists' texts would have said, but an end which is 'convenient' for each of the things that are to be governed. This implies a plurality of specific aims: for instance, government will have to ensure that the greatest possible quantity of wealth is produced, that the people are provided with sufficient means of subsistence, that the population is enabled to multiply, etc. There is a whole series of specific finalities, then, which become the objective of government as such. In order to achieve these various finalities, things must be disposed – and this term, *dispose*, is important because with sovereignty the instrument that allowed it to achieve its aim – that is to say, obedience to the laws – was the law itself; law and sovereignty were absolutely inseparable. On the contrary, with government it is a question not of imposing law on men, but disposing things: that is to say, of employing tactics rather than laws, and even of using laws themselves as tactics – to arrange things in such a way that, through a certain number of means, such and such ends may be achieved.

For the moment let us leave aside the different nuances and subtleties that Foucault himself is stressing over and above the texts he is actually examining. Here I want simply to note the elision of law in relation to the (political) power of 'disposition' that Foucault (typically) picks up on. The direction and focus of the kind of power implicit in this 'art', operating at times beyond the exact letter of the law and thus connected in rather shadowy ways to the maintenance of the public good, appears in part to be working on the very abilities (the 'humours, interests, and capacities of men') Locke assumes to be fundamental to the political judgement of the citizens of civil society, the capacities they must use to judge the legitimacy of that very art itself.

Because the art of governing is linked to human history and the particular knowledge of how men's capacities and humours actually work, it is linked to questions of how men 'govern' themselves, and thus there is a deep connection between the principles of political action and personal conduct. Though it might be a 'platitudinous axiom of *contemporary* moral consciousness' that the relation is incessantly asymmetrical, it is indispensable as a framework for understanding early modern attempts to ground theoretical axioms in practical conduct.[11] Thus we need to examine how Locke's two kinds of political knowledge interact, if they do at all. I could not possibly complete a full investigation of this here, but instead will leave aside the political writings which set out the formal political prerequisites of Lockean civil society and the means to ground the fundamental liberty of undistorted choice,[12] and turn to their more subterranean underpinnings in the *Essay Concerning Human*

Understanding and their specific particularity in Locke's writings on the 'reformation' of the poor.

III

Before moving directly to a consideration of the practices of Locke's art of government as manifested in his writings on the reformation of the poor and political economy, we need to keep in mind the general process of 'governing men right', and the various forms of government which Locke saw already present in human society.

To practise virtue men had to be made 'alive' to it so that they could 'taste' it, and to do so one had to consider 'what is each man's particular disease, what is the pleasure that possesses him'. Far from being natural, it was something one had to be brought to 'practice in particular instances and so by habits establish a contrary pleasure', and only then, 'when Conscience, Reason, and pleasure go together' could they prevail.[13] This did not involve the total transformation of man, only that he 'may perhaps be a little mended', the best chance of doing so being those practices in relation to men's habits.[14]

There were three general practices of government, or kinds of moral rules and enforcements, which Locke identified.[15] The first was the rational understanding (via divine revelation) of God's requirements for his creatures reinforced by the 'prudential sanctions' of this life, but mainly by the overwhelming threat of sanctions in the next, the 'Rewards and Punishments of another Life, which the Almighty has established, as the Enforcement of his Law' (*EHU* 2.21.70). The importance of God's punishments to Locke's understanding of obligation cannot be underestimated, they provided the grounds for the strong motivation to obey the dictates of morality in a way that the pagan philosophers could not; that is, they lacked the 'true' force of law.[16] This voluntarism is fundamental to the juridical apparatus as a whole – the sovereign civil power declares and enforces the laws of civil society and thus what is and is not a crime, and the community as a whole plays an important part in determining and enforcing virtue and vice. These are the other two forms of government Locke identifies. The public law of particular communities (the 'Civil Law', *EHU* 2.28.8) was backed by the coercive sanctions of its rulers, which were based in the developing apparatus of the early modern mercantile state. Here the citizen must trust the government to a large extent beyond the letter of the law since he is dependent upon effective governmental power for the development and prosperity of his community. Yet ultimately, according to Locke, this power could not command total or passive obedience in the face of a breach of the law of nature, upon which time even a legitimate political power lost its authority if judged to have so acted by the members of that community.[17] An important question to ask (which will be examined below) is the relationship between the application of this

legal/practical apparatus and the personal and political agency of the individual members of that society. The third practice is 'The Law of Opinion or Reputation', which is the force of the moral traditions and processes of socialization of particular communities on men's conduct. The terms virtue and vice are 'Names pretended' to stand for actions in their own nature, when in fact they are 'in the particular instance of their application' only attributable to those actions which are considered 'in reputation or discredit' in whatever society or country therein. In any society, the law of reputation (or 'fashion') attaches various rewards and punishments, honours and dishonours, to the conduct of its members since men still retain the power of thinking 'well or ill; appraising or disapproving of the actions of those whom they live amongst, and converse with: And by their approbation and dislike they establish amongst themselves, what they call vertue and vice.' Locke recognizes that it is an extremely effective 'governor'; 'he who imagines commendation and Disgrace not to be strong motives on Man . . . seems little skill'd in the Nature or History of Mankind . . . [no one] in ten thousand [can] bear up under the . . . condemnation of his own Club' (*EHU* 2.28.10–12). Men are dependent on this power of socialization in terms of its effects on their motivation to do 'the right thing' in the context of their interpersonal relations, as well as to gauge their own sense of self-worth against the judgement of their fellow relations and citizens. Insofar as it matches closely the injunctions of the law of nature it is notoriously unreliable (though there is some overlap often enough), and thus requires the added support and guidance of the other practices of civil law and divine revelation. As it happened, the concern for dignity and honour seemed not to be strong enough to be effective in the vast majority of the population, however much it was amongst the elites, and required corrective action. These last two practices of government were informed by the tenets of a basic Christianity which rendered casuistical authorities unnecessary, but nevertheless required the inculcation of a relation to self which included the practices of suspension and examination, probabilistic reasoning, and virtuous behaviour (i.e. the Christian and neo-stoic virtues of discipline and industry). Of course not everyone could be fully or successfully inculcated, and Locke meant his educational tracts to be directed for the most part at the elites, but his overall ethic of discipline, sobriety, industry and honesty, was to be applicable to as wide a community as possible. It is important to recognize this in the context of a project of reform, to root out old prejudices and deconstruct (and replace) settled ways of acting.

The two laws of 'politick society' and 'reputation' are the areas most closely connected with the reformation of specifically human capacities, and as such are also related to Locke's understanding of political power examined above. If both of these laws relate to the 'disposing' of subjects in a certain manner to act as disciplined, self-regulating beings, then this too involves more than just the delineation and application of Law (of duties and rights on the part of the citizens), but an engagement with, and knowledge of, the 'humours, interests,

and capacities' of men – i.e. an art of government. An examination of one aspect of this reforming project might yield more light on what Foucault described above, and what I have been describing up to now.

IV

What was Locke's relationship with the developing theories and practices of political economy in the 17th century? It is important to have a sense of the kind of discourse that was developing in this period at the point when Locke began taking an interest and contributing to it.

To put it generally, by mid-century there were two identifiable fields of proto-economic discourse. Some 'oeconomists' saw a need for a planned and organized commercial strategy to generate wealth based mainly on manufacturing, whilst others saw the need for a more unfettered commercial activity based mainly on the 'natural acquisitiveness' of man. By the late 1660s, a time of increased international competition in the woollen trade, and a large growth in England's population causing widespread underemployment and unemployment, the former tendency still prevailed. A consensus emerged that England's resources had to become better organized, and as Charles Davenant one of the most influential of the neo-Machiavellian trade analysts of the century put it, trade needed to be courted and pursued, 'like a nice and coy Mistress' (Davenant, 1771: 453).

