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Freedom and (Dis)Ability in Early Modern Political Thought

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The history of early modern political thought is not just a history of particular figures—mostly “able-bodied” men—who wrote political and philosophical treatises but a history of concepts as well. The early modern era ushered in a way of thinking about humans’ relationship to God, government, and each other that turned on new conceptions of obligation, duty, justice, equality, and freedom. The last of these concepts is arguably the most central. Indeed, one could say that modern political thought began with a thought experiment that centered on a first principle of natural freedom: the state of nature, from which men emerged to form civil society, postulates freedom as a first principle of human nature, a fundamental building block of the modernist definition of “human being.” Starting humans in “a State of perfect Freedom to order their Actions, and dispose of their Possessions, and Persons as they think fit,”¹ social contract theorists, most notably Thomas Hobbes and John Locke, defined natural freedom in a very particular way that showcased the individual as divorced from culture, society, and natural relationships. This conception then became the foundation for all other Enlightenment concepts: obligation was defined by way of a “social contract” that involved people making free choices to give up their natural liberty in exchange for social order and political freedom; equality was defined as an equality of right, and an equality of freedom;

justice was defined by redressing unequal impositions on entitlement and rights, and thereby unequal restrictions of liberty. Putting liberty at the center of humans' moral universe, and this particular way in which freedom was conceptualized, was to retain a solid hold on the philosophical and political imagination for the centuries to follow, up to the present day.

This concept of freedom has particular implications for persons with disabilities, not just in the seventeenth century but today as well. This essay will show various ways in which Hobbes's and Locke's conceptions of freedom depend on a particular body with particular physical and mental capacities and orientations, a particular set of assumptions about what constitutes a human being, and a particular set of social relations that exclude disabled individuals from the role of political citizen. My aim is not to fault Hobbes's and Locke's views of disability *per se*, however. Rather, it is to shed light on a concept of freedom that derives from Hobbes and Locke but persists into twenty-first-century political theory and philosophy. This conception of freedom fails to appreciate the disability perspective and, in the process, takes a historically specific view of disability and turns it into a transhistorical universal. It not only fails to reflect the experience of disabled persons, however; it also implicitly draws on the disabled body to articulate the limiting conditions of freedom. While starting their conceptualizations from assertions about the universality and naturalness of freedom, they reveal a conceptual dependency on the abilities of particular bodies, and especially disabled bodies, as a way to illustrate the meaning of freedom: what the disabled body or mind can or cannot do shapes the parameters of what freedom can mean. The deployment of disability imagery in these early works, though often subtle, is nevertheless significant in pointing out the "ableism" in the assumptions we bring to our understanding of freedom today.

From the start such a project might seem anachronistic; as those who explore gender and race in leading canonical figures can attest, there is often so little material to work with that arguments can become weak, even distorting the original texts. Admittedly, Hobbes and Locke do not say a great deal about disability. Moreover, as Skinner, Pocock, and other historians of political thought have shown us, a theorist's use and meaning of concepts must always be situated in their specific historical and social contexts.² And the situation of disabled individuals in the seventeenth century was quite different from today. In the first place, there may have been far fewer disabled people then. As Rushton bemoans, the lack of consistent record-keeping makes a count of disabled people in the seventeenth century impossible to determine; most records that exist, for example, are concerned solely with "idiocy" and "lunacy."³ But we can also surmise that, despite the troubled reputation of

“the medical model” in twentieth- and twenty-first-century disability studies, medical advances have resulted in vastly improved longevity for a wide variety of disabling conditions, indeed making it possible for people with certain conditions to live at all.⁴ Second, much of the assistive technology we have today was clearly not available then; though there is evidence of a wheelchair dating to the sixth century B.C.E., and King Phillip II of Spain—who was not disabled—had a wheelchair made for him at the very end of the sixteenth century, it was not until the twentieth century that the wheelchair as we know it came into common usage. Prosthetics were relatively crude, and electronic assistive devices were obviously unavailable. Thus the limitations of the physical world may have been greater for disabled people in the seventeenth century.

At the same time, we must acknowledge the probability that contemporary society, with its pollution, processed food, and stress, has likely produced many more disabilities and disabling diseases.⁵ Furthermore, more one-story living, no curbed sidewalks, and other manifestations of industrial society, as well as the lack of stigma for those with “peg legs,” eye patches, and crutches may have meant that the seventeenth-century world was not as disabling for certain impairments as it is today. Henri-Jacques Stiker’s history of disability suggests, in fact, that although the mentally and physically disabled were seen as struck by afflictions from God, which must be borne by those individuals, whose families and communities cared for them out of Christian charity, they were also—indeed thereby—fairly well integrated within the “normal” community throughout the seventeenth century.⁶ Rushton’s consideration of official court records suggests that although some persons were put in jail and houses of correction, significant percentages of cognitively disabled individuals lived in the custody of relatives, while others “were left in virtual independence . . . with no hint of custody or care by others.”⁷ Similarly, although Foucault dates “the great confinement” of the insane, which often included individuals with only physical impairments, to the seventeenth century, Roy Porter maintains that in England the mentally disabled were not institutionalized in great numbers until the late eighteenth and, more likely, nineteenth centuries.⁸ Disabled individuals were thus both a commonplace and intimate part of the dominant society and excluded from it in various ways. Locke and Hobbes therefore must undoubtedly have encountered disabled people in their societies, even if not explicitly discussing them at length in their theories. And as I will show, their brief references to and invocations of various disabilities play a subtle but significant role in defining who, or what, is an appropriate “subject” of freedom.

