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The Unethical *Ad Hominem*: John Locke on Fallacy Theory

Abstract: John Locke deserves his reputation as a foremost if not the first theorist of the *ad* tradition of argumentative fallacy. Analysis of his public debates about religious toleration reveals that Locke ethically objected to one particular *ad hominem* fallacy (the guilt-by-association argument) while tolerating other arguably fallacious arguments (both *ex concessis* and *ad hominem*) because the guilt-by-association threatened a tolerant republic of letters. This analysis enriches our understanding of the rhetorical approach to fallacy analysis, the *ad hominem* fallacy, and the importance of rhetorical norms in shaping tolerant public culture both in Locke's day and our own.

On the issue of tolerance, three questions immediately and generally arise: (1) What constitutes tolerance? (2) Who is tolerant? (3) Where does tolerance come from? Each question can only be addressed in a specific circumstance. Regarding the first, for instance, we might argue that the 21st-century Western standard requires toleration of people, while the 18th-century standard required toleration of ideas.[1] In different eras, different practices of toleration lead to different forms of tolerance. The second question, likewise, requires close historical-intellectual inquiry. Recent scholarly debates about particular figures, such as Pierre Bayle, reveal, if nothing else, how the same person's writings can seem to promote both radical and moderate tolerance.[2] The third question, of course, requires the most creative historical thinking. It is always tempting to assume that arguments in favor or against tolerance principally constitute its shape, but ideas no more incite politics than spoken lyrics move bodies to dance.

During the British Enlightenment, for instance, we might argue that tolerance came into being through legislative happenings, such as the such as the lapsing of the Licensing Act (1695), or through demographic changes, such as the division of England into multiple religious sects.[3] Or we might investigate more mundane developments such as tolerationist societies, which followed certain behavioral norms; manners of keeping record; and means of distributing information. Writing letters, keeping commonplace books, exchanging information in journals--all of these quotidian activities added up to a culture of tolerance.[4] Wendy Brown has recently argued that tolerance is an "historically protean element of liberal governance," a technology with many facets and forms. Her Foucauldian analysis--"[c]omprehending tolerance in terms of power as productive force"--captures something that historians

have long noticed about the virtue's manifestation in the 17th and 18th centuries.[5] Tolerance has limits, depends upon institutions, changes over time, and creates political subjects. To answer the third question, to examine mundane tolerant activities, to document everyday practices of toleration, can help us to answer the first two questions, for without understanding where tolerance comes from, we will be unable to determine who is genuinely tolerant or what constitutes genuine tolerance. To put this another way: The ethic of tolerance and the tolerant individual can only be understood by investigating the historical practices of toleration.

This article proposes just such an investigation. In order to understand John Locke as a tolerant political philosopher, we should pore over an often-overlooked facet of his work: his argumentative theory and practice. Recent historical work on tolerance in early-Enlightenment England emphasizes the importance afforded discursive norms among those actively seeking to create a tolerant republic of letters. John Marshall, echoing contemporary rhetorical theorists, demonstrates that norms of toleration added up to an "ethos of conversation."[6] Of course, as Aristotle was fond of pointing out, moral virtue arises from habit, not intellectual disposition.[7] A tolerant ethos depends less upon arguments about conversation and more upon conversational practices. Investigating such discursive norms should begin with argumentative forms and participants' conversational habits, not arguments about how to argue. Of course, the meta-discursive arguments deserve some attention as the critical philosopher often reflects upon her own practices.

In order to understand John Locke as someone who advanced tolerance by practicing and philosophically defending argumentative toleration, I look at his theory of fallacy alongside his own practices of argumentation in three late 17th- /early 18th-century debates, all touching on religion (one in particular on toleration). When philosophically theorizing an ideally tolerant discourse Locke seemed to favor a republic of letters characterized by arguments appealing to rational deduction and empirical observation (not audience presupposition, intellectual authority, or cultural commonplace). His argumentative practice, however, reveals that he regularly launched proofs not housed in the rational-empiricist's arsenal. To be more specific, Locke regularly argued *ad hominem* to undercut his

interlocutors' credibility. But he also regularly objected to one specific form of argumentation *ad hominem*: guilt-by-association. This argumentative form earned his scorn not because it interrupted the search for truth but rather because it corroded tolerance in the republic of letters. Locke objected to the guilt-by-association *ad hominem* on ethical, not philosophical, grounds.

Understanding Locke's willing entertainment and use of various argumentative forms allows us to see what discursive practices he thought appropriate to the ideally tolerant republic of letters. Below, I pursue such an understanding by reviewing Locke's philosophical writing on argumentative fallacy; by analyzing his use of "fallacious" argumentative forms; by analyzing his willing entertainment and rebuttal of similar argumentative forms; and by discussing his consistent objections to guilt-by-association arguments. Based on these analyses, I conclude that Locke enforced few argumentative restrictions in the tolerant republic of letters. Though his philosophical, meta-discursive writings suggest that he would only approve of empirical induction and rational deduction, his own arguments reveal that he permitted and practiced a much wider range of argumentation. In fact, he only consistently objected to one argumentative form, which could interrupt the toleration of ideas.

When we examine Locke's argumentative practices in light of his commitment to a tolerant conversational ethos, we get a different picture of Locke the tolerationist. Surely, in his philosophical writings, Locke advocated a moderate toleration, but in his arguments (and his arguments about argument), he advanced a more radical ethos, a tolerance of all ideas regardless of their associated identities. Surely, this ethos of tolerance arose out of the local discursive practices. Locke likely did not imagine (and certainly never voiced a belief) that he would promote a radical Enlightenment ethos, tolerating all ideas and bracketing all identities. But he nonetheless engaged and defended practices of toleration that invoked just such an ethical ideal. In Locke's case, and arguably in many others, the ethical ideal came from the local practices. The three questions that began this article, due to their order, imply a hierarchy: the ethical ideal on top, the participants in second place, and the local practices of least importance. If the argument below about John Locke, argumentative fallacy, and toleration has any merit, then the order of these questions must be reversed: First, we should understand the local practices

in any culture of toleration; then we must determine who engages these practices and for what specific reasons; finally, based on our knowledge of local practices and interested actors, we can see how specific actions yield ethical ideals. The ethic of tolerance comes from the habits of toleration. Seeing Locke's writings as local discursive practices that contributed to a broader culture and ethos of toleration changes our understanding of the man and the ethic.

How Locke Argued about Argumentation

Judging by the *Essay Concerning Human Understanding* (1690), we might conclude that John Locke desired a republic of letters where people argue *ad res* (to the thing). Following Francis Bacon's Royal Society acolytes, Locke often adulated appeals to empirical observation over other forms of argumentative proof.[8] He labored to separate words from things, to elevate *res* by advancing the empirical sciences, and to denigrate *verba* by assaulting classical rhetorical education. In the *Essay*, he proposed that "truth" be found in the "consideration of things themselves" (*WJL* 1.74).[9] Similarly, in *Some Thoughts Concerning Education* (1693), he insisted that "Truth is to be found and supported by a mature and due consideration of *things themselves*, and not by *artificial terms and ways of arguing*" (*WJL* 8.178, italics inserted). Such ruminations led him to praise simple terms that reference impressions (i.e. simple ideas) (*WJL* 1.77-80). As he explained, "the names of simple ideas are, of all others, the least liable to mistakes" (*WJL* 2.18). Furthermore, he upheld "demonstration" as the best argumentative proof with the "*highest degree of probability*" since demonstration adduces "a man's constant and never-failing experience in like cases" (*WJL* 2.233).

Of course, the paragraph above misses some important elements in Locke's argumentative theory. After praising demonstration, he quickly conceded that it could not answer all questions. In fact, he worried that natural philosophy, limited to the narrow terrain of empirical observation, could never be a science and must therefore fail to address the central concern for all humanity: "morality […] the proper science and the business of mankind in general" *WJL* 2.216). In the moral sciences, he suggested that people exercise "judgment" in addition to "knowledge," deductive reasoning in addition to inductive

exploration. Judgment involves steady discursive labor through the degrees of probability, "signifying a proposition, for which there be arguments or proofs, to make them pass, or be received for true" (*WJL* 2.216). Through the exercise of reason (and without the interruption of scholastic syllogistic disputation), we can compare ideas premised upon observation and testimony in order to determine their (dis)agreement (*WJL* 2.233-2.262). Based on such passages from the *Essay*, previous scholars have drawn two principal conclusions. First, Locke's epistemology and communicative theory shifted the British intellectual tradition away from rhetorical "argumentation" and towards empirical "demonstration," a shift that would continue throughout the British Enlightenment.[10] Second, Locke's work shifted fallacy theory towards the "*ad*" tradition, an effort at cataloguing and critiquing everything that is not argumentation *ad res* (to the thing) or *ad judicium* (to the judgment).[11] Both conclusions offer a convincingly clean picture of what Locke would expect in the tolerant republic of letters. Disputants should engage one another on the terrain of verifiable evidence and valid reasoning, bracketing any appeals to circumstance, authority, or character.