One of the earliest and most powerful of these tracts was Josiah Child's *A New Discourse about Trade*, first appearing as *Brief Observations . . .* in 1668. It was a very successful piece, going into five editions between 1668 and 1699. Its two key themes were closely interlocked: the relationship between employment and national welfare as reflected in the balance of trade, and the relief and employment of the poor; 'It is multitudes of People, and good Laws, such as cause and increase of People, which principally Enrich any Country; and if we retrench by Law the labour of our People, we drive them from us to other countries that give better rates' (preface). Child provided a synthesis of the new analysis and the more traditional interventionist practices. For him, England's subjects had to be located within a strategy of production, and their self-interested activities (Child quotes Hobbes on man's 'real' nature) harnessed towards the good of the community. He was building on a whole body of analysis which had emerged at or around 1649, that annus mirabilis in the literature of social criticism. Samuel Hartlib had published his *A Description of the Famous Kingdom of Macaria* (1641), a fairytale 'eutopia' consumed in a cult of productivity, as well as two tracts on the relief of the poor in 1649 and 1650 (where he proposed the erection of workhouses to employ and educate the children of the poor). Rice-Bush published his *Poor Man's Friend* around this time, Peter Chamberlan the *Poor Man's Advocate or England's Samaritans*, and

William Goffe his *How to Advance the Trade of the Nation and Employ the Poor* as well. In all of these, as in Child, poverty, employment and national welfare were linked together and examined in a proto-rationalistic fashion. By the 1690s, in addition to Child's editions, people such as William Petty,[18] Matthew Hale, Robert Hartford, Charles Davenant, Thomas Firmin, John Bellers, John Cary and John Locke, were all writing within this same sphere. Charles Davenant epitomized the congruence of the individual, labour and national prosperity when he wrote: 'The Bodies of Men are without doubt the most valuable Treasures of a Country, and in their sphere, the ordinary People are as serviceable to the Common-Wealth as the rich, if they are employ'd in honest labour and Useful Arts' (Davenant, 1771: 202).[19]

The *bodies* of men are the most valuable treasure of a country. I think this is an important acknowledgement by Davenant of what is being worked out in the course of 17th-century economic discourse. Whereas in the high middle ages, sovereigns struggled to combine military ambition with internal control and stability, by the 17th century we begin to see strategies for an effective homogenization of the state at war (whether it be a military war or a trade war – Child said that 'all trade (is) a kind of warfare') and the expansion of internal discipline.[20] In a sense, the act of governing was changing from questions of how does a sovereign secure his or her position, to where does his or her strength lie? How is he or she to use it and augment it? At the base of this is a kind of economy of political judgement, a governing activity, and a relationship between ruler and ruled where the ruled are not only the property of the ruler in a juridical sense, but are resources at the ruler's disposal as well.

This development was not only to be found in England. The formative beginnings of German political economy, *Kameralwissenschaft*, underwent almost parallel moves. Indeed, they are linked in more than theoretical ways. Wilhelm von Schroder, one of the first German 'cameralists', lived in London from 1663 to 1674, and was most likely influenced by English theorists such as Child.[21] Schroder's conception of *staatsbrille*, literally 'state spectacles', was a kind of state knowledge which united, for example, geographical, economic and demographical data into a systematic understanding of a ruler's territory (Tribe, 1988: 33). All of this was incorporated under the concept of *polizei*, the enabling practice or operation of state whereby the administrative apparatus of government ordered things in such a way as to increase the wealth of the ruler through an increase in the 'happiness' of the populace. *Kameralwissenschaft* became a specific form of knowledge and was disseminated and taught in universities all across Germany. By the 18th century, economically based objectives of state became even more important, and a similar clash of 'tendencies' as occurred in England took place.

I want now to examine Locke's connections with the practices of poor laws and workhouses in the 17th century. First, though, we need to be acquainted with some of the basics; English poor law history is a vast and complex subject,

so I shall (for your sake and mine) be highly selective.[22] I want to sketch how attitudes to the poor were transformed from being straightforwardly charity-based, to becoming part of a calculus of national health and welfare. These two categories are not mutually exclusive, and in fact were often complementary.

Though we find Acts in relation to the poor well before the 16th and 17th centuries (such as Richard II's Act of 1388 prohibiting vagrancy and 'wandering'), it is perhaps not until the 16th century that we see glimmers of *positive* state action vis-a-vis the poor. Beggars were subject to penalties if found to be able-bodied, and if incapable of working were restricted to begging only as prescribed by a magistrate. With the Reformation and the secularization of church property, the poor became increasingly the responsibility of the state and not simply an adjunct to the activities of the church. By 1601 under Elizabeth, most of the poor relief measures were codified into one Act, and poor relief itself began to take an institutional shape that would characterize it throughout the 17th century; administration by parishes under a committee of 'overseers', the separation of children, infirm (and later the mad or insane) and able-bodied, and specific measures of taxation of the community at large to pay for it all. As Ashcrott wrote in his 19th-century history: 'In this Act we recognize the state strong in the consciousness of its civilizing mission, not the state merely discharging . . . repressive functions' (Ashcrott, 1888: 8).

Notwithstanding the whiggish tone of Ashcrott's evaluation he was in fact noting an important change. The grounding of a systematic treatment of the poor in statute and institutions was not so much motivated by the humanitarian feelings of the English ruling classes as it was an opportunity both to exploit a resource *and* solve a problem. Most social theorists at this time, though recognizing the need for a large population in England, were increasingly troubled by the growing numbers of rootless, unemployed and underemployed subjects, shuffling around the country. The issue was serious because it was perpetual; vast armies of workers wholly dependent on a fragile manufacturing export industry, meant the ranks of the non-productive poor could seemingly swell to oceanic levels at the shortest notice. They represented a threat not only to public order but to the pockets of landlords as well, who were forced to pay for their relief through poor rates. These factors, and others, helped constitute the 'problem' of the poor.

From the beginning of the century onwards, once thinkers such as Thomas Mun linked together prosperity, balance of trade and productivity, the discursive and practical terrain was set for the elaboration of particular apparatuses to merge the previously idle and unproductive into the reasoning of state.[23] By 1649, from the radical Winstanley to Hartlib and the others, most economic tracts contained at least some measures to deal with the poor, and often extensive and detailed proposals for their reform.[24]

Hartlib, in his *London's Charity Inlarged* (1650), was one of the first to propose using the workhouse to put the able-bodied poor to work, *and* teach

them something useful, an idea which would become standard by the 1690s.[25] By 1661 and the Act of Settlement, which not only limited the number of people who qualified for relief, but also physically settled them to a particular parish or district, the inclusive designs of early modern political economy were coming to work directly on the poor. The general principle of the Act was to control and monitor their movement by means of passes, badges and licences, which as a practice of the poor law would stay intact almost into the 19th century.[26]

In 1668 Child's major treatise was published, which we have already briefly examined. Aside from its balance of trade arguments, it also recommended that 'Duty to God and Nature' required that we 'provide for and employ the poor, whose condition is sad and wretched . . . bred up in Beggary and Laziness . . . [becoming] unhealthy bodies and serve only to stock the kingdom with Thieves and Beggars' (Child, 1690 [1668]: 81). In the 1692 edition Child added a proposal for an assembly of 'Fathers of the Poor', who could be given powers to buy land and build workhouses and hospitals for the employment and confinement of the poor. He also proposed organizing some of the larger parishes into unions for the purposes of building workhouses, suggesting Westminster and London as prospective venues. Richard Haines in his 1677 pamphlet, *Proposals for Building in every County a Working Alms-House or Hospital*, proposed similar unions of parishes based on the Dutch example of a workhouse in every city for the 'perpetual confinement of the poor'. Haines was one of the first to seriously investigate the potential of the poor paying their own expenses by the work they did whilst kept inside. He even invented a 'spinning machine', a contraption which allowed the inclusion of the youngest children in the manufacturing of cloth.

It was in the 1690s that we see more detailed and wide-ranging plans for the employment and reform of the poor. A seminal figure is Thomas Firmin, who in 1665 at the age of 23 had organized the poor in his county to work in his linen manufacturing business. His factory provided not only employment but a school as well, and children as young as 3 were brought in and taught to spin and read. His experiment, and his 1678 pamphlet *Some Proposals for the Employment of the Poor and for the Prevention of Begging* (reprinted many times in the 18th century), made him a recognized expert in the field, and by the 1690s he was being sought out by Locke and the Board of Trade for advice. The Quaker John Bellers was another important figure. He proposed the creation of 'colleges of Industry' in his *Proposals for Raising a College of Industry . . .* (1695). For Bellers, poor relief was an activity of reconstruction: 'The best materials for building put together without order or method, are little better than rubbish, until they are regularly placed . . . the same are mankind until they are regularly and usefully employed'.[27] Francis Brewster called for working schools in his *Essays on Trade and Navigation* (1695), saying they would help 'manure and improve the first sprouts as they came into the world'.