A final prefatory note: in this essay, I should note that I use the terms “disabled” and “disability” to refer to people with bodily and mental impairments. This should not be taken as an uncritical endorsement of a medical model approach to disability—though that would probably accurately describe the attitudes of the theorists I consider here. But the terms “impairment” and “handicap” are equally problematic and ambiguous, and since this essay focuses on the specific issue of freedom rather than the meaning of disability itself, I suggest that, fully cognizant of the social model of disability, we also must realize that seventeenth-century society was not particularly accessible to people with a wide range of non-normative conditions. Thus anyone with such conditions would be, by definition, “disabled.” But the more important concern I have here is whether such people could also ever be “free,” and what implications that has for the meaning of the concept itself.⁹

Thomas Hobbes: Ability as the Limit of Liberty

“A FREE-MAN is he, that in those things, which by his strength and wit he is able to do, is not hindered to doe what he has a will to.”¹⁰ With these words, Thomas Hobbes arguably ushered in the modernist conception of freedom. It is generally accepted among historians of political theory that Thomas Hobbes was one of the first of the early modern figures to focus on liberty as a central element of his theory of human nature and of politics. Quentin Skinner notes that as Hobbes’s work progressed throughout his life, he became more and more concerned with defining liberty as a key intellectual project, culminating in *Leviathan*.¹¹ But equally important is Hobbes’s role as a founding figure in the modern conception of freedom, namely, the conception that we take for granted today. What Isaiah Berlin was later to call “negative liberty”—freedom as the absence of restraint, interference, and coercion, the most basic understanding of freedom today¹²—finds its most coherent articulation in Hobbes’s famous definition, “By *liberty*, is understood, according to the proper signification of the word, the absence of externall impediments: which impediments, may oft take away part of man’s power to do what he would. . . . Liberty, or freedom, signifieth (properly) the absence of Opposition; (by Opposition, I mean externall Impediments of motion)” (*Leviathan* 14, 189; 21, 261).

There are two parts to Hobbes’s account. The first is the fact that obstacles must lie outside the self, they are “external”; second is the relationship between freedom and ability, or what Hobbes calls “power.” Most contem-

porary theorists who write on Hobbes focus on the “hindrances” or restraints caused by “external impediments,” but an equally important dimension of Hobbes’s definition is ability or power: that “which by his strength and wit he is able to do.” Both of these aspects are significant for disability theory, but it is arguably the case that the latter aspect of his definition is most significant, for it has become such an important assumption of contemporary freedom theory as to merit hardly any notice.

For Hobbes, this criterion of ability—like freedom itself—is applied to animate and inanimate beings alike.¹³ Thus a stone that “lyeth still” is no more unfree than “a man . . . fastned to his bed by sicknesse,” because both simply lack the ability to move (*Leviathan* 21, 262); it is as much the property of stones not to be able to move under their own force as it is for someone with a bad case of flu or a severe spinal injury to be unable to rise from her bed. What prevents them from motion lies within themselves, and freedom concerns the absence or presence of strictly external obstacles.

This invocation of illness is startling. The image that most harshly strikes the twenty-first-century disability scholar is the comparison of the disabled or ill person to a “stone”—not merely an inanimate object, but possibly the most inanimate of objects in the common imagination. In this, of course, twenty-first-century scholars will also note the collapsing of the two categories of illness and disability together, a move that is justified by the seventeenth-century view of disability and the profound lack of knowledge about the variety of specific disorders that produce specific impairments. But the point from Hobbes’s perspective is that in his strictly descriptive account, if freedom presupposes ability, disabled individuals are not made unfree by their conditions. Instead, those conditions define the limiting condition of their freedom.

It might be suggested that what the sick man and stone lack is not ability but will; the man may be so ill as to not wish to arise, and the stone has no will at all. However, Hobbes’s particular construal of the will rules this out, for he collapses will into desire. We are driven by appetites and aversions, and hence “No man can determine his own will. For the will is appetite; nor can a man more determine his will than any other appetite, that is, more than he can determine when he shall be hungry and when not. When a man is hungry, it is in his choice to eat or not eat; this is the liberty of the man. But to be hungry or not hungry, which is that which I hold to proceed from necessity, is not in his choice.”¹⁴ Will is the function of desire, and desire simply comes to us, it is not something that we choose. I choose only whether and how to fulfill (or deny) my desires, not whether to have them; “One can, in truth, be free to *act*; one cannot, however, be free to *desire*.”¹⁵

By the criteria of pursuing desire, we might want to argue that Hobbes is logically committed to the conclusion that disabled people, like nondisabled people, lack liberty insofar as “external impediments” prevent them from doing particular things; they cannot be “free” or “unfree” in general. Hobbes rejects the general notion of “a free man,” despite his own use of this term throughout his writings, saying that we can really talk only about being free to do specific things. Hobbes does not envision, as contemporary freedom theorists do, humans having “life plans” or “projects” that define their being but rather a more discrete and temporal sense of life, perhaps based on his fearful account of human nature. Such an account might bode well for the freedom of disabled individuals; if I cannot walk across the room, that does not mean that I am not free to do other things. I am free to do whatever I *can* do.