Doubtless, Locke's own writings on the fallacies lend further support to this characterization of his ideally tolerant republic of letters. Every fallacy that he identified in the *Essay* results from an appeal to something other than rational deduction or empirical induction. The *argumentum ad ignorantiam* appeals to ignorance; the *argumentum ad verecundiam* appeals blindly to authority; and the *argumentum ad hominem* appeals to the audience's untested assumptions. Only the *argumentum ad judicium* "brings true instruction with it" because such a contention "must come from proofs and arguments […] from the nature of things themselves, and not from my shame-facedness, ignorance, or error" (*WJL* 2.261). However tidy this portrait may seem, it contains fuzzy lines, for Locke did not forcefully condemn *argumentum ad hominem*. He simply labeled it one of *"four sorts of arguments*, that men, in their reasoning with others make use of to prevail on their assent" (*WJL* 2.260). Of all four "*sorts of arguments*," the *ad hominem* gets the briefest treatment, a short two sentences neither vituperative: "A third way is to press a man with consequences drawn from his own principles or concessions. This is already known under the name of *argumentum ad homimen*" (*WJL* 2.260). C.L. Hamblin's diagnosis,

now more than forty years old, remains apt--Locke did not "clearly condemn" the *argumentum ad hominem*. He deemed it "less than perfect," yet nevertheless potentially allowable "in practical politics."[12]

Following Hamblin's suggestion, in an effort to resolve Locke's ambivalence about argumentative fallacy and in a further effort to understand his desired tolerant republic of letters, we should turn to his participation "in practical politics," particularly to the extended public debates that he engaged during the latter years of his life. In these debates, Locke regularly entertained and deployed various forms of *ad hominem* argumentation, including the effort to press an interlocutor with "consequences of his own principles or concessions" (what is nowadays typically called *argumentum ex concessis*). Of course, critiquing and then practicing argumentation *ad hominem* could result from a failure to play by his own rules. In the fray of public discourse, many an argumentative moralist tosses principles aside. But when we regard Locke's other advice about argumentation and his own argumentative practices, we see no such inconsistency.

For an example of Locke's dogged consistency, we might consider his dedication to definition by "clear" terms that reference "simple" ideas. In the *Essay*, Locke regularly advised his readers to carefully define their terms by annexing "simple," "clear," and "distinct" ideas to their words (*WJL* 2.46). He defined his own terms in this fashion. When discussing "liberty," for instance, he insisted upon tying the abstract term to a clear idea of a particular experience: "having the power of doing, or forebearing to do, according as the mind shall choose or direct" (*WJL* 1.226). If he was consistent in his efforts to promote and to practice definition, then it seems reasonable that he would similarly be consistent elsewhere. He would not wholly condemn argumentation *ad hominem* and then deploy it. His ambivalence about the *ad hominem*, his regular use of the form, and his consistency on other matters of argumentation suggest that he did not object to argumentation *ad hominem*, though he may have harbored reservations about its use.

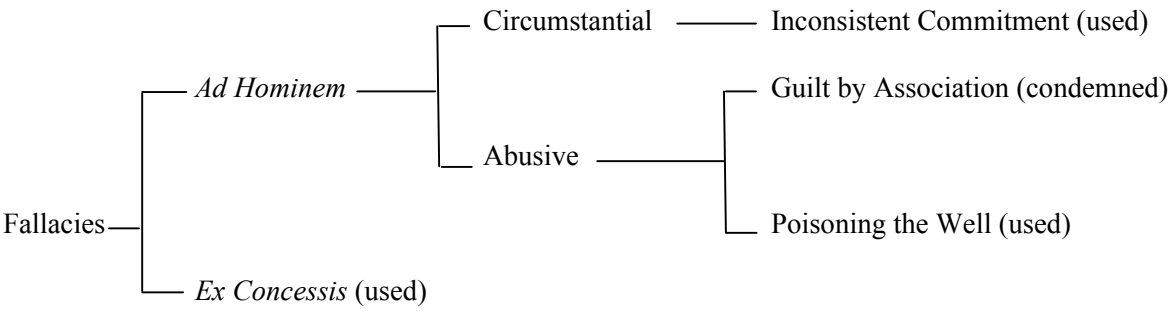
Locke's own allowance of *ad hominem* argumentation makes his approach to argumentative fallacy more pragmatic-sophistic than rational-empirical. Argumentation *ad hominem* may not be as

reliable or as probable as argumentation *ad judicium*, but it remains a constructive way to persuade an audience without warping their rational judgment or corroding their ethical foundation.[13]

How Locke Argued

Up until this point, I have conflated a variety of argumentative forms under the general heading of argumentation *ad hominem*. For the purposes of a more detailed analysis of Locke's practical arguments, I prefer to follow contemporary argumentation theorists who separate *ad hominem* argumentation from argumentation *ex concessis*, and then subdivide *ad hominem* argumentation into two categories, one of which can be even further taxonomized.[14] (See figure 1).

Figure 1: Taxonomy of Argumentative Fallacies that Locke Used and Condemned



The *argumentum ex concessis* draws conclusions from an opponent's concessions and is therefore primarily (though informally) logical. (Locke labeled what I call argumentation *ex concessis* argumentation *ad hominem*). The *argumentum ad hominem* assaults an opponent's person or character and is therefore a strictly ethotic argument, a claim undercutting credibility. An abusive *ad hominem* avers that we should not afford assent since the argument stems from an untrustworthy source. A circumstantial *ad hominem* presents inconsistency in order to contend that a speaker does not deserve trust, since s/he does not really believe what s/he is saying.

Below are examples of Locke using three argumentative forms: poisoning the well, inconsistent commitment, and argumentation *ex concessis*. The first two sets of examples are taken from a series of pamphlets that he wrote to engage the arguments of John Edwards and Bishop Edward Stillingfleet who

had respectively questioned *The Reasonableness of Christianity* (1695) and the *Essay Concerning Human Understanding* (1690). The third set of examples is taken from a series of pamphlets that Locke wrote to defend his *Letter Concerning Toleration* (1689). For the time being, in an effort at demonstrating that Locke's ideally tolerant republic of letters could feature a range of argumentative tactics beyond argumentation *ad judicium*, I will focus on the arguments' formal qualities divorced of context. Each analysis is presented below in the fashion of contemporary informal logicians, first abstractly demonstrating the argumentative form, the translating Locke's argument into that form by way of paraphrase, and then giving the natural-language presentation of the argument (an extended quote from Locke's writings) to demonstrate how he used the form.

Group 1: Poisoning-the-Well Arguments against John Edwards

The Form:
For every argument A in dialogue D, person a is biased.
Person a's bias is a failure to take part honestly in a type of dialogue D that a is a part of.
Therefore a is a bad person.
Therefore a should not be given as much credibility as it would have without the bias.[15]

Examples from Locke's writing:
Formal Paraphrase: For every claim that he is honestly exchanging ideas and seeking truth, Edwards is biased towards his own orthodoxies. Edwards's orthodoxy is a failure to take part honestly in the free and open exchange of ideas or the search for truth. Therefore Edwards is a rigid ideologue. Therefore Edwards should not be given the credibility he would deserve if unbiased.
(1a) Natural Language: Mr. Edwards, who is intrenched in orthodoxy, and so is safe in matters of faith almost as infallibility itself, is yet as apt to err as others in matters of fact. (*WJL* 6.171)
(1b) It being not, it seems, a creed-maker's [Edwards's] business to convince men's understanding by reason; but to impose on their belief by authority; or, where that is wanting, by falsehood and bawling. (*WJL* 6.401)

Group 2: Inconsistent-Commitment Arguments against John Edwards and Edward Stillingfleet

The Form:
a advocates argument A, which has proposition A as its conclusion.
a has carried out an action or a set of actions that imply that a is committed to ~*A* (the opposite, or negation of A).
Therefore a is a bad person.
Therefore a's argument A should not be accepted.[16]

Examples:
Formal Paraphrase: Edwards advocates the true church, which imports a belief in the seriousness of the subject. Edwards has discoursed in a rude and hysterical manner that implies that he does not take his

subject seriously. Therefore Edwards is an untrustworthy person. Therefore Edwards's argument that he wants to advance the true form of Christianity should not be accepted.
Natural Language: (2a) Mr. Edwards's ill language [...] is his way and strength in management of a controversy; and therefore requires a little more consideration in this disputant, than otherwise it would deserve. (*WJL* 6.184)
(2b) Those who, like Mr. Edwards, dare to publish inventions of their own, for matters of fact, deserve a name so abhorred, that it finds not room in civil conversation [...] There are two ways of making a book unanswerable. The one is by clearness, strength, and fairness of argumentation [...] Another way to make a book unanswerable, is to lay stress on matters of fact foreign to the question, as well as to truth; and to stuff it with scurrility and fiction. (*WJL* 6.192-193)
(2c) The rest of what he [Edwards] calls "Reflections on Mr. Bold's 'sermon' " being nothing but either rude and misbecoming language of him; or pitiful childish application to him, to change his persuasion at the creed-maker's [Edwards's] entreaty, and to give up the truth he hath owned, in courtesy to this doughty combatant; shows the ability of the man. (*WJL* 6.395)

Formal Paraphrase: Stillingfleet advocates an open dialogue about religious matters in order to pursue truth. Stillingfleet has used language in ways that imply he is not committed to rigorous pursuit of truth in religious matters. Therefore Stillingfleet is not a trustworthy person. Therefore Stillingfleet's arguments about religion should not be trusted.
Natural Language: (2d) Your lordship's name in writing is established above control, and therefore it will be ill-breeding in one, who barely reads what you write, not to take every thing for perfect in its kind, which your lordship says. Clearness, and force, and consistence, are to be presumed always, whatever your lordship's words be: and there is no other remedy for an answerer, who finds it difficult any where to come at your meaning or argument, but to make his excuse for it, in laying the particulars before the reader, that he may be judge where the fault lies; especially where any matter of fact is contested, deductions from the rise are often necessary, which cannot be made in few words, nor without several repetitions; an inconvenience possibly fitter to be endured, than that your lordship, in the run of your learned notions, should be shackled with the ordinary and strict rules of language; and, in the delivery of your sublimer speculations, be tied down to the mean and contemptible rudiments of grammar: though your being above these, and freed from servile observance in the use of trivial particles, whereon the connexion of discourse chiefly depends cannot but cause great difficulties to the reader. (*WJL*3.257)
(2e) I find your lordship, in these two or three paragraphs, to use the word certainty in so uncertain a sense. (*WJL* 3.283)
(2f) My lord, relative definitions of terms that are not relative [such as Stillingfleet's definition of "nature"], usually do no more than lead us in a circuit to the same place from whence we set out, and there leave us in the same ignorance we were in at first. (*WJL* 6.432)

Group 3: *Ex Concessis* Arguments against Jonas Proast in Defense of Locke's *Letter Concerning Toleration*

The Form: a is committed to proposition A (generally, or in virtue of what s/he said in the past).
a is committed to proposition ~A, which is the conclusion of the argument that a presently advocates.
Therefore a's argument should not be accepted.[17]

Examples:
Formal Paraphrase: Proast is committed to toleration outside of England to allow for the free discussion and dissemination of true (Anglican) religion, yet Proast is also committed to using force to promote true (Anglican) religion in England; therefore Proast's commitment to the spread of true religion should not be accepted.