There were dozens of other pamphlets with proposals for the employment and

reform of the poor in the 1690s, including those by Matthew Hale, Robert Hartford, Charles Davenant, John Cary and, of course, John Locke. Before moving directly to an examination of Locke's scheme and its relation to his project as a whole, it is important to acknowledge his debt to John Cary, who along with Firmin was one of the most sought-after and influential experts in the field in the 17th century.

Cary's seminal pamphlet, *An Essay on the State of England in Relation to its Trade, its Poor, and its Taxes, For Carrying on the Present War Against France* (1695), contains all the elements of political economy and more. What differentiated it from other works in the same period was its immediate practical impact and its relation to Locke's 'Report of the Board of Trade'. Cary's pamphlet, like Child's, was a bestseller of sorts, republished throughout the 18th century (under a slightly different title) and even translated into French and Italian.[28]

Cary places the government of the poor within the context of the state, trade and war. He concerns himself not only with England's internal trade and manufacturing sector, but also its external trade, and recommends the establishment of a national committee of trade. This brings him to a consideration of the poor. He begins by criticizing the laws that are already in place to deal with the problem, which Cary sees as 'defective . . . tending rather to maintain them so, rather than to raise them to a better way of living' (Cary, 1695: 156). The solution was 'nothing but good laws' to restrain the habits of idleness, and provide work for those who are willing, 'and force them to work that are able' (156). He suggests the establishment of workhouses, not simply to confine the poor but, like Firmin and Haines, to be 'founded on such principles as may employ the poor' (157). These workhouses should be set up in the cities and large towns, one or more in each place, in order to prevent the constant shuttling of poor from one parish to the next. Justices of the Peace should be given the power to assign young men to husbandmen and manufacturers, who would by statute be obliged to receive them. In coastal towns, like Bristol where he was based, some of the poor should be forced to serve in the navy since the sea 'is a very good cure for legs and Arms, especially such as are counterfit through Sloath' (161). Popular culture was to be tightly controlled with no 'hawking or selling of ballads', and stage plays, lotteries and gaming all 'strictly looked after' (166). These measures, involving the use and coordination of the law, economic practices, cultural practices and the military, would 'introduce a habit of vertue amongst us, but also to the making multitudes of people serviceable who are now useless to the Nation'. Since labour was the original condition of the happiness of man ('that by the sweat of his Brow he should eat his Bread'), the idleness and lack of discipline of the poor 'was the foundation of all those vices which prevail amongst us . . . whereof cannot be prevented but by encouraging Youth in an early Delight of living by Industry, which would keep up a true English spirit in them'. Not only would idleness be eliminated, figured Cary, but the cost of

instilling it too, with enough left over to pay for the war with France.[29] Like Petty and Child before him, Cary was attempting to provide a strategy for the effective extension of governing power through a complex and multilayered coordination of the numerous resources at the disposal of the state.

Cary's work had an immediate impact. Following the publication of his 1695 pamphlet, he single-handedly (it seems) organized a campaign for the raising of a workhouse in the city of Bristol (Cary, 1717: 116). In the next year, he succeeded in having an Act passed through Parliament creating the Bristol Corporation of the Poor, the first of its kind, and set about building its first workhouse. It was to be large enough for all the able-bodied poor, infirm and children who could not be properly maintained at home. The children 'will be bred up to Labour, Principles of Virtue will be implanted . . . by the good government thereof, and laziness and Beggary will be discouraged' (117). The guardians were able to force any able-bodied person to work in the 'House', or send them into the navy, husbandry, or bound apprenticeships, as Cary's pamphlet had suggested. He set up a 'Committee of the Poor' which visited poor families within their vicinity, kept track of their overall numbers, and decided which children would be taken from families and placed in the workhouse. Anyone who sought relief had to appear before the committee where they were registered in the committee books and notes were taken as to their age, health, qualifications and general 'civility'.

Cary described how the first 100 'guests' (who were girls) were 'appointed . . . set hours for working, eating, and playing; and [given] leave to walk on the Hills with their tutresses when their work was over and the weather fair'. Another workhouse was eventually built, occupied by young boys, the infirm and 'ancients'. Cary was confident of its complete success, perhaps not surprisingly considering how much he had riding on the whole project (161):

> . . . the success has answered our expectations, we are free from Beggars, our old people are comfortably provided for, our boys and girls are educated to sobriety, and brought up to delight in labour, our young children are well looked after . . . and the face of the city is so changed already . . . to hope these young plants will produce a vertuous and laborious Generation.

Cary noted how all of this was brought about; 'the change we have wrought on them is by fair means . . . we have a Brideval, stockes, and Whipping-Post, always in their sights, but never had occasion to make use of either'. The precise working of this discipline has been dealt with elsewhere, and here I simply note its presence.[30]

It was not just that the poor posed either an economic, a public order, or a spiritual problem, it was that they posed all three simultaneously. They could not be simply tolerated or locked up, they had to 'worked on' and made 'healthy' (industrious and pliant) for the benefit of the 'body politick'. The workhouse represents the practical nature of this governing activity. John Locke provides an

excellent example of a thinker connected to this issue not only historically and conceptually, but practically as well.

Locke's ideas on the reformation of the poor are neither original nor unusual in the context I have sketched above. What distinguish his remarks are, first, the name that is attached to them and his position at the time of their writing, and, second, their popularity within the genre itself perhaps in part due to the (brutal) clarity of expression. Thus, his 'Report of the Board of Trade' (1697) came to occupy a privileged and oft-quoted place in the history of the development of the poor laws right up to the time of the Webbs, entire swathes of it being quoted in the 1817 Parliamentary Select Committee report which formed the basis of the famous 1834 poor law reforms.[31] I want to consider first the origin of Locke's ideas; second their relation to the texts examined above; third the arguments themselves; and, finally, their relation to some of Locke's other texts and philosophy as a whole.[32]

Locke wrote the report whilst a member of William's Board of Trade between 1696 and 1700. The commission had been formed to provide substantial and expert advice on colonial and trade matters to the Lord Chancellors.[33] Their work was mainly taken up with the great debate over recoinage, the management of the colonies and plantations, trade issues, and, of course, the poor. Locke, as Shaftesbury's aide-de-camp, had been involved in a number of public policy discussions as well as having extensive experience in dealing with the colonies and plantations. He wrote on economic issues too, bringing him into contact (and often conflict) with people like Child, Davenant, Petty and Cary. There are conflicting opinions as to the extent of Locke's activities on the board – he was reluctant to join and even tried to resign at one point, and his correspondence of this period shows him to be constantly complaining about subjecting his asthmatic lungs to London's polluted air. He did, however, make substantial contributions on the state of affairs in Virginia, the debate over recoinage, and the regulation of the poor.

The problems of the poor were on the board's agenda when it first met. It immediately set about collecting statistics, and sent for the ideas and advice of Thomas Firmin and John Cary, the two most well-known 'experts' in the field. Each commissioner was asked to prepare suggestions, though Locke's was eventually the only one they considered worthy of consideration. It seems he had been working on the issue for some time, or at least thinking about it before he submitted his specific plan to the board.[34] Indeed, in May 1696 John Cary had sent Locke his essay on trade and his proposals for the employment of the poor in Bristol, and Locke had written back, saying that 'it is the best discourse I ever read on that subject'.[35] He also possessed the Act of Parliament which had created the Bristol Corporation of the Poor, in his library. As well, Locke corresponded with Thomas Firmin, and received information about his experiences employing the poor.[36] It is clear when looking at Locke's 'Report', how deeply influenced he was by Firmin, and especially John Cary. Cary's

success in Bristol in 1696 was copied throughout the country and widely known. It predates Locke's intervention, and thus Professor Tully is slightly misleading when he claims that the proposals of Locke's 'Report' were applied in Bristol soon after publication (Tully, 1988a: 68). In fact, the 'Report' was only in part incorporated into the consensus legislative proposals put to the Lord Justices by the board on two successive occasions (1697 and 1698).[37] Both led to nothing legislation-wise, and in general, any major poor law legislation was left unattempted until the 19th century. Yet Locke's scheme struck a chord and is, on the whole, indicative of much of the thinking on the subject in the 17th century. I want to sketch Locke's argument in the *Report*, and then relate it to some of his other work, and try to get a theoretical picture of the practice of governmentality I have hitherto been trying to present.