But the logic of Hobbes’s construal also suggests that if I cannot walk across the room, all I need is to not *want* to cross the room, and I would thereby be free. For in Hobbes’s account, if my legs cannot support me, this fact of my body is likely to restructure my desires: that is, I may not want to endure the effort that would be required of me to cross the room. Returning to Stiker’s argument that disability was seen as an affliction from God that must be borne, combined with the absence of many assistive technologies, the seventeenth-century disabled person would have had to adjust her sense of desire to the realm of what it was possible for her to do. This view meshes perfectly with Hobbes’s: according to him, if I am torn between two desires, “deliberation” consists in a vacillation between “contrary appetites,” and between appetite and aversion, weighing the balance of what would help me more or hurt me less. Thus in one of his more infamous examples, if a robber threatens to kill me if I refuse to hand over my wallet, I act freely in choosing to give up my money in order to save my life. Fear has only given me a reason for making a particular choice that expresses my immediate, or more intense, desire. “Extrinsical” factors that prevent me from doing what I want impede my liberty—such as when I push you away from the door and physically prevent you from leaving the room—but not those that cause me to change what I want—such as when my threat to hit you if you leave the room results in your deciding that you do not want to leave the room.

Additionally, freedom is an either/or proposition for Hobbes, not a matter of degree. I cannot be more or less free: either I can do what I want, or I cannot. And that “can” is strictly defined by the limits of my inherent ability; for me to complain that I am unfree because I want to walk across the surface of the ocean and cannot do so would involve a nonsensical use of the term “freedom.” Humans are physically unable to walk on water, and there-

fore my desire is not the proper subject of the concept “liberty.” Rather, it is the product of “fancy,” “madnesse,” or “lunacy.” Similarly, if I am physically unable to walk across the room, my desire to do so is not the proper object of liberty. That does not mean that I am not free to *try* to cross the room by dragging myself across the floor, or supporting myself on my arms on a series of rails, for instance. Again, because such effort is more difficult, even dangerous, than the act of walking across the room is for an ambulatory person, we might think that the latter is intrinsically freer than the former; but Hobbes would disagree. If getting across the room is so difficult and tiring that I decide it is not worth the effort, then, Hobbes says, that shows that I just don’t want to do it. My decision to sit where I am, therefore, is a free one. The disabled person might have a different number of things that he is free to do, but he does not thereby have lesser freedom. And if I think it is worth the effort but I fail, then that simply demonstrates that I am unable to do it, and therefore freedom does not enter the matter.

This distinction might seem simply semantic for most twenty-first-century readers, who will likely believe that the scope of freedom for the disabled person is more circumscribed than it is for the nondisabled person. There is a certain disingenuousness to the Hobbesian account of freedom from a twenty-first-century disability perspective, as he simply defines away the challenge that disability poses. But given the influence of Hobbes on contemporary thinking about freedom, we cannot simply dismiss it. Furthermore, we have to recall that this argument is coming from someone who thought that absolute monarchy was the surest way to escape the uncertainties of the state of nature, and that all men would rationally choose to give up much of their natural liberty to such a sovereign power: built into his conception of the social contract is a severe curtailment of the kinds of freedoms that we take for granted in contemporary liberal democracies, like the freedom to criticize the government. This curtailment was universal, not dependent on differences in various men’s and women’s abilities.¹⁶

The importance of being able to make the choices that Hobbes deems rational—to make the “right” choices, whether we realize it or not—suggests that Hobbes’s text may relate more to cognitive disability than physical. In addition to the passage cited earlier of “a man . . . fastned to his bed by sicknesse,” Hobbes makes reference to some physical impairments, such as “Epilepsie, or Falling-sickness,” to serve as an analogy for academic religion’s effect on the state (*Leviathan* 29, 371). He refers to lameness as an example of fraud: “two men conspiring, one to seem lame, the other to cure him with a charme” (37, 476); and again in discussing salvation, he refers to scriptural passages in which sickness and lameness are cured (38, 492). But his refer-

ences to cognitive disabilities are more frequent, particularly to “Madnesse.” He distinguishes madness from lunacy, which is a specific form of madness; he refers to “Lunatiques” in critiquing the inaccuracy with which people talk about “Evill Spirits . . . entered into men” (34, 441). But madness is a fairly universalizable concept for him, merely an overabundance of passion, which can be temporary (as in intense jealousy or rage) or longer lasting (leading to distraction). This condition is possible in all men, and indeed one could argue that Hobbes believes it was the main cause of the English civil war. Curbing this madness, this overabundance of passion, is the purpose of men’s giving up natural liberty to an absolute monarch in Hobbes’s account of the social contract.

But in curbing passion, we curb our freedom: passions are the primary motivating force for human action, but they paradoxically often interfere with our ability to choose what is in our best interest. If we are rational, thinking about our survival, we will consent to establish a sovereign power with absolute authority to rein in the passions and limit our natural liberty by creating law and punishing those, including ourselves, who break the law. Since this is the only rational choice that we can possibly make in the state of nature, those who fail to consent to the social contract must in fact have intended to consent to it whether they realize it or not; for anyone who chooses to violate his own interests “is not to be understood as if he meant it” (14, 192).¹⁷ All such passions as vainglory, rage, jealousy, and so forth can be seen as instances of madness, thus justifying others to speak on his behalf: “Children, Fooles, and Madmen that have no use of Reason, may be Personated by Guardians, or Curators” (16, 219). Thus all are obligated to the contract regardless of whether they (think they) want to or not, for “as well he that Voted for it, as he that Voted against it, shall Authorize all the Actions and Judgements, of that Man, or Assembly of men, in the same manner, as if they were his own” (18, 229).

In other words, Hobbes defines freedom based on the assumption that many, perhaps most, men are driven by various forms of madness, and he constructs his social contract accordingly. This is the paradox of modern freedom; it is only by freely choosing to curtail our freedom that we can be free. And given the ease with which any of us can be mad temporarily, such as when we are in a jealous rage, or in a frenzy of “blind lust,” Hobbes might be taken to be saying that disabled persons are not that different from nondisabled persons: we can all go into the depths of passion-driven madness, but the difference is the ease and speed with which some of us can “come back.”