Natural Language: (3a) But if you allow such a toleration useful in other countries, you must find something very peculiar in the air, that it makes it less useful to truth in England; and it will savour of much partiality, and be too absurd, I fear, for you to own, that toleration will be advantageous to true religion all the world over, except only in this island. (*WJL* 5.65)

Formal Paraphrase: Proast is committed to having everyone thoroughly examine their religious beliefs, yet Proast would only have the magistrate require such examination of dissenters (not Anglicans); therefore Proast's commitment to the promotion of true (Anglican) religion by examination of faith should not be accepted.

Natural Language: (3b) [I]f you would propose that all those who are ignorant, careless, and negligent in examining, should be punished, you would have little to say in this question of toleration. For if the laws of the state were made, as they ought to be, equal to all the subjects without distinction of men of different professions in religion; and the faults to be amended by punishments, were impartially punished, in all who are guilty of them; this would immediately produce a perfect toleration, or show the uselessness of force in matters of religion. (*WJL* 5.131-2)

Of course, the above examples could warrant nothing more than a claim that Locke threw his argumentative principles aside in the heat of controversy. But two bits of evidence suggest otherwise. First, as mentioned above. Locke painstakingly struggled to practice what he preached. He suggested using simple terms to reference simple ideas, and he himself used such simple terms. He also insisted that, in moments of potential referential ambiguity, the speaker should define terms clearly and carefully (*WJL* 2.48). The debate with Stillingfleet can be characterized as an extended effort by Locke to define what he meant by "substance," "nature," and "person" when composing the *Essay*. During the last two rounds of this debate Stillingfleet defined "person" as "*a complete intelligent Substance*"[18]; and Locke insisted that his own definition of personal identity as presented in the *Essay* likewise divorced the principle of consciousness from the material body (*WJL* 3.330). Second, Locke regularly entertained Edwards's, Stillinfleet's, and Proast's *ad hominem* as well as *ex concessis* arguments. He refuted such arguments based upon their evidence or their inferential structure. He treated *ad hominem* and *ex concessis* arguments as if they were potentially valid.

How Locke (The Philosopher) Argued About Argumentation

In order to further explore my claim that Locke entertained *ad hominem* and *ex concessis* arguments, I must discuss the historical, intellectual, and religious context of Locke's debates with

Edwards and Stillingfleet. As every historian of the era knows, there is no talking about Enlightenment toleration without extensively discussing religion, politics, and war.

Locke himself was notoriously quiet about his own religious affiliations. He wrote the *Essay* as well as his other works in an ostensible effort to advance knowledge without running afoul of the Church of England. He had seen religious differences result in a range of difficult and violent events, including a civil war; a bloody interregnum; a tense restoration; and a "glorious," though nonetheless tenuous, revolution. Locke drafted the *Letter Concerning Toleration* during the Restoration, a period punctuated regularly by sectarian violence. Though Charles II may have been more tolerant than his Parliament (and though he did not persecute Catholics with Oliver Cromwell's zeal), his quarter-century reign featured numerous state-led efforts to suppress non-conformity of any stripe. Having survived the interregnum violence advancing Puritanism, Anglicans under Charles II concluded that uniform belief in the state church would best maintain national peace. Parliamentary acts, such as the Quaker Act of 1662, persecuted specific sects. Public officials collected and jailed dissenters. Citizens gathered in mobs to assault people of non-Anglican faiths. Locke along with numerous Whig parliamentarians reached out to nonconformists to end such Anglican cruelties.[19] For consorting with Whig tolerationists, he found himself under investigation, so he fled to Rotterdam, where he wrote the most widely circulated (and anonymously printed) draft of the *Letter* and the first draft of the *Essay*. Shortly after returning to England, he wrote and anonymously published *The Reasonableness of Christianity*. This last work incited John Edwards's argumentative furor. Jonas Proast objected to the *Letter*, and Bishop Stillingfleet took issue with the *Essay*.

Voltaire's comment about the Stillingfleet controversy pithily summarizes all three debates: Three theologians "jousted with Locke and [...were] defeated, for [...their] reasoning was that of a rector and Locke argued as a philosopher, aware of the strength and weakness of human intelligence, and as one who used weapons whose temper he understood."[20] Thirty years after the last debate ended, Voltaire, the anglophile, positively evaluated Locke's performance, but the victory was not clear-cut at the end of the 17th century. Certainly, Locke argued as a philosopher, putting into practice much of the advice about

public debate that he distributed in his *Essay*. He argued *ad judicium*, occasionally indulging a few words *ad hominem* or even an *ex concessis*. Attending to his arguments *ad judicium* reveals how a philosopher should argue. Notably, the philosopher consistently entertained and rebutted arguments *ad hominem* and *ex concessis* through argumentation *ad judicium* and *ad res*.

The Locke-Edwards Debate

John Edwards sought publicly to reveal and revile all heresies and heretics. Like many other 17th-century Calvinists, Edwards regularly drew anti-Trinitarian (and therefore heretical) conclusions based on premises asserted in ostensibly Trinitarian works. In short, Edwards argued *ex concessis* in order to accuse people of Socinianism (a belief system denying the coeval existence of three unique figures in the Godhead). Edwards based these arguments upon premises that people publicly adopted.[21]

In *Some Thoughts Concerning the Several Causes and Occasions of Atheism* (1695), Edwards applied this argumentative tack to Locke's *Reasonableness of Christianity*, contending that the work promoted Unitarian (anti-Trinitarian) ideas and therefore deserved to be grouped among other heretical writings including those that promoted the "very *Socian* Doctrine itself" which possessed an "*Atheistick* Tang."[22] Edwards also lumped Locke into a motley crowd including genuine Christians (Socinians), deists (quasi-Christians whose beliefs may have derived *some* support from Socinian theology), and radical secularists (whose beliefs contradicted Locke's own rational Christianity as well as Socinian dogma). By any reasonable measure, Edwards's charge appears wrongheaded, but not completely unfounded. Locke had charted a perilous middle course between systematic, mathematical reasoning (often allied with the secularism of Renée Descartes and Benedictus de Spinoza) and Christianity (often the province of conservative thinkers who decried all Enlightenment thought, deist, rational, moderate, or radical). Latitudinarian efforts at formulating a rational Christianity spurred many philosophically conservative Christian thinkers, like Edwards, to accusations of heresy. Locke was no radical philosophe, nor was he a public Socinian. And even if he were one of these, he could not be both, as they were

contradictory positions. Nevertheless, Edwards accused him of every heterodoxy at or outside the boundary of a strictly arational Christianity.[23]

Locke responded to Edwards's allegations in two separate pamphlets, *A Vindication of the Reasonableness of Christianity* and *A Second Vindication*. Edwards responded to Locke's responses in *Socinianism Unmask'd* (1696). This pamphlet war also included several other participants, such as Samuel Bold, an Anglican clergyman and friend to Locke, who authored, among other things, *Some Passages on the Reasonableness of Christianity &c. and its Vindication* (1697).

As my brief gloss of Edwards's argument and Locke's theology intimates, the debate between these two men was prolix and abstruse. Bracketing the theological complexities allows an attention to how Locke argued and also how he argued about argumentation. When we momentarily ignore the content, both the argumentative form and Locke's arguments about "good" argumentative form stand out. In *Socinianism Unmask'd*, Edwards lobbed numerous *ad hominem* arguments at Locke, describing his writing as duplicitous and unreasonable. He accused Locke of having "Angry fits and Passionate Ferments" as well as "Confusion and Disorder."[24] In these cases, Edwards rocketed circumstantial *ad hominem* arguments similar to those that Locke volleyed at Edwards (listed above as examples 2a-2c). Edwards also argued *ex concessis*, trying to catch Locke in premises and conclusions that contradict one another (thus offering arguments formally similar to those that Locke would present in other debates; see examples 3a and 3b above): "[Locke asserts that] a Multitude of doctrines is obscure, and hard to be understood" and then denies such an assertion in his *Vindication*; thus, "you [Locke] pretend that you have forgot that any such thing was said by you; which shews that you are Careless of your Words, and that you forget what you write."[25]

Locke disagreed with Edwards's *ex concessis* arguments, though he did not dismiss these as ethically or rationally out of bounds. Rather, in the *Vindication*, while revisiting salient points in his argument, Locke continually noted that Edwards imposed false motives upon him. Edwards, for instance, had accused Locke of omitting discussion of the Pauline epistles because these texts reveal fundamental articles of Christian faith that Locke would deny. Based on this omission, Edwards accused Locke of a

Socinian Biblical exegesis, a reading that selectively attended to the Gospels in order to arrive at a minimal catechism.[26] Locke rejoined that Edwards should not presume to see "so deeply into my heart." By Locke's account omitting the epistles was forgivable because "those fundamental articles were in those epistles promiscuously, and without distinction, mixed with other truths" (*WJL* 6.167-168). In this instance, and in several others, Locke took issue with the evidence and the conclusion premised upon such evidence. Writing as a philosopher, he carefully rebutted and thus laconically approved of Edwards's arguments *ex concessis* and *ad hominem*.