Locke is clear about the cause of the multiplication of the poor, and the subsequent burden of their upkeep; 'The growth of the Poor . . . can be nothing else but the relaxation of discipline and corruption of manners' (Locke, 1697: fol. 232[1]; 1789: 102).[38] The poor, as individual bodies, were not contributing to the well-being of the common weal, in fact quite the opposite. If they would not work then they should be put to work, and a disposition embodying discipline and industriousness substituted for one which allowed them to become lazy and indigent. This could occur on two levels: the personal and the juridical. Aside from immediately restraining the opportunities for debauchery (by closing all the 'coffee houses and brandy shops'), those who administered the current laws had to *use* and *enforce* them as they were intended; 'we have reason to think that the greatest part of the overseers of the poor, every where, are wholly ignorant' (fol. 233[3]; 103).[39] Locke then proceeds to work through, in detail, some suggested practices aimed at regulating and improving the lot of 'idle vagabonds'. Like Cary, he suggests that any beggars caught in maritime counties should be either sent to sea, placed inside a workhouse, or, if caught breaking any laws, put in a 'house of correction'. Building on the modifications to the Act of Settlement which had been introduced in 1696, Locke thought that the movement of the poor should be closely controlled and monitored through a system of certification papers, passes and visible identification marks.[40] Begging outside delimited areas should bring severe penalties, including confinement, or even banishment to the plantations. Counterfeiters of passports should lose their ears for first offences, and women caught begging five miles or more from home should be returned home, or if caught for a second time, sent to a house of correction and put on a regime of hard labour. Children under the age of 14 found begging outside authorized areas were to be sent to working schools, soundly whipped, and then put to work (fol. 235[8]: 106–7). Children of the labouring poor between the ages of 3 and 14, whom Locke considered to be the 'greatest burden' to the parish, were to be removed from their families and also placed in working schools, thereby 'easing' the mother's load (i.e. allowing her more time to work). The children, kept in 'better order', would thus be 'from

their infancy . . . inured to work, which is of no small consequence to the making of them sober and industrious all their lives after' (fol. 239[15]: 112–13).

Locke grounds all of these suggestions in the powers of local guardians who would be elected by local ratepayers (as in Cary's scheme), and would have 'the power of a justice of the peace over vagabonds and beggars, to send them to seaport towns, or houses of correction' (fol. 243[23]: 121–3). They were to meet every year and 'take account of the flock', inspect the local management, and give directions and instructions for policy. All of this would be paid for through a combination of the work done by the poor and poor rates, which should be standardized throughout the union.

Of course, ideas spoken or written down do not always translate directly into practice. In general, most of the grand schemes for the reform and employment of the poor met with only limited success, or were complete failures. Firmin's self-financing workhouse quickly fell into debt, and Cary's 'spacious' work-house was soon labelled a 'wretched hovel' known mainly for the terror it provoked in the poor of Bristol. They even tried to change its name from 'workhouse' to 'house of maintenance' or 'house of protection'. However, we should not confuse the *extension* of control or power with its absolute effectiveness; that control or power is extended is not to say its intention will be necessarily fulfilled or realized. Gaps occur, expectations are not met, chance enters the picture. Yet what is happening is that the extension is providing a foundation for potential action, for the operation of a discursive field within which discourse and practices do sometimes connect. This is in part how language has an influence on the character of political practices, legitimating or enabling one practice rather than another within a general framework of possible options.

The connection between Locke's 'Report' and his other work was easily established by his readers in the 18th and 19th centuries. The editor of the 1789 republication of the 'Report' noted that 'The Familiarity of this Report to the ideas, language, and principles of Mr. Locke's other writings is very striking' (note 'N'). His writings on education bear the most immediate resemblance, but the similarity does not end there, in fact it extends to the very heart of Locke's corpus, including his *Essay Concerning Human Understanding*, the *Two Treatises*, and his writings on toleration, or at least so I want to argue. For example, Chapter V of the *Second Treatise* is perhaps the most compact and sophisticated example of Locke merging his general political theory, analysis of money and labour productivity, and Restoration economist themes in general. An important aspect of it is also the relation of Locke's discussion of appropriation without consent to another important part of trade theory – colonial affairs. People, Locke says, can appropriate fruits, nuts, fish, game and vacant land by means of individual labour as long as there is no spoilage and enough and as good left over for others. Appropriation on this basis, i.e. without consent, continues until money is introduced, land becomes scarce, and there is

no longer enough and as good left over. Locke's example throughout the chapter of where appropriation without consent could still take place was America, where it would not 'prejudice the rest of Mankind, or give them reasons to complain, or think themselves injured by this Man's incroachment' (II.36). This satisfies one of two conditions Locke established as present in the state of nature, which he argues America is in. The second condition is that individuals exercise 'individual popular sovereignty' and are 'executioners of the Law of Nature' (II.8). At II.14 Locke says explicitly that this condition is satisfied in America as well. Now in order to do this, Locke has obviously to deny the existence of a legitimate Amerindian political society or community. The fact that he sets about doing precisely this with great relish and impeccable consistency, arguing that their property system is tied to a world of limited desire and possessions and is unsuited for the development of modern states and property systems, indicates the importance Locke attached to the task. Indeed, it could be argued that Chapter V is wholly directed at dispossessing the native Amerindians of their land, and thus to provide the means for colonial expansion and improvement of England's trade.[41] This concern for the development of the common good through the exercise of state power and the harnessing of the political and physical capacities of the population, is evident also in his discussion of money. For Locke, following many of the 'balance of trade' arguments, money is an *instrument* for the development of trade and commerce, and is useful because it is a means for generating benefits for society as a whole (Kelly, 1991). Locke is on standard oeconomist ground here, and furthermore, at II.42 in the *Two Treatises*, makes the connection explicit: 'This shews how much number of men are to be preferred to largeness of dominions, and that the increase of lands and the right imploying of them is the great art of government.'[42] Locke's assumptions and positions on the proper 'police' of the nation are clearly rooted in the (so-called) mercantilist, even cameralist, camp. Economic matters remained part of the general *prudentia* of civil society.[43]

The importance of the investiture of conduct as part of the practices of civic *prudentia* is also evident in Locke's treatise on education, as a number of commentators have shown and as we have seen above.[44] Aside from inculcating and implanting the neo-stoic and mercantile-friendly virtues of discipline and industry through training and habit formation, liberty itself becomes a practice to be learned. Locke identifies it as a primary desire of men over and above any particular object of desire, and notes that its regulation – i.e. when and where it is to be granted – makes it the most effective way of moving men to do what is wanted of them. Allowing liberty rather than imposing duty is thus for Locke one of the 'milder Methods of government', but at root the most complementary and the most efficacious.[45] This in turn relates to how Locke builds into his educational reform an element of critical reflection on itself, just as he does in the *Two Treatises* where, as we saw, the people are credited with the capacity to reason and judge according to their right to revolution (II.94, 230). The key here

is that the relation of governed to governors is described as one of conditional entrustor to trustee, and hence Lockean subjects are construed not simply as blank tablets but also, it seems, as self-governing rights bearers.[46] At the very least then, there is a tension in Locke between these two tendencies.