Indeed, Hobbes does not think that impairments—cognitive or physi-

cal—“disable” one from participating in the social contract or being a civil subject *per se*, because even if one is not capable of giving express consent, we can still infer it from the fact that all humans would rather not live in the “nasty, brutish, and short” state of nature. Furthermore, Hobbes even more explicitly grants civil status to disabled individuals when he argues that “whereas many men, by accident unavoidable, become unable to maintain themselves by their labour; they ought not to be left to the Charity of private persons,” running contrary to dominant views about the poor at this time; instead, the sovereign has a duty to provide economically for such individuals “by the Lawes of the Common-wealth,” an early version of social welfare entitlements (*Leviathan* 30, 387). This strongly suggests that disabled people are civil subjects, entitled to civil recognition by the sovereign just as much as nondisabled ones, with the same civic freedom to act within the bounds of law.

So in one sense, disabled individuals are no less free than the nondisabled in Hobbes’s view; they may have a different range of things that they may be free to do, but it is not necessarily a lesser range. Whether disabled people are free or not in Hobbes’s view, however, may be less significant than the way in which he uses images of disability, such as madness and sickness, to demarcate the limits of liberty at the limits of ability. And in this the verdict is clearer: I must have a power in order to make its nonexercise a question of freedom. Insofar as disabled people lack certain powers, we cannot say that they are unfree to exercise them. We can only say that they are “unable.” Indeed, given the extreme way in which Hobbes defines the concept, freedom is not even a relevant concern for such individuals, by definition. If freedom is at issue only when other people prevent me from doing what I otherwise could, then when my own impairments prevent me from doing something, they make me unable, not unfree. This semantic distinction, which seems rather disingenuous to twenty-first-century readers familiar with the social model of disability, is really a philosophical and political one in Hobbes’s account, for it defines “the individual” as self-contained and contextless, and “freedom” as running contrary to the rational self-interest of such abstract individuals. Such assumptions can only lead to a political form of absolute monarchy. Moreover, his definitions of both freedom and madness suggest that freedom, while a central feature of humanity, is not actually an important quality for most people who are driven by passions. This is a troubling conclusion given Hobbes’s influence on twenty-first-century ideas of freedom, but it shows the ways in which Hobbes’s construction of freedom depends on his deployment of disability and the “able” body.

John Locke: Property, Reason, and Ability

John Locke, the other great seventeenth-century figure in the history of freedom theory, made a quite different assessment, though agreeing with Hobbes on many fundamentals. In his *Essay Concerning Human Understanding*, Locke makes a clear distinction between the terms “voluntary” and “free,” the former referring to the will and desire, the latter to the physical conditions that permit or prevent my acting on my will. Locke says, much like Hobbes, that “Liberty is not an Idea belonging to Volition,” for willing is different from acting on the will. But the theoretical meaning of not acting as one wills is not the reduction it is for Hobbes. For Locke, when “a Palsie” prevents my legs from moving me across the room when I want to move, “there is want of freedom.”¹⁸ This suggests that Locke allows for internal barriers to freedom; my own legs can prevent me from enacting my will. Although will may be a necessary condition for freedom to exist, it is not a sufficient condition; indeed, Locke says that “Liberty cannot be, where there is no Thought, no Volition, no Will; but there may be Thought, there may be Will, there may be Volition, where there is no Liberty” (*Essay* 2.21.8). Accordingly, “there is want of Freedom, though the sitting still even of a Paralytick, whilst he prefers it to a removal, is truly voluntary” (2.21.11). In other words, even if a “paralytick” doesn’t want to move from where he is sitting, his inability to move demarcates a limitation on his freedom regardless of what he desires. The paralysis is, to all intents and purposes, a barrier to his freedom, though it may not be confounding his will.

Thus, contrary to Hobbes, Locke seems to believe that my will can be at odds with my freedom. Certainly, as with Hobbes, we still do not yet advance to the paradox posed by Rousseau, wherein following appetite is “slavery” and freedom entails following laws that I prescribe to myself.¹⁹ But contrary to Hobbes, my own body—or rather its limitations—can serve as a “barrier” to my freedom, as in the case of the “paralytick.” For both theorists, however, the particularities of one’s body and one’s ability constitute the limiting condition of freedom. For Hobbes, the disabled person’s freedom concerns a more limited range of activities; for Locke, the disabled person is simply less free.

But in both cases, the universality of freedom is based on a set of assumptions about a very particular kind of body. As C. B. Macpherson has argued, it is a relatively wealthy body;²⁰ as feminists have shown, it is a male body;²¹ as critical race theorists have argued, it is a white body.²² But I suggest that it is also an “able” body: able to engage in certain kinds of physical action, particularly labor, and in rational thought. Labor is particularly important

to Locke because it is central to property: God gives all humans “property in the person,” and by adding my labor to things in nature, they become my property. This understanding of property is the engine that moves his entire theory, and property is the key to individual freedom.

At first glance the criteria of labor may seem to be negated by wealth. After all, a physically disabled property owner would be little different from a nondisabled one: both would hire laborers to work the land for them. But in order to be a free agent, the owner would have to engage in some sort of labor, either mental or physical. Locke was highly critical of wealthy people who squandered their inheritances and contributed nothing to enhancing the value of their estates. The connection—and distinction—between these two is reason. “Right reason” involves the full engagement of the mind, requiring the learning of Latin and mathematics, and thus could be developed by a wealthy but physically disabled son who could run his inherited estate as long as he had a foreman (or a younger brother) he could trust to tour the estate on a regular basis and make sure that the workers (who were inclined toward laziness) were doing what they should do.