The Locke-Stillingfleet Debate

We can witness a similar pattern in the debate with Bishop Edward Stillingfleet, a high-church Anglican who contended that Locke's *Essay* set the groundwork for a range of heresies, anti-Trinitarianism among them. The context for the Stillingfleet debate includes three salient features: First, Stillingfleet was Locke's social superior; second, Stillingfleet had criticized a work publicly associated with Locke; third Stillingfleet was a leader in the established national church, siding theologically with the empowered clergy under William's reign. Edwards, by comparison, belonged to a marginalized theological group of Calvinists, whose religious views eventually cost him a university position at St. John's College, Cambridge. Moreover, *The Reasonableness of Christianity* was published anonymously. Though Edwards could and did insinuate that Locke had written the work, he could make no outright nor public accusations of heresy. An unimportant voice in the wilderness hurling accusations at an anonymous pamphleteer did not worry Locke. A respected and empowered leader in the state church loudly thundering heretical charges that included Locke's proper name and his proudest work caused significant trepidation. Though the interregnum abuses of dissenters and heretics had abated, no one save high-flying Anglicans enjoyed freedom to profess and practice. Publicly convicted heretics in late 17th-century England could be stripped of their property, fined, exiled, and imprisoned. Locke's friend, Matthew Tindale, for instance, saw his works condemned and burned by the House of Commons (1710). Likewise, English and Irish Parliaments burned John Toland's *Christianity Not Mysterious* (1696).

Toland lost a government job in Ireland and eventually had to flee the country under charges of being a "public and inveterate enemy to all reveal'd religion."[27] Locke's reputation, his property, his livelihood, his freedom, and his person were at stake in the Stillingfleet debate.

Despite these contextual differences, some notable textual similarities between the Edwards and the Stillingfleet debates remain. To begin with, Stillingfleet, like Edwards, presented *ex concessis* arguments to discredit Locke. To be sure, Stillingfleet qualified and tempered more than his Calvinist counterpart. Rather than calling Locke himself a Socinian, Stillingfleet insisted that Locke's *Essay* presented a series of notions (including a manner of investigation and fundamental presuppositions about substance) that would lead to such heresy. In his *Discourse in Vindication of the Trinity* (1697), Stillingfleet said that Locke's "method of true Reasoning" would "make us reject Doctrines of Faith, because we do not comprehend them."[28]

Locke defended against the *ex concessis* portion of Stillingfleet's argument, saying that the skeptical conclusions that Stillingfleet would draw from the *Essay* are unwarranted: "If by the way of ideas [...] a man cannot come to clear and distinct apprehensions concerning nature and person [...] it will follow hence that he is a mistaken philosopher: but it will not follow from thence, that he is not an orthodox Christian" (*WJL* 3.68). Stillingfleet's subsequent pamphlet expanded these *ex concessis* arguments to support his claim that Locke's *Essay* leads to heresy. For instance, he maintained that Locke's way of ideas ties consciousness to a material (mortal) substance, which would lead people to disbelieve the "*Resurrection of the Dead.*" Moreover, Locke's ideas about "nature" and "person" would lead to anti-Trinitarianism.[29] Stillingfleet's arguments about "person" and "nature" are far too extensive to encapsulate here. (They require 200 pages of his *Second Answer*.)[30] What's important for our purposes is that Stillingfleet took Locke's ideas and used them to support heretical notions, thus arguing *ex concessis* that Locke's work was heretical.

Locke's *Reply to the Right Reverend the Lord Bishop of Worcester's Answer to his Second Letter* is a monumental effort at rebutting Stillingfleet's *ex concessis* arguments. His willingness to carefully represent and then refute the textual evidence that underpins Stillingfleet's deductive claims indicates a

respect for the form. He found no fault in the manner, only in the execution, saying, "My lord, the words you bring out of my book are so often different from those I read in the places which you refer to, that I am sometimes ready to think, you have got some strange copy of it" (*WJL* 3.407-408). Though his response is often mordant (as indicated by example 2d above), Locke philosophically engaged Stillingfleet's *ex concessis* arguments.

The Locke-Proast Debate

If the evidence culled from the Edwards and the Stillingfleet debates remains insufficient to demonstrate that Locke philosophically and ethically approved of *ex concessis* argumentation, then evidence from the Proast debate decidedly tips the scales. For, in this debate about toleration, Locke offered his most extensive refutations and deployments of argumentation *ex concessis*. At issue in the Proast debate was not Anti-Trinitarianism but the use of public force to encourage religious conversion. Proast, responding to Locke's *Letter Concerning Toleration* contended that some amount of public force should lead people consider true (Anglican) religion. As Proast put it, force is "neither *useless* or *needless* for the bringing Men to do, what the saving of their souls may require of them."[31] Furthermore, the magistrate's authority "is not an Authority to *compel anyone to his Religion*, but onely an Authority to procure all his Subjects the means of Discovering the Way of Salvation."[32] Locke philosophically objected to Proast's *ex concessis* arguments—questioning evidence and inference, asking for clarification and definition. For instance, in the *Second Letter Concerning Toleration*, he asked Proast to define "force," (*WJL* 5.111) and Proast replied in his *Third Letter Concerning Toleration* (1691) that by "force," he meant "having sufficient means of Instruction in the true Religion provided for them, yet do refuse to embrace it."[33] In his own *Third Letter for Toleration*, Locke further pressed Proast to define "force" in greater particularity, since past uses of force had ranged from the innocuous to the cruel (*WJL* 6.287-288). Proast's assurance in his *Second Letter* (1704) that he only intended "moderate penalties" for dissenters never satisfied the philosopher.

The Proast debate lasted twelve years and provided grist for an intellectual mill yielding seven substantial works. Throughout, both Locke and Proast argued *ex concessis*. Two of Locke's *ex concessis* arguments against Proast are presented above as examples 3a and 3b. But perhaps the most memorable comes at the end of his *Fourth Letter*:

Formal Paraphrase: Proast is committed to supporting the magistrate's obligation to enforce the true (Anglican) religion by force, yet Proast is also committed to the belief that many magistrates do not own or even know the true (Anglican) religion; therefore Proast's commitment to the spread of true religion should not be accepted.
Natural Language: (3c) You tell us, it is by the law of nature magistrates are obliged to promote the true religion by force. It must be owned, that if this be an obligation of the law of nature, very few magistrates overlook it; so forward are they to promote that religion by force which they take to be true. This being the case, I beseech you tell me what was the Huaina Capac, emperor of Peru, obliged to do? Who being persuaded of his duty to promote the true religion, was not yet within distance of knowing or so much has hearing of the christian religion, which really is the true [...] Was he to promote the true religion by force? That he neither did nor could know any thing of; so that was morally impossible for him to do. Was he to sit still in the neglect of his duty incumbent on him? That is in effect to suppose it a duty and no duty at the same time. (*WJL* 6.573-574)

Likewise, Proast tried to paint Locke into an argumentative corner by asking him to admit conclusions based on Locke's own assertions. Consider the following argument from his *Third Letter*:

Formal Paraphrase: Locke is committed to the belief that the natural religion is the true and unavoidable religion in all countries. Locke is also committed to the belief that magistrates regularly embrace false religions. Therefore Locke's commitment to the belief that the natural religion is equally true and unavoidable in all countries cannot be accepted.
Natural Language: (3d): But I hope when you have thought a little more of the matter, you will be so far from asserting that the Supposition, *that the National Religion is the onely true Religion*, is in all Countries, *equally unavoidable, and equally just*, that you will acknowledge that it cannot be at all *unavoidable*, or *just*, where any false Religion is the National Religion. Otherwise, you will be forced to own that men may be bound to embrace false Religions.[34]

Locke and Proast wrangled for over a decade, finding or teasing out contradictory positions, all in an effort to undercut the other's credibility. Neither objected to the other's *ex concessis* or *ad hominem* argumentation. The Proast debate therefore offers one more representative example of a pattern: Locke approved of and engaged various *ad hominem* and *ex concessis* arguments, thus signaling his approval in practical politics.

How Locke (The Ethicist) Argued about Argumentation

Arguing as a philosopher, Locke engaged and deployed arguments *ex concessis* as well as *ad hominem*. Though the debates above were all heated, only two debates became acrimonious: the Edwards and the Stillingfleet debates. To understand why the argumentative tension turned to animosity, we should notice an argumentative form present in these two debates but wholly absent from the Proast debate. Both Edwards and Stilingfleet assaulted Locke with guilt-by-association arguments, and, when then did, Locke did not respond as a rational-empirical philosopher but as a tolerant ethicist. He did not object to their inference or their evidence but to their very manner of argumentation. Furthermore, he premised his objections on an ethical commitment to a tolerant republic of letters where a person's circumstantial identity should not prejudice an audience against his/her ideas. Locke harbored no deep philosophical reservation about argumentation *ad hominem* or *ex concessis*. He philosophically entertained and engaged both forms. When responding to the guilt-by-association arguments, however, Locke shed his philosophical composure and adopted an ethicist's outrage.