It is important to keep the theological context of these developments in mind. The rise of workhouse 'technologies' and the growth of the 'Reformation of Manners' movement in general must be seen in the context of a general providentialism, especially after the 1688 restoration when so many people saw England as having some kind of special relationship with divine providence to live up to.[47] In this context, Professor Dunn has concluded from looking at some of the same issues discussed above that the role of political authority in the construction of a Lockean 'civilization' was 'essentially negative' and had no duty, right, or even capacity to 'replace the active responsibilities of its subjects by a dominant agency of its own'. Thus, Lockean society was one 'whose members could shape themselves, without egregious interference from their rulers or fellow citizens, to meet the stern requirements which God had imposed upon them' (Dunn, 1989: 146, 148). I think it is far from being clear that this authority, especially in the form of an art of government, was 'essentially' negative, but that it did in fact work on the capacities of its subjects, perhaps not in the sense of *replacing* their responsibilities as much as helping to 'dispose' of them in particular ways with regard to civic affairs and the 'publick good'. Locke's gloss of Romans 12:2 in his *Paraphrases on the Epistles of St Paul* (1987), exhorts people to 'be not conformed to the fashon of this world: But be ye transformed in the renewing of your minds that you may upon examination find out, what is the good, the acceptable and perfect will of God' (Locke, 1987: 583–4). It is important to see both elements of this message – a transformation of self with regard to the next world but also with regard to this one; it was not a matter of ignoring the current 'laws of fashion' but applying oneself as best one could to transform them, applying the kind of practices of cognitive effort outlined by Locke in the *Essay* (at 2.21). It would come to pass that this self-disciplined soul would prove indispensable to an understanding of the increasing complexities of post-Restoration society, including the creeping growth of capitalism.

<div align="center">V</div>

I have no intention of discussing here whether or not Locke's project was central to the development of a capitalist *mentalité*, or mode of production.[48] I have sought rather to highlight the beginnings of a liberal art of government or 'governmentality' linked to social contract theory, in which elements of early-capitalist market relations are a necessary part, though not sufficiently so. Foucault understood social contract theory as incompatible with the under-standing of man as a 'subject of interest' since the 'totalizing' nature of juridical

power was incapable of pinning down individual preference structures within the matrix of the Law. Yet as we have seen, at least for Locke, law is not rigidly set apart from the rise of the 'new' disciplinary practices of the 17th century, but indeed is partly constitutive of them, as well as exercising a kind of disciplinary power itself.[49] Civil society is not set over the state, nor is it something that 'fundamentally . . . repels and contests the will of government', because it is itself state-like, though a precarious and only ever partially successful domain at that.[50] As understood in the 17th century (and long before), 'civil society' is just another name for the nation-state; i.e. the enabling structure established by members of a community to solve the problems of a growing population, increased scarcity and the inevitable disputes which arise as a result.[51] Government is set over civil society only on the grounds that it fulfils its duties according to the law of nature – to act for the 'publick good' – the objective of which is not reducible to the sovereign's might but rather the general well-being of the nation (always obeying the revealed will of the divine creator). As we have seen, this included not only juridical powers addressed to the material and social properties of men (life, liberties and estates), but an art of government which 'disposed' men in such a way as to be useful, in this case in relation to the priorities of the emerging early modern administrative state. For Locke the art consisted in determining the extent, form and content of regulation that was to take place, though for economic and political matters it was less a matter of framing 'natural processes' than of constructing more interventionist mechanisms of government. Foucault claims that it was the setting-in-place of 'mechanisms of security' in the 18th century which was one of the key moments in the development of a distinctive liberal mode of government; that is, modes of intervention whose function was to secure those 'natural phenomena, economic processes, and the intrinsic processes of population'.[52] He claimed it was part of the process whereby liberalism discarded the visible grid of the 'police' conception of order, and affirmed the more opaque 'processes of population', the regulation and government of which took the form of 'mechanisms of security'. The main difference between this and the juridical nature of the social contract, at least according to Foucault, was that its object was less an application of governing practices based on a strict demarcation between acts that were permitted or forbidden, than it was the specification and securing of an 'optimal mean' or a 'tolerable bandwidth of variation' within which economic and political 'processes' could operate (Gordon, 1990: 20). Yet presented as it is, I think the distinction is overdrawn and over-schematic. Though Foucault is right to see the understanding of political economy as it developed in the 18th century as providing a new kind of governmental rationality, it was not the case that 'sovereign' relations of power were wholly superseded or discarded. I think it is more appropriate to see a complex interaction between the three, which can in part be explained by a more careful account of their historical origin and development. Seeing it this way helps explain in part why contemporary liberal

theory has turned back once again to social contract theory as a means of justifying the establishment of liberal institutions in order to implement, for example, liberal principles of justice. The debate over whether or not these principles are meant merely to frame political processes and act as a neutral arbiter between conflicting world views in modern plural societies, or actively intervene as substantive principles attached to a comprehensive conception of the good ordering political and social life 'all the way down', is representative of this tension between the juridical and 'security' forms of liberal government. Relatedly, it is also the case that despite the plaints of communitarians, liberal theory has always concerned itself with 'the self'; not only by *assuming* a certain relation to self, but actively and practically seeking to promote and produce this self through various institutions and means of socialization.[53] This is in part the political objectification of individuals as citizens – the rendering of them as 'governable' in specific ways as participants in various social and economic processes. Given the historical account of Locke and early liberalism provided above, this can hardly be seen as an aberration in liberal government, nor surprising either.

Let us summarize some of the arguments presented here as a way of concluding. Liberal governmental rationality was able to integrate two previously separate styles of power relations: the universality of the structure of citizenship and law in the *polis*, and the 'pastoral power' which prioritized 'individualized guidance of singular existences' (Gordon, 1987: 297; 1990: 12; Foucault, 1982). Mitchell Dean in his recent book has argued that the 'liberal mode of government' implies a disjunction between mode of government and political doctrine, a confrontation between a 'universalistic ethical discourse of rights and the particularistic, practical logics of government'. He points out (rightly) that the beloved private spheres of the political doctrine of liberalism have never been inviolate, since they are the effect of a multitude of state and other government interventions cohering loosely around the promotion of specific 'forms of life' (Dean, 1991: 13). The story of liberalism, then, is not just the gradual optimization of a sphere of individual freedom and rights preserved against nasty and arbitrary state intervention, it is itself a particular configuration of discursive and governmental practices emerging out of a particular historical context. What liberalism does so effectively, at least according to Foucault, is to break the identification of maximum government effectiveness with maximizing the institution of government itself, though the extent to which it makes itself more or less visible depends on various historical and practical factors. As Gordon has put it, liberal security means here not so much a 'bonfire of controls as a recoding of the politics of order' (in Burchell et al., 1991: 26).

It is important to note how the liberal subject is constituted not only through practices of subjection, but through practices of liberation as well, in fact the latter are those within which liberalism finds its most effective home. Thus each 'conduct of conduct' inherent in the practices of early modern and modern

governmentality is always bound up with 'counter-conducts', individuals formulating needs and imperatives within their own lives as the basis for counter-demands to dominant practices. This is the open-ended nature of 'biopower' that Foucault talks about, and what is so often missed by commentators and critics. The government of men by other men is always a situation which presupposes a capacity for agency, a freedom: there is no face-to-face confrontation of power and freedom which is mutually exclusive (freedom disappears everywhere power is exercised), but a much more complicated 'interplay' (Foucault, 1982: 221). It is the complex interplay of power and freedom which is particularly striking about liberalism, since it takes freedom itself – the 'ethically free subject' – as the object, necessary correlate and instrument of government. We should not, however, see this as a fundamental contradiction between a constructed agency and a self-governing one, since this would be to slide into the easy comparison between two mutually exclusive spheres – freedom and power – which the analytical standpoint of governmentality, at least as I take it, wants to displace. Instead we could see it as a constitutive tension, an acknowledgement that power relations are rooted 'deep in the social nexus', not in order to condemn any project of agency or liberation, but precisely in order to analyse, elaborate and bring them into question, to examine what Foucault calls the 'agonism' between power relations and the 'intransitivity of freedom' (Foucault, 1982: 222, 223).