By contrast to “right reason,” reason *simpliciter* allows considerable gradation and is generally linked not merely to class, as Macpherson argued, but to the kind of labor associated with class. Hence, Locke says, “a country gentleman, who, leaving Latin and learning in the University, removes thence to his mansion house, and associates with neighbors . . . who relish nothing but hunting and a bottle” may become a judge or magistrate owing to “the strength of his purse and party.” But he is still inferior in reason to “an ordinary coffee-house gleaner of the City,” because the latter is being industrious, while the former dissipates his learning and his mind. And even within the working classes, there is gradation: “The day laborer in a country village has commonly but a small pittance of knowledge, because his ideas and notions have been confined to the narrow bounds of a poor conversation and employment; the low mechanic of a country town does somewhat outdo him; porters and cobblers of great cities surpass them.” On the bottom were the unemployed, beggars, and those on parish relief.²³

The majority of seventeenth-century physically disabled persons were likely to occupy the latter categories, as Locke’s “Essay on the Poor Law” suggests. The point of his essay is the reform of the poor laws, urging the shift from outdoor parish relief (or direct payments to the poor), which was established by Elizabeth I, to work programs (or “indoor relief”). The disabled had been linked since the thirteenth century to the “deserving poor,” who were willing but unable to work, contrasted to the “undeserving” poor who were simply social misfits or lazy. According to Anita Silvers, a category of

“disabled” was designated that lumped together “persons with quite different disabilities into a single inferior class” to constitute the “deserving” poor.²⁴ In Locke’s writings, this would seem to include three distinct categories of disability. The first is physical, and the one explicit recognition of physical disability causing an inability to work is found in his writings on the Irish linen trade, where Locke urged double the normal relief allowance for “any double wheel spinner” in the trade who became unable to work due to injury on the job.²⁵ The purpose of such provision was to make such work more attractive rather than any specific concern for “disability rights” or freedom, but such provisions indicate that Locke acknowledged the existence of the physically disabled and a social responsibility to provide for those with physical disability who were unable to work, particularly those who became disabled as a result of industrious labor, which signaled good “deserving” character.

The second category included the severely cognitively disabled. The few scholars who have discussed Locke in terms of disability have focused on his remarks on “ideots” and “lunaticks.” As Stacy Clifford suggests, in Locke’s work “idiocy reflects a deformed mirror image of the ideal citizen’s rationality and freedom.”²⁶ Though Locke talks at considerable length about “brutes, idiots and madmen” in terms of their relationship to reason, their comparison to “natural man” in the state of nature, and their ability to develop reason, he treats their relationship to freedom with efficient dispatch:

if through defects that may happen out of the ordinary course of Nature, any one comes not to such a degree of Reason, wherein he might be supposed capable of knowing the Law [whether natural or positive] and so living within the Rules of it, he is never capable of being a Free Man, he is never let loose to the disposal of his own Will (because he knows no bounds to it, has not Understanding, its proper Guide) but is continued under the Tuition and Government of others, all the time his own Understanding is incapable of that Charge. And so Lunaticks and Ideots are never set free from the Government of their Parents. (*Two Treatises* 2.60)

These two categories of disabled individuals constitute the “deserving poor,” because they are dependent on others through no fault of their own. The “undeserving poor,” however, posed a different kind of problem, and in fact I want to suggest they constitute a third kind of “disability” in the form of irrationality. Locke’s essay, written during England’s “seven barren years,” from 1692 to 1699, when pauperism was extremely common and 2 percent of the British population owned 65 percent of the land,²⁷ nevertheless asserted that poverty resulted “not from scarcity of provisions, nor from want

of employment for the poor, since the goodness of God has blessed these times with plenty,” but rather from “the relaxation of discipline and corruption of manners; virtue and industry being as constant companions on the one side as vice and idleness are on the other.”²⁸ Locke argued that poverty was caused by lack of reason—for why would anyone choose to be poor? Since economic opportunities were always available, those who were poor must be so because they simply did not understand the necessity of work; and as long as parish relief was offered, allowing such individuals to get something for nothing, that lack of understanding would persist.

But in contrast to “ideocy and lunacy,” such irrationality could be “cured” by labor, as Locke the physician tacitly adopts a medical model approach to this particular form of cognitive disability. So Locke prescribed various forms of forced labor: those who asked for relief would be made to work for members of the parish “at a lower rate than is usually given” (“Essay” 188). Such an outcome, Locke believed, would quickly teach the rationally deficient poor that they should seek work on their own, since the pay would be better and there was no alternative of a free lunch. Begging was subject to even harsher treatment: adult male beggars served as enforced labor aboard sailing ships for three years; women would be assigned to forced labor locally for three months, and children for six weeks. But he also recommended permits for begging, claiming that some were “entitled” to beg, just as some were entitled to parish relief, because they were genuinely unable to work. Presumably these permits were to go to the first two categories of disabled people, as well as the “infirm,” once again deploying the trope of the “deserving poor.”

I postulate this not because Locke explicitly designated the “infirm” as unable to work but because almost everybody else was included in the rather large sweep of those who he claimed could work. For instance, Locke claimed that poor mothers should work, at least part time. Moreover, their children would be put into “working schools,” which were basically wool factories, not only to free up the mothers’ time for wage labor but also so the children could provide for their own upkeep and, most importantly, learn the lesson that working for your living is an important aspect of civil society. Elderly people, of course, worked until they could no longer do so. That left, for the most part, the physically and cognitively disabled. Moreover, given the harshness of his measures, with children as young as three in working schools, and his assumption that most beggars and requesters of parish relief were simply lazy, the level of disability that would entitle one to “deserve” parish relief, a begging permit, or a linen trade pension would have to be quite severe.