The Locke-Edwards Debate

Locke refused, out of hand, Edwards's consistent effort to associate him with various heretical sects and thus to damage his credibility. Over the course of *Socinianism Unmask'd*, Edwards accused Locke of being Racovian, a closet Socinian, a person with the faith of a "Turk," and a Unitarian. He did so by loose associations built upon Locke's own premises, his admissions, and his style of writing. He said, for instance, that Locke "*follows the Steps of the Racovians, who submit the greatest Mysteries to the judgment of the Vulgar*." In *The Reasonableness of Christianity*, Locke asserted unequivocally that "These two, faith and repentance, i.e. believing Jesus to be the Messiah, and a good life, are the indispensable conditions of the new covenant, to be performed by all those who would obtain eternal life" (*WJL* 6.105). According to Edwards, Locke "trusses up in One Article, that the *poor people* and *bulk of mankind* can bear it [...] The plain truth is, he *Socianizes* here, but will not own it." Moreover, according to Edwards, Locke's doctrinal minimalism reveals a "*Lank Faith*" like "the *Faith of a Turk.*" (Edwards averred a that Socinianism was rampant in Eastern Europe and Turkey.) According to Edwards, Locke

cited Scripture like a Socinian, and he even refused to reveal his name, thus confirming, once and for all, his identity as a Racovian.[35]

Take the following example as paradigmatic of Edwards's many guilt-by-association arguments:

Group 4: John Edwards's Guilt-by-Association Argument

Form
a is a member of or is associated with group G which should be morally condemned.
Therefore a is a bad person.
Therefore a's argument A should not be accepted.

Example
Formal Paraphrase: Locke is a Socinian or is associated with Socinians, who should be morally condemned because they are anti-Trinitarian heretics. Therefore Locke is a bad person. Therefore Locke's beliefs about minimal Christian doctrine (as well as his denial of Racovian or Socinian sympathies) should not be accepted.
Natural Language: (4a) It is true, he [Locke] tells us that *he never read the Socinian Writers, p. 22* but we know his Shuffling is such that there is no depending on his word. But suppose he did not *read* those Authors, yet he doth not deny that he hath *Convers'd* with some of them, and hath heard their Notions and Arguments: and this indeed he intimates to us when he lets us know that the *generality of Divines he more converses with* are not *Racovians, p. 22*. which intimates that there are some *Particular Divines* he *less converses with* that are of another way. What shall we say? The Gentleman is a *Racovian*, and yet pretends he doth not know it. So we must number him among the *Ignoramus-Socinians* (as they tell us in their late Papers of *Ignoramus Trinitarians*) which is one sort of those folks it seems.[36]

That Edwards argued *ex concessis* and by association is nothing remarkable nor interesting. That Locke objected argumentatively to the *ex concessis* arguments but ethically to the guilt-by-association arguments is interesting. *Ex concessis* arguments invoked the philosphor's reply. Guilt-by-association arguments spurred the tolerationist's condemnation.

Locke declared that, though he would prefer to address the matter at hand, he was forced to "wipe off the dirt he [Edwards] has thrown upon me." He contended that Edwards should focus on "the most weighty and important points that can come into question"; Edwards should not turn this debate "into a mere quarrel against the author" (*WJL* 183). At several points in the *Second Vindication*, Locke repeated this objection to Edwards's guilt-by-association arguments (*WJL* 197, 201, 211, 262-263). Locke was no naturalistic philosopher refusing responsibility for his own statements, nor did he proclaim that a need for incontrovertible truth motivated his every argument.[37] He indicated as much by his careful rebuttal of

Edwards's *ex concessis* arguments; by his own willingness to engage in argumentation *ad hominem* and *ex concessis*; and by his criticism of Edwards's guilt-by-association arguments. When he rejected Edwards's guilt-by-association *ad hominem*, Locke did so based upon a tolerationist's ethic, not a philosopher's reason. He valued a tolerant republic of letters characterized in part by open debate between reasonable discussants who focus on their ideas and not their allegiances. The guilt-by-association *ad hominem* interrupts such debate by fomenting hot rancor and by following red herrings. As Locke admonished Edwards: "[I]t matters not to a lover of truth, or to a confuter of errours, who was the author; but what they contain. He who makes such a deal to do about that which is nothing to the question, shows he has but little mind to the argument; that his hopes are more in the recommendation of names, and prejudice of parties, than in the strength of truth follows that, whoever be for or against it; and can suffer himself to pass by no argument of his adversary, without taking notice of it, either in allowing its force, or giving it a fair answer" (*WJL* 6.402). In the polite republic of letters to which Locke addressed his work, the guilt-by-association *ad hominem* deserved outright condemnation for its ability to corrode a tolerant ethos.

The Locke-Stillingfleet Debate

Though Stillingfleet's assertions lack the asperity characteristic of Edwards's contentions, many remain guilt-by-association arguments. Stillingfleet associated Locke with others who were considered heretical for their skeptical philosophies, including Renée Descartes whose philosophy was attacked by defenders of traditional Christianity throughout 17th-century Europe.[38] Locke's response to Stillingfleet's initial volley also exhibits telling parallels to his earlier rejoinders. He objected especially to Stillingfleet's practice of associating him with a plural "they," a group of skeptics who "expose a doctrine relating to the divine essence, because they cannot comprehend the manner of it" (*WJL* 3.45).

In *The Bishop of Worcester's Answer to Mr. Locke's* Letter (1697), Stillingfleet expanded the guilt-by-association argument, tying Locke to Thomas Hobbes and Benedictus de Spinoza.[39] Associating Locke with Hobbes was a bothersome jab. Associating Locke with Spinoza was a full-force roundhouse.

Hobbes's writings were arguably secularist and potentially heretical. But Hobbes never openly questioned the Anglican Church's power nor doctrine. In the mid 17th century, as Jonathan Israel explains, Spinoza "emerged as a leader, perhaps the leader, of the 'atheistic' circle which by then had taken shape" in Amsterdam.[40] According to Stillingfleet, "my joyning *your words with another's Application*" was perfectly legitimate since an infidel had cited Locke's way of ideas when questioning Christian doctrine. The question, then, should be "whether your general expression had not given him too much occasion for it."[41] The infidel in question, the individual who had extrapolated heretical ideas from Locke's *Essay,* was none other than John Toland, whose *Christianity Not Mysterious* (1696) began with very Lockean assertions about the "agreement and disagreement of ideas." Based on Lockean principles, Toland claimed to have developed a sense of reason that undercuts various Anglican doctrines.[42] In *The Bishop of Worcester's Second Answer to Mr. Locke's* Second Letter (1698), Stillingfleet stated that Toland "saw into the true consequence" of Locke's work.[43]

Based on a comparison to the works of known and convicted heretics, Stillingfleet built a guilt-by-association *ad hominem*. The implications of Locke's *Essay* put him in the untrustworthy company of Descartes, Spinoza, Hobbes, and Toland. We can encapsulate Stillingfleet's claims thus:

Formal Paraphrase: (4b) Locke argues like or provides suppositions that support the arguments of known heretics and atheists, who should be morally condemned. Therefore Locke is a bad person. Therefore, we should not believe his ideas about person, identity, or the proper manner of reasoning.

Locke lectured Stillingfleet in moralistic terms similar to those he directed at Edwards, saying that ethical argumentation does not include associating one's interlocutors with nefarious company. As he said to Stillingfleet, "when you did me the honour to answer my first letter [...] you were pleased to insert into it direct accusations against my book; which looked as if you had a mind to enter into a direct controversy with me. This condescension in your lordship has made me think myself under the protection of the laws of controversy, which allow a free examining and showing the weakness of the reasons brought by the other side, without any offense" (*WJL* 3.249*)*. The laws of free and open controversy exclude guilt-by-association argument.

The Locke-Proast Debate

Notably, Locke never indulged in any guilt-by-association arguments himself. For instance, when discoursing on toleration, he insinuated that Jonas Proast was truly motivated by a disdain for dissenters and not a desire to promote true religion or its critical investigation: "Pray consider whether it be not that which makes you shy of the term dissenters, which you tell me is mine, not your word. Since none are by your scheme to be punished, but those who do not conform to the national religion, dissenters, I think, is the proper name to call them by; and I can see no reason you have to boggle at it, unless your opinion has something in it you are unwilling should be spoke out, and called by its right name: but whether you like it or no, persecution and persecution of dissenters, are names that belong to it as it stands now" (*WJL* 245-246). Yet the argumentative thread goes no farther. Locke never accused Proast of being a high-flying Anglican clergyman, though he certainly was. He never implied that Proast supported the Blasphemy Act of 1698, though he probably did. He never placed Proast in the company of those who opposed late 17th-century toleration for orthodox Protestant dissenters, though he easily could.[44] Faced with a clear opportunity to advance a credible guilt-by-association *ad hominem*, Locke declined. The absence of guilt-by-association arguments in the Locke-Proast debates explains the low level of argumentative spite as well as the want of ethical objection. Locke never voice outrage at Proast, even as he openly detested many of Proast's ideas. Furthermore, Locke never objected to Proast's arguments based on anything more than a rational or empirical quibble. Proast's arguments appeared to him ethically sound, if argumentatively unstable.

Locke on Fallacy and Ethics—Some Conclusions about the Tolerationist

The analysis so far avers that Locke believed in a tolerant republic of letters characterized discursively by *argumentum ad judicium* as well as *ad hominem* and *ex concessis*, but absolutely devoid of any guilt-by-association arguments. Though the philosopher should pursue truth by privileging argumentation *ad judicium*, s/he could reason probabilistically (in practical politics) by other, lesser

appeals *ad hominem*. The empirical/rational philosopher, of course, objected to *ad hominem* argumentation because it remained inferior to argumentation *ad judicium*, yet this same philosopher, while principally appealing to judgment and observation, indulged other persuasive tactics. The tolerant ethicist objected to any appeals that interrupt the free exchange of ideas, the guilt-by-association *ad hominem* chief among them. Our understanding of Locke's approach to argumentative fallacy expands. The *Essay Concerning Human Understanding* presents argumentative fallacy from "alethic" and "epistemic" perspectives, objecting to certain arguments because they lack deductive validity or because they depend on dubious evidence. The Edwards, Stillingfleet, and Proast debates, however, present Locke as a "pragmatic" fallacy theorist, objecting to certain deductive forms because they interrupt a preferred form of tolerant dialogue.[45] The pragmatic perspective, in the eyes of many argumentative theorists, is a contemporary development, the alethic and epistemic both antiquated views. According to C.L. Hamblin, the scholar inaugurating pragmatic fallacy theory over thirty years ago, Locke's theory of argumentation is superannuated. Reading the *Essay*, we might agree. Reading the debates, however, we see a different Locke, one more in tune with Hamblin and his pragmatic disciples.