There is a typical sense of the liberal nomos which goes something like this: 'that it tells us of some things we must do or must not do and of others that we do, but it does not tell us what it is wise or prudent or good for us to do, and it necessarily leaves open various realms of choice' (Tarcov, 1984: 7).[54] In one sense this is certainly true; liberalism as manifested in the institutions of state and law economizes its actual presence, and denies the possibility of any total effectuation of political doctrine. And yet this cannot be confused with an abjuration of interest in government, nor a lack of concern with a set of particular relations between self and government, and self and self. Changing our relation to government involves changing our relation to ourselves, a process criss-crossed by a variety of practices and institutions which come together in any number of different 'governmentalities'. Interestingly, despite the claims of some contemporary liberal political theorists, this is almost the way early modern precursors of liberalism saw it as well, at least so I claim in the case of Locke. But all I have tried to do here is point out how one theorist, so often invoked as the patron saint of limited government and the politics of inviolable spheres, could be read and seen to be doing something rather different, more along the lines of reconstructing government, and in the process shaping a new way of life, a kind of conduct – liberal conduct. Of course I have concentrated on only one theorist and make no general claim to have unearthed some normative conception of liberal conduct, only one particular early modern version. Yet it is a particularly powerful conception, often invoked in the context of contemporary (liberal) theories, and

lurking in the shadows of contemporary mainstream political debates, at least in Great Britain and North America.

At a time when contemporary liberals often try to argue that liberalism is simply the outcome of an ever-enlightening historical progress, or that its raison d'être (et d'état) is to provide a background of procedural neutrality for the open-ended process of 'solving' practical political and social problems,[55] the explanatory and critical possibilities of studies in governmentality should not be ignored, or underestimated.

London School of Economics

NOTES

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1 The work of the (so-called) late Rawls is said to have conceded the first claim, though there is some debate as to whether or not this is something new in relation to his original *Theory of Justice* (1971) let alone whether or not it is the right move for him to make. The second claim is fiercely defended in the work of Brian Barry and Ronald Dworkin.

2 Foucault began to work this out in a series of lectures given at the Collège de France in 1978–9 entitled, respectively, 'Security, Territory and Population' and 'The Birth of Biopolitics'. Only one of these lectures has since been published, originally in Italian ('La governmentalità', translated by Pasquale Pasquino in *Aut Aut* 167–8 [September– December 1978]), from this into English ('On Governmentality', translated from the Italian by R. Braidotti in *Ideology and Consciousness* 6 [Autumn 1979]: 5–21), and most recently in a translation by Colin Gordon ('Governmentality' in Burchell et al., 1991: 87–104). The initial lectures of the series have been released in an audio-cassette format by Seuil, and the complete lectures are available on tape at the Foucault Archive in the Bibliothèque du Saulchoir in Paris.

3 Of course I am referring here to the now very familiar communitarian critique of rights-based liberalism, epitomized by Sandel (1982). However, one must be careful in using communitarian to mean anything more than the designation of a very loose assortment of what we might call ontological tendencies.

4 All references to passages in the *Two Treatises* are to the Laslett edition (1988) and follow in the text in parentheses (book-paragraph). All emphasis is Locke's.

5 Locke MS [Bodleian] c.28, fo. 85^v; Dunn (1969: 122, n. 2; 1984: 52).

6 John Locke, 'Of Ethick in General', Locke MS c.28, pp. 146–52, Ethica; usefully reprinted in King (1830: II, 122–33), and more recently in Dunn (1969: 192, n. 1).

7 All references to Locke's *Essay Concerning Human Understanding* (hereafter cited as *EHU*) are to the Nidditch edition (1975) and follow in the text in parentheses (book-chapter-paragraph). All emphasis is Locke's.

8 Locke is following Aristotle again here. The relevant point of reference is Aristotle's *politike*, literally the science of the political art which encompasses both theory and practice; from the acts of ordinary citizens in the *polis*, to the legislative work of politicans and the performance of great leaders, to the teachings of political theorists. The end of *politike* was action (*praxis*), and it identified the good of individuals (as political animals) and their associations in terms of the good of the *polis*. Thus doing *politike* was necessarily virtuous (Aristotle, *Nicomachean Ethics*, 1095a5–16, 1103b26–9). Practical wisdom (*phronesis*) is the ethical and rational core of *politike*; and deliberation about the constitutional structure of the *polis* – the highest form of human association – promoted its virtue and well-being. *Politike* has both natural and conventional dimensions which address the customs and laws of particular communities, as well as the formal nature of the art itself – just as there is a natural character of the art and science of medicine beyond the particular application of the practice itself. Like any art or practice, it is something one has to develop, and was not necessarily available to everyone. (See the very helpful discussion in Wallach, 1992: 616–17, 636, n. 6.)

9 Locke MS f.5, fols 77–83; Aaron and Gibb (1936: 116–18). Tully (1980: 29).

10 John Locke, draft of a letter to the Countess of Peterborough, 1697, in Axtell (1968: 395). See also 'Some Thoughts Concerning Reading and Study for a Gentleman' (1703: 400); and his letter to Richard King (De Beer, 1989: 56–9) where he makes the same distinction between political theory and the art of government we have discussed above, and recommends for consideration Aristotle's *Politics*, Cicero's *De officiis*, Samuel Pufendorf's *De officio hominis et civis* and his own (without acknowledgement of course) *Two Treatises*. It is interesting to note how Locke sees a relationship between the *Two Treatises* and Aristotle's *Politics* here. For the other part of politics, what he calls here prudence, there is no single text to consult since its foundation lies in knowing men and manners. This is learned only through experience or, failing that, reading lots of history.

11 The groan is Dunn's (1969: 157), the emphasis is mine.

12 *EHU*: 2.21.50: 'That in this state of Ignorance we short-sighted Creatures might not mistake true felicity, we are endowed with a power to suspend any particular desire, and keep it from determining the will, and engaging us in action. This is *standing still*, where we are not sufficiently assured of the way: Examination is *consulting a guide*. The determination of the will upon enquiry is following the direction of that Guide: And he that has a power to act, or not to act according as such determination directs, is a *free Agent*.'

13 John Locke, 'Of Ethick in General', see note 6 for details.

14 On the limited possibilities for the transformation of man's character, see Locke's *Some Thoughts Concerning Education* (hereafter cited as *STCE* [1693]) in Axtell (1968: para. 101–2, 66) and examples of such transformation in the case of timorousness and carelessness at *STCE*: para. 115, 123–7. See the discussion in Tarcov (1984: 129).

15 *EHU*: 2.28.6–13. I am indebted for my understanding of what follows to Tully (1988a: 56–70), Dunn (1984: 290–2) and Pangle (1988: 193–204) – despite some rather silly Strauss-inspired moments, this is a work to which I am indebted.

16 Locke discusses this providential apparatus of government (Tully, 1988a: 56) in relation to pagan accounts of virtue and vice in *The Reasonableness of Christianity*

(Locke, 1768: III, 87–90, 93–4): 'The view of heaven and hell will cast a slight upon the short pleasures and pains of this present state, and give attractions and encouragements to virtue, which reason and interest, and the care of ourselves, cannot but allow and prefer. Upon this foundation, and upon this only, morality stands firm, and may defy all competition. This makes it more than a name, a substantial good, worth all our aims and endeavours: and thus the gospel of Jesus Christ has delivered it to us' (p. 94).

17 In some of his earlier writings Locke went so far as to argue that there was a distinction between two modes of obligation, that to human laws and that to divine laws. The two frequently come into conflict, and in the matter of conscience with regard to indifferent things man is obliged to obey the magistrate, since the law of God forbids disturbance or dissolution of governments, so that the citizen under whatsoever form of government he lives, fulfils all the law of God concerning the government, i.e. obeys to the utmost that the magistrate or society can oblige his conscience. Locke MS fi., pp. 123–6; reprinted in King (1830: I, 114–17; and Dunn (1969: 49, n. I).

18 William Petty's *Political Arithmetick* written in 1675 but not published until 1690 epitomized the new kind of analysis. It was a book of political anatomy and comparative political science, making use of agricultural data and population indices, and discussing tax policy, naval policy, labour potential and monetary issues. The underlying theme is the need for a country to have a rational and responsible approach to the business of trade, which involved, of course, learning the mean science (as the dedicator of the treatise put it) of 'political arithmetick' (Petty, 1690: 117).

19 For an important discussion of Davenant and his role in the trade debates of the late 17th century, see Hont (1990). I am greatly indebted to this fine analysis.