But in all three cases, disability, defined by the inability to work, links to freedom for Locke in a significant way: through rationality. In Locke's account, freedom has an intimate relationship to reason; hence in the previous quote that "ideots and lunaticks" are never "free from the Government of their Parents," Locke describes lack of freedom not on its own terms but rather by talking about reason, which is what leads to his abrupt conclusion. Freedom is about doing what I wish; but desire itself, what I wish, must be "within the bounds of the law of nature" and "reason . . . is that law" (*Two Treatises* 2.4, 2.6). Thus, insofar as cognitively disabled individuals are unable to utilize reason like "normal men," they are, according to Locke, unable to achieve freedom.²⁹

Yet why the "Poor Law" essay, in particular, is so revealing is that, just as Hobbes's conception of madness could include most people, Locke's conceptualization of reason is one that might well exclude large numbers of "normal men" who are illiterate laborers. Indeed, Locke had fairly minimal hopes for the reason of the poor; getting them to understand the value of work would be about as much as could be hoped in the usual course. This was not necessarily because of inadequate natural capacity, however—since God provides all (or most) men with that—but rather because the circumstances of poverty prevent them from developing it; the "constant drudgery to their backs and their bellies"³⁰ means that laborers have insufficient time and energy to develop reason. This distinction did not apply to "ideots" because they simply lacked innate capacity. In this, "lunaticks" were better off; they had the capacity to reason. Their problem was that they applied their reason to faulty premises (e.g., believing "I am the king" when I am not). Locke seemed to believe, then, that "lunaticks" had the potential to regain their equilibrium, much as Hobbes seemed to believe about madmen.³¹

The average illiterate worker, however, insofar as Locke viewed him or her as disabled by irrationality, could be, as noted above, "cured" specifically through labor and reading scripture on Sundays.³² But such "cure" was limited in his view: illiterate workers could never attain the "right reason" that seemed to be required of true citizens, those who could vote and hold office; they could only ever attain enough reason to obey the laws and work hard. Class mobility—the logical outcome of a "full cure" in the Lockean framework—was not yet commonplace in seventeenth-century capitalism and was therefore not something that Locke could readily employ in his argument, but working was nevertheless key to rationality. Though "God gave the World to Men in Common," he specifically "gave it to the use of the Industrious and Rational . . . not to the Fancy or Covetousness of the Quarrelsome and Contentious" (2.34). After all, land in its uncultivated

state was useless; thus “God, when he gave the World in common to all Mankind, commanded Man also to labour, and the penury of his Condition required it of him” (2.32). God set things up in such a way that we were compelled to industry, as “Labour was to be his [man’s] Title to” property and we needed property to stay alive. Hence, “God and his [i.e., man’s] Reason commanded him to subdue the Earth” (2.34, 2.32). For those in whom rationality seemed insufficiently developed or, more specifically, those who seemed not to appreciate God’s gift (whether they have a “defect in nature” or are “nurtured in vices” and “love the darkness”),³³ work would have to be coerced. Forcing people to work would enhance individuals’ freedom by enhancing their basic rationality—at least, if their “defect in nature” was not too great. The implication that the poor are “disabled” because they lack rationality dovetails with the assumption that the way to enhance their rationality is to force them to work. Work is the cure for this particular form of potentially widespread disability, just as absolute obedience is the cure for Hobbes.

In all three cases, however—physical disability and the two kinds of cognitive disability, ranging from incurable “ideots” and lunatics” to the lazy poor—we are left with the conclusion that disabled people are unfree in Locke’s view. The improperly working bodies of the physically disabled prevent them from doing certain things, regardless of what they want, like the “paralytick” discussed earlier. And insofar as the physically disabled cannot participate in labor, the key to gaining property, their rationality will likely decline unless they find some other way to be useful and productive. Those disabled individuals who can work to support themselves, of course, are better off on this score. The cognitively disabled are similarly unfree because they lack the ability to reason altogether. To the extent that “lunatics” have reason but use it wrongly, they are just as unfree as if they had no reason at all. People’s reason and wills must be driven to the right choices: “change but a Man’s view of these things; let him see that Virtue and Religion are necessary to his Happiness” (*Essay* 2.21.60). Such direction of the will is not constraint but liberty, for “The being acted by a blind impulse from without, or from within, is little odds” (2.21.67). In the third category, poor unemployed people who prefer begging or parish relief to hard work, who thereby demonstrate that they have faulty reasoning, Locke uses external force or constraint to remove internal blockage or compulsion because what is essential to attaining freedom is choosing well. To be an agent, we must not only think critically about our choices but also make the right choices—the path to which, Locke indicates, is clear, even if not everyone can see it. Disabled persons, then, are not the proper subjects of liberty in Locke’s theory.

Embodied Individualism and the History of Freedom

From a disability perspective, this conclusion is disturbing enough. But when we consider the fact that both theorists end up including large numbers of people in the category—those who do not agree with absolute monarchy for Hobbes, large numbers of illiterate workers for Locke—the implications expand. It is a commonplace of twenty-first-century disability theory to point out the ways in which “we are all disabled”—if not now, eventually, as we age. But Hobbes and Locke present the flip side of that; for if the majority of individuals are disabled in some way, the theorists can still deploy ableist frameworks to dismiss that majority from the demos. In focusing on freedom in particular, we can see that disability constitutes a central element in the notion of “the individual” on which their conceptions depend. In the 1960s Marxist theorist C. B. Macpherson developed a famous notion of “possessive individualism,” which he argued came out of seventeenth-century liberal thought and emerging market capitalism. It marked a conception of the individual as driven by the desire for wealth and property, with rationality directed to that end. Possessive individualism introduced to political theorists new ways of understanding what human nature meant in the modern era, situating our understanding of “man” in a specific historical context of emerging capitalism and private property.