In addition to this new perspective on Locke the fallacy theorist, these debates also offer a different version of Locke the tolerationist. In his letters on this subject, Locke offered a moderate version of toleration, a belief that some but not all beliefs should be tolerated. As a result, he seems to fall short of tolerance's political potential.[46] Locke's ethical-pragmatic attacks on the guilt-by-association *ad hominem*, on the other hand, make him seem more tolerant that the "moderate" descriptor allows. While Locke-the-philosopher undoubtedly advanced a limited view of toleration, Locke-the-informal-logician advanced a widely tolerant ethic of public debate. As a theorist of argumentation, Locke was more tolerant than he would ever allow himself to appear as a political pamphleteer. In the latter role, he refused religious toleration to Catholics, atheists, heretics, and libertines. In the former role, he insisted that all ideas, regardless of the social ties or political/religious identities of the arguers themselves, deserved to be heard and weighed rationally, empirically, probabilistically, ethically, and carefully. As an argumentative theorist, he insisted that all identities be ignored so that dialogue could attend to ideas. As a

political theorist, he insisted that all identities be attended so that some could be tolerated but others excluded if not punished. Locke was a radically tolerant debater if a moderately tolerant philosopher.

Of course, my distinction between Locke-the-informal-logician and Locke-the-political-philosopher assumes a distinction between form and content. In essence, I propose that Locke argued in and for a tolerant form of dialogue while advancing a somewhat intolerant philosophical content. This analytic distinction between form and content allows us to understand another facet of his public debates: their reception. For, while Locke's radically tolerant form of argument invoked an ideal audience, his moderately tolerant content invited a different actual audience. Locke's detractors focused on the actual audience's invitation rather than the ideal audience's invocation. And their attention to this actual audience allowed Edwards and Stillingfleet to argue by association.[47] Attending to Locke's own arguments as well as his ethical objections to any guilt-by-association *ad hominem*, we can conclude that he formally invoked a universally tolerant audience. Yet, when we look closely at the content of his argumentation, we see another, particular audience invited to assent.

Locke's efforts in these debates would likely have appealed to three particular audiences: Whigs, orthodox Protestant non-conformists, and various derided sects (including Quakers, Baptists, and Socinians). Among those who likely read his work, several specific groups not committed to his ethical-rhetorical ideal, not willing to become the posited universal audience of tolerant citizens, would nonetheless find his public arguments appealing. These include latitudinarian Anglicans who were less orthodox in their religious beliefs and more rational in their method of reading Scripture or arguing about religious matters. As a monotype of such people, consider the early 17th-century collection of intellectuals often referred to as the "Great Tew Circle." The Tew Circle included, among others: William Chillingworth, John Earls, George Eglionby, and Edward Hyde, all Oxford intellectuals and all committed Anglicans, though many had doubts about their religion. (Chillingworth had Catholic sympathies and bounced back and forth between the Jesuits and the Anglicans throughout his young life.) These men were committed to rationalism and individual interpretation of Scripture. In Hugh Trevor-Roper's words, their "most distinctive contribution [...] was a restoration of the Anglican Church, not

merely as an institution of Style, in a particular form, victorious over Calvinism, Puritanism, and the sects, but also with a particular philosophy." Free from a commitment to "prophetic history," the Church could accept "critical reason and humanist scholarship as the interpreter of its own documents."[48] Locke admired Chillingworth's great work, *The Religion of the Protestants* (1637), recommending it to many of his friends.[49] In *The Reasonableness of Christianity*, Locke advanced a similar view of religion, saying God made man a "rational creature" who can follow "the law of reason," to investigate Scripture and nature (*WJL* 6.11). He himself followed reason's mandate, read Scripture according to its plain and rational meaning, and avoided orthodox bromides.

Locke's arguments would also have appealed to dissenters, who found themselves abused during the Restoration and who wanted a safe space to deliberate matters of faith without risking persecution. These individuals had been maligned as schismatics, traitors, heretics, and sodomites. Arguments for toleration received similar vitriol. Thomas Long, for example, directly refuting Locke's *Letter*, said, "I know not what to compare the Author of this Letter, but to one of those Locusts that arose out of the smoke of the bottomless Pit, *Rev. 9.3*, whose smoke darkned the Air and the Sun." He claimed that Locke's version of toleration would "bring the whole Church and State to Confusion, by his absolute Toleration, which is intended to crumble us into innumerable and irreconcilable Sects, that so *Popery* may not only have a Toleration among us, but get Dominion over us."[50] As dissenters threatened national order, so did religious toleration. A union between such dissenters and latitudinarian Anglicans ended Restoration-era persecution. Both factions welcomed any effort to promote open and tolerant discourse about religion. Though Locke tended to write in an abstract and secular manner, an argumentative style not likely to resonate with dissenters, he advanced a political program that they appreciated.[51] Though Calvinists, like John Edwards, may have criticized Locke's religious positions, they supported the opportunity to deliberate such matters with other Protestant Christians.

Finally, Locke's arguments would have appealed to various sects beset on all sides by charges of schism and heresy. Socinians, Quakers, and Anabaptists would likely have appreciated his arguments for toleration in part because argued similarly. Locke, in fact, purchased and studied numerous 16th- and

17th-century Anabaptist and anti-Trinitarian defenses of toleration. During the 1680s, as he was exiled in Holland, Locke intensively considered Quaker tolerationist arguments.[52] Locke furthermore wrote in their fashion. John Edward's charge that Locke cited Scripture like a Socinian was not without merit. Contemporary historians still debate whether or not Locke was a crypto follower of Faustus Socinus, a closet anti-Trinitarian.[53] If he were an anti-Trinitarian in hiding, he had good reason to obscure his beliefs. Even as latitudinarian Anglicans and dissenters conspired to advance toleration, neither group allowed such heretics liberty to express their beliefs. The Blasphemy Act of 1689 provided Parliamentary indulgence of nonconformist practices of worship, thus ending the persecution of Protestant dissenters, but it excluded all anti-Trinitarians. We can conclusively say, despite the controversy, that Locke wrote in a Socinian way. His writing had an exoteric quality (insofar as it appeared benignly Anglican though arguably latitudinarian) and an esoteric quality (insofar as it cited sources, repeated claims, and adulated "reason" in a seemingly anti-Trinitarian fashion). As John Marshall puts it, Locke's writing "was capable of trinitarian as well as unitarian explication."[54]

We can surmise that all three groups--latitudinarian Anglicans, orthodox dissenters, and persecuted, "heretical" sects--would have liked Locke's arguments. They are his particular audience, an amalgam whose interests derived from their very particular investments in the contemporary debate about religious toleration in England. Furthermore, certain groups would not have appreciated his arguments. High-church Anglicans (such as Bishop Stillingfleet), Catholics, and free-thinkers (atheists and deists) would not find him convincing. Locke openly refused toleration to Catholics and free-thinkers on the grounds that they would decline to take oaths and might follow the dictums of someone other than the civil magistrate (i.e. the Roman Catholic Pope) (*WJL* 5.46-47). Locke vehemently denied any knowledge of free-thinking philosophy. To Stillingfleet, he declared, "I am not so well read in Hobbes and Spinoza, as to be able to say what were their opinions in this matter" (*WJL* 3.477). Despite these denials, Locke's ability to appeal to these particular audiences left him open to the guilt-by-association arguments that Stillingfleet and Edwards heaped upon him. They did not have to entertain Locke's ethical injunction to argue in a tolerant manner. In the rough-and-tumble of public debate, they merely had to ignore Locke's

universal audience, to refuse his invocation of a tolerant republic of letters, and to loudly label him a member of his particular audience: a Socinian, an anti-Trinitarian, an ally of free-thinkers, a heretic.

The Argumentative Origins of Ethics—Some Conclusions about Tolerance

The form-content division that allows every analytic application in this article suggests that Locke knew what he was doing and simply neglected to adopt the most effective strategy. He knew that he would appeal to a particular audience by presenting certain content and a universal audience by engaging certain tolerant forms, but he failed to see how the particular invitation would undercut the universal ethical invocation. Of course, that is likely not the case. Locke was probably not meta-cognitively nor super-rhetorically aware of the ethical imperative in his criticisms of guilt-by-association arguments. Evidence from the *Essay* indicates that he was hyper-conscious of his effort to argue *ad judicium*, but we find no similar expressed consciousness of an effort to advance a tolerant republic of letters by denouncing the guilt-by-association *ad hominem*. It seems most probable to stipulate that Locke aimed to persuade a particular audience and then feared public association with some in that audience, so he mounted a wide-reaching defense of argumentative toleration. Nevertheless, carefully attending to the distinction between Locke's universally tolerant audience and his particularly religious audiences does help us to understand something about early-Enlightenment tolerance in general.