20 This homogenization did not, of course, *immediately* translate into an enlarged and omnipresent centralized state structure. If anything, the late 17th century and early 18th century were periods of localism and community action, where the teeth of social regulation remained in the shires and counties, and with the Justices of the Peace, parish overseers, and the like. However, the rationale for 'reasons of state' extending themselves to new shapes, and especially touching upon 'marginal' men and women, was being laid. For a general and vivid account, see Porter (1990 [1982]).

21 See the extensive study of German cameralism in Tribe (1988).

22 The key work here has been done by Dean (1991) but I have studied Slack (1988), Poynter (1969), the Webbs (1927), Ashcrott (1888), Nicholls (1898) and Eden (1797). Davis (1981) is a good discussion of this period in the context of 'full employment utopias'. Williams (1981) provides a very interesting analysis not only of poor law history but of the history of the discipline of poor law history itself, and the different genres within which it has been represented. Landau (1990), Mandler (1987) and Cunningham (1990) provide very useful information on particular aspects of poor law history, as well as a more up-to-date overall approach to the topic.

I have culled most of my history from these sources, so in order to keep the narrative moving, I shall reference only the verbatim quotes I use.

23 See Thomas Mun, *England's Treasure by Forraign Trade*, written in 1623 but not widely available until 1664.

24 This is a continuation of the discourse begun in the 16th century by Christian humanists such as Vives and Erasmus. The important point of continuation is the emphasis upon the 'work ethic' (which of course predates its puritan manifestation) and the Roman stoic emphasis on the civic nature of one's *vocatus*, or calling. The

essential components of the Christian humanist reform program – discipline, work, punishment, supervision and education – were carried over into the 17th century, though with different elements being emphasized at different times. By the late 17th century, programs of poor relief varied between the more penal approach of Laudian Anglican and Tridentine Catholics, and the puritan emphasis on vocational rehabilitation in order to produce productive citizens. See Todd (1987: Chapter 5 et passim, and 256–8) for the 16th- and early 17th-century background.

25 In many ways the Interregnum was the high point of proposals for educational reform of the poor, though this emphasis did not wholly disappear at the Restoration as some scholars have suggested (cf. Todd, 1987: 257).

26 Cf. the Webbs (1927). See also Norma Landau (1990) who, by studying primary source material such as the actual certificates of settlement and removal, concludes (convincingly) contra the Webbs that this kind of regulation was an 'integral component of the economic structures of early modern England'.

27 Firmin's and Bellers' emphasis on useful employment and training was a change from William Petty's ideas, for example; Petty thought that the poor should be employed no matter what they did – even if it was to build pyramids on Salisbury Plain or bring Stonehenge to Tower Hill.

28 For an interesting discussion of Cary see Sacks (1991: 339–61). 'For John Cary', writes Sacks, 'the social world was in a continuous process of change. It had begun in simplicity, but, driven by man's need to balance existing supplies against his wants, it had grown day by day in complexity. Only the underlying laws of economic action, themselves open to human understanding and application, remained constant' (343). Also, see the excellent discussion in Fissell (1991: especially 79–82, 89).

29 Cary estimated that £6 million could be raised if every single person in the country earned one half-penny per diem.

30 By Foucault (1977) and Ignatieff (1978).

31 See the 'Report from the Select Committee on the Poor Laws with the Minutes of Evidence', *Parliamentary Papers: Reports from Committees*, session 28 January–12 July 1817, Vol. VI, pp. 14–15. 'The Committee cannot but avail themselves of the high authority of a Report of the Board of Trade . . . drawn up by Mr. Locke . . . and which appears to Your Committee still more applicable to the present moment, than to the time at which it was written.' It then goes on to quote verbatim the section of the report on working schools.

32 It is not an oft-quoted or famous part of the Lockean academic industry. To the best of my knowledge there have been only five *specific* pieces written (in English) on this aspect of Locke's work: Mason (1962), Hundert (1972), Tully (1988a), Beier (1988) and Dunn (1989). See also Bruneau (1975) and Mason (1965) which touch on some of the issues discussed below in a consideration of Locke's educational writings. David Wootten (1992), in the context of a reassessment of Richard Ashcraft's claims that Locke was a social and political 'radical', has argued that Locke's 'Report' supports (in part) a rather different reading, one which at the very least, removes Locke from any definitive 'radical' categories. Wootten claims that Locke's 'Report' is the 'only one' among others to adopt 'a punitive approach' and thus his views on poverty were 'not typical but exceptional' in the late 17th and 18th centuries (88). Ashcraft retorts that it is 'overstating the case to the point of absurdity' to claim that Locke's position is the most conservative or that it was a uniquely held attitude towards the poor in the 17th

century (Ashcraft, 1992: 112–13). It will become obvious below that I side with Ashcraft on this. Note, however, that both articles only touch upon the 'Report' (over the course of four or five pages) in the context of a wider debate over particular macro interpretations of the general political character of Locke's work (Wootten, 1992: 87–91; Ashcraft, 1992: 111–13). Mason's short article is mainly descriptive, usefully indicating some of the sources of Locke's thoughts, though he rather curtly and unconvincingly eschews any relation between Locke's thinking on poor relief and his political and philosophical work. Tully's (1988a) is the seminal work here, and I am enormously indebted to it. Kelly (1991) should provide the basis for a more extensive integration of these issues into the whole of the Locke corpus.

33 For the background to the board and its members, see Steele (1968), though he does not discuss in any detail its deliberations on policies for the poor. See Laslett (1969) as well, though he too ignores the issue of the poor. Kelly (1991) provides the most comprehensive background as to Locke's thinking and writing on trade matters, pointing out that it began in earnest once he joined Shaftesbury's circle in the late 1660s.

34 Another kind of social policy scheme was proposed by Locke in a 1679 journal entry entitled 'Atlantis', and based on other journal writings in 1676–8. However, this was not so much a project of social reform as it was a project for colonial settlement. In it, Locke deals with the organization of labour, cities, the social function of learning and its limits, sumptuary laws, marriage and population. His concern is to coordinate all of these activities into a well-ordered community, with an overall stress on prevention, rather than the more punitive tone and themes of the 'Report'. Passages bear obvious debts to More's *Utopia* and Harrington's *Oceana*. Also, there are none here of the aristocractic (and racist) views of Shaftesbury that we find in the *Fundamental Constitution of Carolina* (1669). One could argue that 'Atlantis' is a more original work, which would cast further doubt on the extent to which Locke was representing his own views in the *Constitution*. See Ernesto de Marchi (1955), for a short but informative note on this journal entry. For a further discussion of Shaftesbury, Locke and the constitution of the Carolinas, see Haley (1968). As secretary to the Council for Trade and Foreign Plantations, and as informal secretary to the committee of proprietors of Carolina (of which Shaftesbury was a member), both during the 1670s, Locke dealt with issues ranging from foreign and domestic trade to currency, interest rates and, of course, provision for the poor. I thus demur at Dunn's suggestion (1989: 146 and n. 83) that Locke thought only about the reformation of manners or poor relief in his closing years and usually in a state of 'moral panic'.

35 De Beer (1979: 625–7, 633–5). See also BM Add. MS (Cary) 5540.

36 De Beer (1981: 84).

37 The board's final recommendation can be found at the Public Records Office, London, in Colonial Office Papers (PRO CO) 389/14, fols 127–38 (23 December 1697). Wootten is correct in pointing out that the Webbs were mistaken in assuming the Privy Council accepted Locke's 'Report' (1992: 88, n. 34). Locke's influence is obvious from the first page – 'We attribute the increase of the Poor to the relaxation of discipline, corruption of manners and ill education of the poorer sort' – but it is on the whole a consensus document cobbled together from the various working drafts submitted in the course of their deliberations (PRO CO 389/14, fol. 129).

38 There is some confusion as to the actual full text of Locke's 'Report'. The version

published in Fox Bourne (1876) is incomplete, as is the one, it appears, in the Bodleian Library (Locke MS 30, fol. 86 ff.). A complete draft is in the Public Record Office entitled 'Draught of a Representation, Containing [a] Scheme of Methods for the Employment of the Poor' (PRO CO 388/5, fols 233–48). A very interesting 1789 reprint, attached to a history of a Society for the Reformation of Manners in Lindsey, and complete with explanatory notes, and from which I quote below, is also complete, at least if compared with the original 'Draught'. See Locke (1789: vii, 67) for the story of how the editor came to acquire Locke's 'authentic' MS. This seems to have escaped the attention of Beier. Page and folio references are provided for both versions.