A disability perspective shows us that this “possessive individual” was also an “embodied individual.” That is, individuals were required to have a body with certain sorts of capacities that, like race and gender, fit into the social economy in very particular ways. These ways excluded those who, such as women and disabled people, supposedly were incapable of performing physical labor and therefore of owning property; and those who, such as women, the disabled, Africans, Caribbeans, and the poor, were deemed to lack the rational capacities required to see the logic and reason of the particular choices consistent with the liberal democratic state and market capitalism.³⁴ The representation of freedom and reason as “natural” that characterizes Enlightenment theories of freedom thus reflects particular kinds of bodies that are marked by class, gender, race, and other forms of typology, such as disability.

Hobbes’s and Locke’s conceptions of freedom, and many of their conceptual and theoretical fundamentals, form the essential foundation for twenty-first-century political theory, legal theory, and philosophy; and I suggest that the persistent individualization of disability in contemporary medical and political discourses stems from a long historical tradition that defines individualism, justice, rights, and freedom in terms of a particular notion of the

able body that is socially located in a seventeenth-century conception of the individual. The centrality of this sort of imagery, and its use to circumscribe the limits of freedom, suggests that only a particular kind of person—a particular kind of body—is the appropriate subject of liberty. As illustrated by these two iconic figures, Hobbes and Locke, the distinction between freedom and ability confuses the natural with the socially constructed and historically specific, depends on a limited perspective of able-bodied men, and is built on a view of illness and disability that requires its designation as subhuman, more akin to “brutes” than to the rational, laboring man.³⁵ This individual, with his particular form of abilities, underlies the modern conception of the “man” and “citizen” who participated in the social contract and led to twenty-first-century understandings of the free agent and the democratic citizen.

Embodied individualism, as a result, affects contemporary understandings of what it means to be a human being and how social relations and institutions should be structured. These assumptions have had their clearest twentieth- and twenty-first-century articulations in Supreme Court decisions regarding application of the Americans with Disabilities Act to the workplace. These decisions are made possible only by a particular conception of the working citizen as “embodied individual,” which from the start eliminates disabled people from the categories of both “citizen” and “individual.” Indeed, this was so blatant that in 2008, the U.S. Congress passed the Americans with Disabilities Act Amendment Act in order to address problems in how the courts interpreted the original ADA on a highly individualistic medical model of disability, completely ignoring the social model’s claim that disability is produced by a hostile physical environment. But they are also illustrated in a wide variety of other ethical values and choices. Though this issue is well beyond the scope of my essay in the space I have allocated to me, I suggest that tying contemporary conceptions of ability and disability to their underlying philosophical foundations enables an ethical and political argument that has potential for reorienting people’s thinking about disability in both theory and public policy fora.

Notes

1. John Locke, *Two Treatises of Civil Government*, ed. Peter Laslett (New York: Cambridge University Press, 1960), 2.4. Subsequent references appear within the text with the standard citation of book and paragraph number.

2. See particularly the essays in James Tully, ed., *Meaning and Context: Quentin Skinner and His Critics* (Princeton, NJ: Princeton University Press, 1988), and J. G. A.

Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, NJ: Princeton University Press, 1975).

3. Peter Rushton, “Lunatics and Idiots: Mental Disability, The Community, and the Poor Law in North-east England, 1600–1800,” *Medical History* 32 (1988): 34–50. Though Rushton does note that “perhaps we should be surprised by the number of adults [in the records], a possible sign that there was no familial policy of negligence or infanticide” (41).

4. This is hardly to deny the possible, even likely, “medicalization” of disability in the seventeenth century, though “social control” was more likely the intention behind institutionalization than “curing.” *Ibid.*, 43.

5. For one example, see Dan Hurley, *Diabetes Rising: How a Rare Disease Became a Modern Pandemic, and What to Do about It* (New York: Kaplan, 2010).

6. Henri-Jacques Stiker, *History of Disability* (Ann Arbor: University of Michigan Press, 1999), 167; see also Barbara Arneil, “Disability, Self Image, and Modern Political Theory,” *Political Theory* 37, no. 2 (April 2009): 219.

7. Rushton, “Lunatics and Idiots,” 43.

8. Michel Foucault, *Madness and Civilization: A History of Insanity in the Age of Reason* (New York: Vintage, 1988); Roy Porter, “Foucault’s Great Confinement,” *History of the Human Sciences* 3, no. 1 (1990): 47–54.

9. On the meaning of disability itself, and the medical and social models, I refer the reader to my other work for a fuller sense of my views. See particularly “Seeing, Being, Power: The Politics of Invisible Disability” in *Civil Disabilities: Theory, Citizenship and the Body*, ed. Nancy J. Hirschmann and Beth Linker (Philadelphia: University of Pennsylvania Press, forthcoming) and “Stem Cells, Disability, and Abortion: A Feminist Approach to Equal Citizenship,” in *Gender Equality: Dimensions of Women’s Equal Citizenship*, ed. Linda McClain and Joanna Grossman (Cambridge: Cambridge University Press, 2009).

10. Thomas Hobbes, *Leviathan*, ed. C. B. Macpherson (Harmondsworth, UK: Penguin, 1985), chap. 14, 186. Subsequent references appear within the text with the standard citation of chapter and page number.