The universal tolerance that 21st-century intellectuals would like to see in Locke's writings and in our own intellectual culture, may have been seeded, in part, by argumentative appeals to particular audiences. In the mid-20th-century, argumentation theorist Chaim Perelman insisted that universal audiences always arise out of appeals to particular audiences.[55] By emphasizing Perelman's qualified assertion that everyone constructs a notion of a universal audience out of what s/he knows and has experienced, we can see the universal audience not as a normative ideal but as "always potentially contested." Following Perelman, Antonio de Velasco explains, that the universal audience is a "political [...] site of appeal through which facts, and presuppositions emerge in various contexts of symbolic production. From this standpoint, politics can be seen as a fundamentally rhetorical struggle over the

form and identity of the universal audience."[56] In his public debates over questions of religion and toleration, in his particular appeals to specific early-Enlightenment audiences, Locke engaged and advocated a form of argumentation that invoked (perhaps unbeknownst to him) a universal audience tolerant of all ideas regardless of identity. His universal tolerationist ethic, argumentatively-formally advanced, grew out of his particular-rhetorical efforts at moving specific groups with peculiar knowledge and interests to accept a philosophical argument for undeniably limited toleration. If we criticize Locke-the-philosopher for not being tolerant enough, then our criticism in part depends upon the appeal to a universally tolerant audience as invoked by Locke-the-debater. And we realize that the early-Enlightenment culture of toleration depended upon both philosophical content (inviting particular audiences) as well as argumentative form (inviting universal audiences). If we object to Locke's philosophical arguments for limited toleration, then we only do so because we willingly enter the role that his argumentative form invokes. If we call him an advocate of "moderate" toleration, then we may do so from the perspective of his universal audience, a group that values all ideas regardless of their associated identities. Undoubtedly, the present-day willingness to find the edges of Locke's philosophically adulated toleration may stem from a wholly different, though undoubtedly more radical, sense of toleration—the belief that all identities (not ideas) should be tolerated. If so, this new ethic of tolerance likely depends upon a similarly argumentatively-invoked universal audience. Tolerance, then as now, depends upon argumentative content and form.

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[1] Wendy Brown, *Regulating Aversion: Tolerance in the Age of Identity and Empire* (Princeton: Princeton University Press, 2006), 32-46.

[2] For a review of the debate about whether Bayle was a radical or moderate advocate of toleration, see John Coffey, "Milton, Locke, and the New History of Toleration," *Modern Intellectual History* 5.3 (2008): 619-632.

[3] Roy Porter, *The Creation of the Modern World: The Untold Story of the British Enlightenment* (New York: Norton, 2000), 108.

[4] John Marshall, *John Locke, Toleration, and Early Enlightenment Culture: Religious Intolerance and Arguments for Religious Toleration in Early Modern and "Early Enlightenment" Europe* (Cambridge: Cambridge University Press, 2006), ch. 16.

[5] *Regulating Aversion*, 10-11.

[6] *John Locke, Toleration, and Early Enlightenment Culture*, 513. For contemporary rhetorical theorists discussing the importance of mundane discursive norms in any rhetorical culture, see Thomas Farrell, *Norms of Rhetorical Culture* (New Haven: Yale University Press, 1993), especially the introduction and ch. 1; and Gerard Hauser's *Vernacular Voices: The Rhetoric of Publics and Public Spaces* (Columbia: University of South Carolina Press, 1999), especially ch. 1 and ch. 3.

[7] *Nichomachean Ethics* 1103a33-b25.

[8] Francis Bacon wanted people to study *res non verba*, things not words, defining the "first distemper of learning" thus: "when men study words and not matter." *The Advancement of Learning*, ed. Stephen Jay Gould (New York: Modern Library, 2001), 26. The Royal Society, particularly Thomas Spratt. asserted that the "mind of Man is a Glass, which is able to represent to itself, all the Works of *Nature*," *The History of the Royal Society of London, for the Improving of Natural Knowledge* (London: 1667), 97. Spratt particularly derided the classical topical system of invention and scholastic disputation exercises, Ibid, 90 and 18. Locke was a member of the Royal Society in its early days, so it is difficult to say that he followed their lead. He initially began writing the *Essay* at the request of five or six Royal Society friends after a conversation that led to great disagreement and confusion.

[9] All references to Locke's works come from the Twelfth Edition of *The Works of John Locke* (London: C. and J. Rivington, 1824), 9 vols. The references themselves appear parenthetically as *Works of John Locke* (*WJL*), followed by the volume and page numbers. This reference, for instance is to volume 1, page 74.

[10] For more on the contemporary distinction between "argumentation" and "demonstration," as well as the Enlightenment origin of this distinction, see Chaim Perelman and Lucie Olbrechts-Tyteca's *The New Rhetoric: A Treatise on Argumentation*, trans. John Wilkinson and Purcell Weaver (Notre Dame: University of Notre Dame Press, 1969). 13-17. For more on the part played by British empirical science in the shift from argumentation towards demonstration, and particularly for more on Locke's role in this shift, see Wilbur Samuel Howell's *Eighteenth-Century Logic and Rhetoric* (Princeton: Princeton University Press, 1971), 268-297.

[11] C.L. Hamblin contends that Locke initiated the "*ad*" tradition of fallacy categorization, though he worked in a longer tradition of anti-Aristotelians including Petra Ramus, Rudolphus Agricola, and Francis Bacon. *Fallacis* (London: Methuen and Company, 1971), 136-163. Locke's attention to the truth of premises and the validity of deduction places him squarely in the epistemic and alethic traditions of fallacy theory, an effort out of step with present-day approaches to the fallacies that emphasize dialogic forms and audience presuppositions. See Hamblin, Ibid, 231-234. For present-day approaches to argumentation that emphasizes dialogic forms, see Douglas Walton's *A Pragmatic Theory of Fallacy* (Tuscaloosa: University of Alabama Press, 1995) and Frans H. van Eemeren and Rob Grootendorst's *A Systematic Theory of Argumentation: The Pragma-Dialectical Approach* (Cambridge: Cambridge University Press, 2004). For efforts at approaching argumentation with an emphasis on audience presupposition, see the discussions of argumentation *ad hominem* in Chaim Perelman's and Lucie Olbrecht's Tyteca's *The New Rhetoric: A Treatise on Argumentation*, 110-114, and Henry Johnstone's article "Philosophy and *Argumentum ad Hominem*," *Journal of Philosophy* 49.15(1952): 489-498.

[12] *Fallacies*, 161.

[13] My use of the term "constructive" borrows heavily from Christopher Tindale, who contends that a sophistic approach to argumentative fallacy will attend to an argument's ability to "tap into […the audience's] general fund of knowledge concerning the customs of their society, their community, and how they know people generally to behave." *Reason's Dark Champions: Constructive Strategies of*

Sophistic Argument (Columbia: University of South Carolina Press, 2010), 82. A fallacy, therefore, is something that is not constructive, that does not tap into or advance a society's principles of behavior, its ethical norms, or its stores of common knowledge. If Locke's ideal society is a republic of citizens who tolerate ideas, then any argumentative form leading to ideological intolerance is not constructive. Everything else, including many forms of argumentation *ad hominem*, are fair game.

[14] Frans H. van Eemeren and Rob Grootendorst note that many have opted to emphasize argumentation *ex concessis* when discussing the *ad hominem*, including: the late 19th-century logician Richard Whately, the mid 20th-century rhetorical theorists Chaim Perelman and Henry Johnstone, and late 20th-century informal logicians E. M. Barth and J.L. Martens. "The History of the *Argumentum Ad Hominem* Since the Seventeenth Century," in *Empirical Logic and Public Debate: Essays in Honour of Else M. Barth*, eds. Erik C.W. Krabbe, Renée José Dalitz, and Pier A Smit (Atlanta: Rodop, 1993), 49-68. Recently, Douglas Walton has separated arguments from commitment (*ex concessis* arguments) from *ad hominem* arguments (which include both poisoning-the-well and circumstantial arguments). See his "Argumentation Schemes and Historical Origins of the Circumstantial *Ad Hominem* Argument," *Argumentation* 18 (2004): 359-368. For this analysis, in an effort at understanding the rhetorical fallacy in Locke's work, it is illuminating to discuss all three, even though argumentation *ex concessis* has significant formal differences that should remove it from the category of *ad hominem* argumentation.

[15] Douglas Walton, *Ad Hominem Arguments* (Tuscaloosa: University of Alabama Press, 1998), 230-233.

[16] Douglas Walton, *Ad Hominem Arguments*, 218-219.

[17] Walton explores this form in *Ad Hominem Arguments*, 220-221; and "Argumentation Schemes and Historical Origins," 365-366.

[18] *The Bishop of Worcester's Answer to Mr. Locke's Second Letter; Wherein his Notions of Ideas is Prov'd to be Inconsistent with itself and with Articles of the Christian Faith* (London: J.H. for Henry Mortlock, 1698), 175.

[19] For a full review of Restoration-era intolerance, see John Marshall's *John Locke, Toleration, and Early Enlightenment Culture,* ch. 3.

[20] *Philosophical Letters, or, Letters Regarding the English Nation*, ed. and intro. John Leigh, trans. Prudence L. Steiner (Cambridge: Hackett, 2007), 43.

[21] John Marshall *John Locke, Toleration, and Early Enlightenment Culture*, 257-259. Edwards's argument resembles that of many who sought to discredit by showing that heretical ideas derive from people's public positions. In a letter to Pierre Coste, Locke's friend and correspondent Pierre Bayle described the common practice of deriving anti-Trinitarian implications from another person's professed beliefs. Bayle specifically wrote of the abuses lobbed at the Cambridge Anglican (however latitudinarian) Ralph Cudworth. Said Bayle, "No one is unaware that in disputes, one objects to one's adversaries as many inopportune consequences as one can from their principles," qtd. in John Marshall, *John Locke, Toleration, and Early Enlightenment Culture*, 258. In Edwards's hands, Locke found himself treated as Cudworth--labeled an anti-Trinitarian based on seemingly innocuous pronouncements.