39 Locke (and subsequently the board as a whole) was emphatic about the need to enforce already existing laws, which he used, in part, to justify his own 'new' proposals. He mentions in particular 39 Eliz. cap A and 43 Eliz. cap 2. See also the editor's 'Conclusion' in the 1789 reprint, where he notes that 'every man of the best discernment will see that the wise provisions of the Statutes of the 43d of Eliz . . . for regulating the internal police of the kingdom, have been fruitless: not from any defect in the laws themselves, but from want of a due observance and execution of them by those to whom that duty is entrusted' (150–1).

40 The Act of William in 1696 which modified the Act of Settlement, provided for certificates to be issued to subjects showing their place of settlement, thus allowing them to move about with relative freedom until they made a claim for relief, and were then sent back to their place of settlement. Still, the Act called for a number of measures of control which Locke seemed to find useful; the Act states: 'every person receiving relief of any parish shall, together with his wife and children, openly wear upon the shoulder of his right sleeve a badge or mark with a large Roman P, and the first letter of the name of the parish whereof such poor person is an inhabitant, cut thereon either in red or blue cloth.' Locke adopted a similar technique, whereby the poor when registered with the local corporation received a number of 'badges'. These enabled some to beg during predetermined hours as decided by the guardians; however, if they were caught doing so outside these hours, they were to be whipped and sent to a house of correction for six weeks.

41 For the definitive account of Locke in relation to colonial expansion and native land claims see the remarkable developing argument of James Tully (1990, 1992), which should open up an entire new vista on the role of the *Two Treatises* and Locke's work in general, in the development of North American social and political governance. See also Barbara Arniel's (as of yet) unpublished University College London, PhD thesis, 1992.

42 Note also, from Locke's memoranda on toleration for Shaftesbury in 1667: 'As to promoteing the welfare of the kingdom, which consists in riches and power, to this most immediately conduces the number and industry of your subjects' (PRO 30/24/47/7). The promotion of the public good in the interest of national 'power' was at the center of both Locke's economic and political writings, and it must be in this light that his views on the poor, on the role of 'labour' in general, and even property must be seen. See, for example, his Pauline injunction in a letter to William Molyneux, 19 January 1693/4 (de Beer, 1979: Vol. IV, letter no. 1693: 786–7; Kelly, 1991: 16) – 'I think every one . . . is bound to labour for the publick good, as far as he is able, or else he has no right to eat.' See also his unpublished 'Labor': 'it is oweing to the carelessnesse and negligence of the Governments of the world, which wholy intent

upon the care of aggrandizeing them selves at the same time neglect the happynesse of the people and with it their own peace and security. Would they suppresse the arts and instruments of Luxury and Vanity. And bring those of honest and usefull industry in fashon . . . if the labour of the world were rightly directed and distributed there would be more knowledg peace health and plenty in it than now there is. And man kinde be much more happy than now it is' (1661 Commonplace Book: 310; Kelly, 1991: 495).

43 At the beginning of his 1661 Commonplace Book, Locke classified knowledge in a fourfold division of *Theologica, Politia, Prudentia* and *Physia*. Among the ends of *Prudentia* he listed wealth, happiness, health, power, fame and pleasure. Means to attaining wealth (which is cross-referenced to *oeconomia*) are *oeconomia* (i.e. household management), *Venditio et Comptio, artis exercitium*, and *Historia mercatura cuiuslibet* (see Kelly, 1991: 94, n. 2).

44 Axtell (1968); Tarcov (1984); Tully (1988a: 62–5).

45 Locke compares this with the 'ultimate instrument of government', which is the proper use of pain, used only after 'all gentler Ways have been tried, and proved unsuccessful' (see Locke in Axtell, 1968: sec. 78–9, 84, 87). In general, Locke saw harsh punishment – beating or whipping – as justified only in the very last resort, and only in specific cases of extreme 'obstinancy' and 'rebellion' on the part of the child. Locke's general antipathy to gratuitous punishment and penalism in general can also be seen on his comments on Penn's frame of government for Pennsylvania, of which he was governor (Locke MS f.9, fols 33–41). Interestingly he is unimpressed by Penn's proposal for an extensive state education system – it is 'the surest check on liberty of conscience, suppressing all displeasing opinions in the bud' (see the helpful discussion in Ashcraft, 1986: 518–20).

46 Locke (and other 17th-century theorists) even identified these rights as deriving from the ancient constitution; i.e. they were part of an Englishman's birthright. I am grateful to Professor Tully for pressing home this point to me and insisting on its implications for Locke's place in any genealogy of governmentality. No doubt he would remain unconvinced that I have fully taken it on board given the way I have proceeded in this section, and generally in this article.

47 As many of these movements were religious in nature – made up of low church Anglicans and sympathetic dissenters – they invariably described the 'virtuous' individual who conformed to conventional religious standards of behaviour as also being a 'good citizen'. By the late 17th century and into the 18th, 'Societies for the Reformation of Manners' (SRMs) increasingly adjusted their argument to the issues of the political order of the temporal state to justify proscription of different kinds of public and private morality (see Bahlman, 1957; Curtis and Speck, 1976). On the secular nature of the SRMs in the late 17th century and into the 18th, see Shelley Burtt (1992: especially Chapter 3).

48 This has, of course, been an issue of huge contention in the Locke industry for some 30 years now; see Macpherson (1961), Tully (1980) and more recently Rapaczynski (1987).

49 Professor Tully is right to point out how Foucault misses this in his description of early modern juridical power (Tully, 1988a: 69), though he does not consider Foucault's later reworkings of this point in the lectures on governmentality.

50 My argument here differs from Colin Gordon's interpretation of these issues. Cf. Gordon (1990: 19–23) and n. 51 below. Foucault describes civil society as both an

object and an end of government; it is by reference to it that the state's role and functions are defined, and the maintenance and existence of which it must secure. It is a 'transactional reality', the contours of which are variable and open to modification, within which techniques of government operate in light of the general problematic of 'security'. See Foucault's lecture, 4 April 1979, and the discussion in Burchell et al. (1991: 140–1).

51 Civil society is derived from *civitas* and the Greek equivalent *politeia*; the meaning of which (though complex) roughly corresponds to what we now know as the liberal notion of the state. Government is the ordering activity/structure of civil society which addresses the problems for which it was established in the first place. Thus it is a mistake to pose the question in terms of the state versus civil society, or vice versa. The issue is one concerning the nature of this ordering activity, which in the liberal tradition takes its most fundamental shape in the form of the rule of law – the manifestations of which can range, as we have seen, from the interventionism of cameralist polizei to the framing of 'natural processes' – and whether or not it is capable of providing the grounds for a sustainable community, or at least some kind of partnership between citizens of complex, commercial societies.

52 Lecture, Collège de France, 5 April 1978. Foucault does not discuss the role of 'security' in early modern social contract theory. Locke, for example, wrote that the interest of a country lies in 'its prosperity and security' (De Beer, 1989: 59), as well as explicitly stating in the *Two Treatises* that the end of civil society is the citizens' 'own Safety and Security' (II. 222).

53 For an interesting discussion of this assumption in a number of contemporary contexts, see Barry Hindess (1992a: 149–63); and his 'Liberalism, Socialism, Democracy: Variations on a Governmental Theme', presented at the Liberalism, Neo-Liberalism and Governmentality Conference, Goldsmiths College, London, September 1992 (on file with the author).

54 Tarcov (1984) is following Oakeshott here (7, n. 19). He goes on (rightly) to say that it is impossible to have a political doctrine of rights and duties without also 'some account of the art of governing men'. For Tarcov this art is found in Locke's writings on education. Though I do not share his Straussian enthusiasms or neo-conservatism, and his discussion is not in any way linked to the literature on governmentality or even the history of 'police', it is nevertheless one to which I am indebted.

55 There is an enormous literature on neutrality in liberal political theory. For a lucid formulation see Larmore (1987). For liberal critiques of neutrality see Raz (1986) and Barry (1990).

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