11. Quentin Skinner, “Thomas Hobbes on the Proper Signification of Liberty: The Prothero Lecture,” *Transactions of the Royal Historical Society* 40 (1990): 122.

12. Isaiah Berlin, “Two Concepts of Liberty,” in *Four Essays on Liberty* (New York: Oxford University Press, 1971), 123.

13. In his “proper signification” of freedom, Hobbes refers to water that “falls freely” as an illustration of the meaning of the term (*Leviathan*, 14, 189; 21, 263).

14. Thomas Hobbes, “The Questions Concerning Liberty, Necessity, and Chance,” in *Hobbes and Bramhall on Liberty and Necessity*, ed. Vere Chappel (New York: Cambridge University Press), 72.

15. Thomas Hobbes, *De Cive*, in *Man and Citizen: De Homine and De Cive*, ed. Bernard Gert (Indianapolis: Hackett, 1991), 46.

16. On women’s abilities as different from or the same as men’s, and the significance this has for their freedom in Hobbes’s theory, see Nancy Hirschmann, *Gender, Class, and Freedom in Modern Political Theory* (Princeton, NJ: Princeton University Press, 2009), chap. 1.

17. See also Skinner, “Hobbes,” 136, on the relationship between fear, will, and freedom.

18. John Locke, *An Essay Concerning Human Understanding*, ed. Peter H. Nidditch (Oxford: Clarendon Press, 1975), 2.21.8. Subsequent references appear within the text with the standard citation of book, chapter, and section.

19. Jean-Jacques Rousseau, *The Social Contract*, in *The Social Contract and Discourses*, trans. G. D. H. Cole, revised and augmented by J. H. Brumfitt and John C. Hall (London: Dent, 1973), book 1, chap. 8.

20. C. B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (New York: Oxford University Press), 1962.

21. Nancy J. Hirschmann, *The Subject of Liberty: Toward a Feminist Theory of Freedom* (Princeton, NJ: Princeton University Press, 2003), chap. 2; Nancy J. Hirschmann and Kirstie M. McClure, eds., *Feminist Interpretations of John Locke* (University Park: Pennsylvania State University Press, 2007).

22. See particularly Charles Mills, *The Racial Contract* (Ithaca, NY: Cornell University Press, 1999).

23. John Locke, *Of the Conduct of the Understanding*, ed. Ruth Grant and Nathan Tarcov (Indianapolis: Hackett, 1996), sec. 3, para. 171–72.

24. Anita Silvers, “Reconciling Equality to Difference: Caring (f)or Justice for People with Disabilities,” *Hypatia* 10, no. 1 (Winter 1995): 30–55.

25. Henry Richard Fox Bourne, *The Life of John Locke*, vol. 2 (Whitefish, MT: Kessinger, 2007), 367.

26. Stacy Clifford, “Indispensable Idiocy: Disability in the Development of John Locke’s Thought,” paper presented at the annual meeting of the Midwest Political Science Association, April 2010, Chicago, IL.

27. Bourne, *Life of John Locke*, 376; see also John Marshall, *John Locke: Resistance, Religion, and Responsibility* (New York: Cambridge University Press, 1994), 158.

28. John Locke, “An Essay on the Poor Law,” in *Political Essays*, ed. Mark Goldie (New York: Cambridge University Press, 1997), 184. Subsequent references to this source appear within the text.

29. I say nothing about the gendered dimensions of freedom here, which are quite pronounced. See Hirschmann, *Gender, Class and Freedom*, chap. 2.

30. Locke, *Conduct of the Understanding*, sec. 7, para. 181.

31. Barbara Arneil takes a more severe view: “Because government requires rational consent, ‘lunatics’ and ‘ideots’ are the opposite of ‘freemen’ and therefore ruled, according to Locke, under a perpetual (rather than limited) form of “government” within the private/domestic (rather than public) sphere. The disabled are thus most closely aligned with slaves in terms of their ‘power,’ as these are the only two groups of people in Locke’s theory who are governed by unlimited patriarchal authority”; see “Disability,” 222. But she overstates. In the first place, “ideot” children would be no more subject to arbitrary rule by their fathers than were all daughters, able-bodied or not, any more than women were to their husbands. The limits of the law of nature prevent *any* authority from being arbitrary, and in particular, fathers could not take the lives of their children, or husbands of their wives. In this, they are quite different from slaves, a much more complicated question for Locke; see *Two Treatises*, 2.182–83.

32. See Locke, *Conduct of the Understanding*.

33. John Locke, *Questions Concerning the Law of Nature*, ed. and trans. Robert Horwitz, Jenny Strauss Clay, and Diskin Clay (Ithaca, NY: Cornell University Press, 1990), 111, 109.

34. Though this rationality was as “cultivated” as it was “natural.” In *Gender, Class, and Freedom*, chapter 2, I argue that Macpherson’s claim that the poor had naturally inferior reason, like many feminists’ similar assertions about Locke’s view of women’s rationality, is mistaken. Reason, for Locke, requires cultivation, and in several of his writings he seems to argue at least implicitly, and often explicitly, that reason *should not* be developed in women and laborers. It is unclear how physically disabled persons would fit into this schema, but clearly attempts to develop the reason of “ideots” would be wasted, though it might be worth trying to bring “lunaticks” back to sounder premises.

35. I have not taken up the theme of the “brute” because neither Locke nor Hobbes makes direct comparisons; but both Arneil and Clifford argue that at least Locke’s remarks about the rational capacities of “ideots” and “lunaticks” tie closely to what he says about the reasoning of “brutes.”