[22] *Some Thoughts Concerning the Several Causes and Occasions of Atheism, Especially in the Present Age and with Some Brief Reflections on Socinianism and on the Late Book Entitled* The Reasonableness of Christianity as Delivered in The Scriptures (London: J. Robinson, 1795), 121, 64.

[23] Jonathan Israel explains the curious connections between Socinianism and radical philosophy in *Enlightenment Contested: Philosophy, Modernity, and the Emancipation of Man 1670-1752* (Oxford: Oxford University Press, 2006), 115-135. Israel's judgment strikes me as quite accurate: "while Socinianism assisted the rise of both Enlightenment wings [radicals such as Spinoza and moderates such as Locke], especially as a source of recruits from among those disillusioned with Socinianism, there was little real affinity of ideas, not just between them and the radicals but even between them and [the moderates]," 124.

[24] *Socinianism Unmask'd*, 2-3.

[25] *Socinianism Unmask'd*, 28.

[26] *Some Thoughts*, 108-111.

[27] Qtd. in Jonathan Israel's *Radical Enlightenment: Philosophy and the Making of Modernity 1650-1750* (Oxford: Oxford University Press, 2001), 97.

[28] Edward Stillingfleet, *A Discourse in Vindication of the Trinity* (London: Henry Mortlock, 1697), 267.

[29] Edward Stillingfleet, *The Bishop of Worcester's Answer to Mr. Locke's* Second Letter, 32-44.

[30] Stillingfleet summarized his position on these matters in the following statement: "the true Reason of Identity in Man is the vital Union of Soul and Body: And since every Man hath a different Soul united to different Particles of Matter, there must be a real Distinction between them, without any respect to what is accidental to them...the Identity of Man depends neither upon the Notion of Place for his Body; nor upon the Soul consider'd by it self, but upon both these, as actually united and making one Person," *The Bishop of Worcester's Answer to Mr. Locke's* Second Letter, 172-173. For a full review of Stillingfleet's theology as it relates to the "way of ideas," see M.A. Stewart's "Stillingfleet and the Way of Ideas," *English Philosophy in the Age of Locke*, ed. M.A. Stewart (Oxford: Clarendon Press, 2000), 245-280.

[31] Jonas Proast, *The Argument of a* Letter Concerning Toleration*, Briefly Consider'd and Answer'd* (Oxford: George West and Henry Clements, 1690), 12.

[32] Jonas Proast*, The Argument*, 21.

[33] Jonas Proast, *A Third Letter Concerning Toleration: In Defense of the* Argument of the Letter Concerning Toleration, Briefly Consider'd and Answer'd (Oxford: George West, 1691), 23

[34] *A Third Letter Concerning Toleration*, 12.

[35] *Socinianism Unmask'd*, A3 recto, 21, 28, 53, 65-66, 92-93, A3 recto.

[36] *Socinianism Unmask'd*, 92-93.

[37] Henry Johnstone contends that those who formally object to all *ad hominem* arguments often do so based on these presuppositions. "Philosophy and *Argumentum ad Hominem*," 490, 496.

[38] Jonathan Israel, *Radical Enlightenment*, 29-58.

[39] Edward Stillingfleet, *The Bishop of Worcester's Answer to Mr. Locke's* Letter Concerning Some Passages Relating to his Essay of Humane Understanding (London: Henry Mortlock, 1697), 55-56, 79.

[40] Jonathan Israel, *Radical Enlightenment*, 163.

[41] Edward Stillingfleet, *The Bishop of Worcester's Answer to Mr. Locke's* Letter, 35-39.

[42] John Toland, *Christianity Not Mysterious, or, A Treatise Showing that there is Nothing in the Gospel Contrary to Reason, Nor above it and that no Christian Doctrine Can be Properly Call'd a Mystery* (London: Sam Buckley, 1696), 11-15. Toland never directly cited Locke, a point that Locke himself noted in his *Reply to the Bishop of Worcester's Answer* (*WJL* 3.114-115). The curious nature of this relationship is emblematic of Locke's relationship to 17th- and early 18th-century freethinking philosophy. He influenced many freethinkers, such as Toland, but he was also opposed many of their skeptical conclusions. As Isabel Rivers explains, "Paradoxically, Locke was both an anticipator and an opponent of free-thinking," *Reason, Grace, and Sentiment: A Study of the Language of Religion and Ethics in England, 1660-1780. Volume II Shaftesbury to Hume* (Cambridge: Cambridge University Press, 2000), 26.

[43] Edward Stillingfleet, *The Bishop of Worcester's Answer to Mr. Locke's* Second Letter*; Wherein his Notions of Ideas is Prov'd to be Inconsistent with itself, and with the Articles of the Christian Faith* (London: Henry Mortlock, 1698), 21.

[44] The Blasphemy Act replaced the lapsed Licensing Act, providing prison terms for those who attacked the Trinity as well as for anyone who attacked the divine revelation of the Gospels or the providence of God. The late 17th-century English toleration of orthodox Protestant dissenters was achieved by an agreement among Latitudinarian Anglicans (like Locke) and nonconformist Anglicans against the wishes of high-church Anglicans, like Proast. See John Marshall's *John Locke, Toleration, and Early Enlightenment Culture*, 131-132.

[45] Hamblin labels his preferred approach to fallacies "dialectical," which he differentiates from alethic and epistemic approaches by insisting on a new criterion for determining a fallacy: the agreeableness of the

participants. An argument's "dialectical" quality is its likelihood to achieve conviction in a dialogue by appealing to the interlocutors' sense of what is good and true, *Fallacies*, 241. For two recent pragmatic approaches to fallacy that build upon Hamblin's dialogic fallacy theory, see Douglas Walton's *A Pragmatic Theory of Fallacy* and Frans H. van Eemeren and Rob Grootendorst's *A Systematic Theory of Argumentation*.

[46] John Marshall notes that Locke did not extend toleration to Catholics, atheists, or libertines, *John Locke, Toleration, and Early Enlightenment Culture*, 686-719. Jonathan Israel, based on these limits to Locke's proposed religious toleration, places Locke in the "moderate" toleration aimed at protecting "freedom of worship, theological debate, and religious practice, insofar as these are an extension of freedom of conscience, rather than with freedom of thought, debate, and of the press more broadly, or indeed for that matter freedom of lifestyle," *Enlightenment Contested*, 139.

[47] By distinguishing the actual from the ideal (the particular from the universal) audiences, I follow contemporary rhetorical fallacy theorists who focus on the ideal audience invoked by the argument's form, asking, What kind of ideally rational and ethical person would find this sort of argument persuasive and good? Such a question leads to formal argumentative analysis that locates an ideal universal audience lurking in the appeals. Rhetorical analysis, as Perelman speculated, may best be suited for investigation into the universal audience found in textual evidence. According to Alan Gross and Roy Dearin, Perelman relegated investigation into particular audiences to the social sciences. *Chaim Perelman* (Albany: State University of New York Press, 2003), 32. Following Perelman, James Crosswhite suggests that arguments be evaluated based on the quality of their universal audiences: "[T]he worth of an argument is dependent upon the quality of the life to which assenting to it would lead," *The Rhetoric of Reason: Writing and the Attractions of Argument* (Madison: University of Wisconsin Press, 1996), 170.

[48] Hugh Trevor-Roper, *Catholics, Anglicans, and Puritans: Seventeenth-Century Essays* (Chicago: University of Chicago Press, 1987), 229.

[49] John Marshall, *John Locke, Toleration, and Early Enlightenment Culture*, 291.

[50] *The Letter for Toleration Decipher'd, and the Absurdity and Impiety of an Absolute Toleration Demonstrated by the Judgment of Presbyterians, Independents, and by Mr. Calvin, Mr. Baxter, and the Parliament, 1662*, (London: Freeman Collins, 1789), 4-5.

[51] John Marshall, *John Locke, Toleration, and Early Enlightenment Culture*, 123.

[52] John Marshall, *John Locke, Toleration, and Early Enlightenment Culture*, 319, 494.

[53] For two articles that neatly capture this debate, see John Marshall's "Locke, Socinianism, 'Socinianism,' and Unitarianism," *English Philosophy in the Age of Locke*, ed. M.A. Stewart (Cambridge: Clarendon Press, 2000), 111-182; and Victor Nuovo's "Locke's Theology, 1694-1704," *English Philosophy in the Age of Locke*, ed. M.A. Stewart (Cambridge: Clarendon Press, 2000), 183-215.

[54] "Locke, Socinianism, 'Socinianism,' and Unitarianism," 174.

[55] Of course, the notion of the "universal audience" has drawn some considerable scholarly criticism. Its invocation raises the specter of transcendent norms. Any effort to describe a universal audience, including Perelman and Olbrechts-Tyteca's, risks something like "conventional rationalist models of argumentation," which Perelman himself hoped to avoid. Lisa Ede, "Rhetoric Versus Philosophy: The Role of the Universal Audience in Chaim Perelman's *The New Rhetoric*," in *The New Rhetoric of Chaim Perelman: Statement and Response*, ed. Ray Dearin (Lanham: University Press of America, 1989), 142. To address such a charge, Chaim Perelman and Lucie Olbrechts-Tyteca opined: "Everyone constitutes the universal audience from what he knows of his fellow men, in such a way as to transcend the few oppositions he is aware of," *The New Rhetoric*, 33. Following Perelman and Olbrechts-Tyteca, more recent rhetorical theorists advice our attention to what Antonio de Velasco calls the concept's "political dimensions [...] the way in which the universal audience can be seen as a privileged addressee for necessarily and partisan claims about the real," "Rethinking Perelman's Universal Audience: Political Dimensions of a Controversial Concept," *Rhetoric Society Quarterly* 35.2 (2005): 47.

[56] Antonio de Velasco, "Rethinking Perelman's Universal Audience," 51.