

Family and the Foundations of a Free Society: John Locke, James Wilson and Alexis de Tocqueville on the Role of the Family

Michael Coulter, Ph.D.

Political theorists are generally regarded as seeking to understand what *should* be in political life, and it could be assumed that political theorists would give little attention to the family and instead dedicate attention to political institutions, the obligations of citizens as individuals, and the duties of political participants. While those concerns are certainly addressed, some political theorists have also sought to understand what the family needs to be in order for political life to function. But why consider what the authors of the important works in the West have said about the family? Because, as Thomas G. West says, “The Great Books themselves teach that theory is about the real world,” and those works help us “think about the world we live in.”¹ Plato, Aristotle, Augustine, Aquinas and other notable contributors to the tradition of western political theory do consider the family, although the family is considered mostly to be a private entity and its political role is to supply members of the political order who are, in turn, formed for political life with public institutions. In Plato’s *Republic* the institution of the family is essentially merged with the political order as a whole. In Aristotle’s *Politics*, the family is the human association that is formed which meets daily needs, but the family needs many other families and the political life of the city so that the non-daily needs of human life can be supplied. After the brief reference to the family in Book I of the *Politics*, Aristotle doesn’t return to the family until Book VII, and the family is then presented as a provider of education. For Augustine and Aquinas, families are generally treated in the context of a teaching on marriage, but family life is not treated as a means for forming citizens. One could characterize the

¹ Thomas G. West, *Vindicating the Founders: Race, Sex, Class, and Justice in the Origins of America* (Lanham, MD: Rowman and Littlefield, 1997), x.

treatment of the pre-modern family as essentially private and separate from the public life of the city.

Free political orders in modernity seem to have greater needs from families than did ancient states. That is, free political orders need a certain kind of a citizen and cannot simply rely on political power to command individuals. For this paper I will give primary attention to the work of John Locke (1632-1704), as he is one of the principal theorists of a free society in the modern world, and consider his understanding of the role and purpose of the family in a free society. He is significant as he can be characterized as “the inventor of the modern, nuclear family.”² I am also going to briefly consider the ideas of James Wilson, an important American founder and the only founder to address significantly the relationship between the family and political life. Finally, this paper will briefly comment on Alexis de Tocqueville’s treatment of the family in his magisterial *Democracy in America*. Tocqueville is worthy of treatment because he directly addresses how the family is affected by democratic life and how the family can ameliorate some of the deficiencies that can arise in a society with a limited and representative government.

Locke on the Family: General Considerations

According to Locke, families are the primary institution that form and mold human beings for civic life. Members of properly formed families will possess the necessary virtues for citizenship, which include rationality, industry, civility, honesty, and tolerance. According to Locke, families ought to seek to form their children, because they have a natural duty to preserve, nourish, and educate their children. Locke presents the origin of the family in the *Two Treatises*, and therein argues that the family has the role of shaping children. In *Some Thoughts*

² Scott Yenor, *Family Politics: The Idea of Marriage in Modern Political Thought* (Waco, TX: Baylor University Press, 2011), 19.

Concerning Education, Locke completes his teaching on the family, presenting a program of education that, if followed, will likely make a child a good citizen of a free political order.

First, how does Locke conceive of a family and how does it come into being? For Locke, man has some, albeit limited, social capacities and instincts. Locke writes that “God, having designed Man for a Sociable Creature, made him not only with an inclination and under a necessity to have fellowship with those of his kind, but furnished him also with Language, which was to be the great instrument and common tie of Society”(ECHU III.i.1).³ This passage indicates that man has both the need for society and the capacity to enjoy it. In the *Two Treatises of Government*, Locke makes a similar point: “God, having made Man such a Creature, that, in his own Judgment, it was not good for him to be alone, put him under strong Obligations of Necessity, and Inclination to drive him into Society, as well as fitted him with Understanding and Language to continue and enjoy it” (2T.77).⁴ If man is not by nature driven into political society, which depends upon a social contract and is based on voluntary consent, what kind of society are human beings directed toward by their nature? Locke asserts that the “first Society was between Man and Wife, which gave beginning to that between Parents and Children” (2T.77). These passages indicate that the Lockean human being is not a solitary, atomistic individual or unencumbered self; man is social insofar as human nature directs individuals toward the family.

What, according to Locke, is a family? “Conjugal Society is made by a voluntary Compact between Man and Woman; and tho’ it consist chiefly in such a Communion and Right in one another’s Bodies, as is necessary to its chief End, Procreation; yet it draws with it mutual

³ All references to *An Essay Concerning Human Understanding* are cited textually and come from John Locke. *An Essay Concerning Human Understanding*, ed. A.D. Woozley (New York: Penguin, 1964).

⁴ All quotes from John Locke’s *Two Treatises of Government* are cited textually from John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge, UK: Cambridge University Press, 1998).

Support, and Assistance and a Communion of Interest too” (2T.78). The union between a man and a woman is based on a contract, but it seems to be a contract that, in the best cases, is encouraged by the desire for mutual support and “affection and care” (2T.78). Nature leads men and women to this state because men and women have a natural sexual desire for one another.

The family initially comes into being because the sexual relations between men and women often lead to children, and thus, to “conjugal society.” Sexual desire and sexual relations are a sufficient starting point for family life; but human sexuality, on its own, does not secure long-lasting, stable family life. The animalistic desire for physical pleasure is prominent in the sexual nature of human beings, according to Locke, and that sexual desire in human beings supports the propagation of the species. Many animals have brief sexual encounters, such as “those viviparous Animals which feed on Grass” which have no need for sustained conjugal community because the mothers can easily support themselves and their offspring without the aid of the father (2T.79). The society between men and women generally lasts longer than those of animals. Locke suggests that human beings benefit from the support and assistance that comes from conjugal society. There is physical pleasure from sexual relations in the male-female relationship, and Locke is clear that the desire for pleasure is the most significant aspect of human decision-making.⁵ Moreover, the conjugal relation provides an opportunity to provide them “care and affection” (2T.78).

Another reason for conjugal society, which we might characterize as “other-directed,” is the duty that individuals have to provide for their offspring who cannot care for themselves. Locke writes that “the Father, who is bound to take care for those he hath begot, is under an Obligation to continue in Conjugal society with the same Woman longer than other Creatures,

⁵ cf. ECHU II.xx.1,5. Here Locke asserts that humans describe pleasure as good, and II.xxi.30-32 where Locke speaks of the importance of pleasure in directing our decisions.

whose Young are able to subsist of themselves” (2T.80). This duty, Locke says, comes from the “Law of Nature” because “they had begotten, not as their own Workmanship, but the Workmanship of their own Maker, the Almighty, to whom they were to be accountable to them” (2T.56). The basis of this duty is that God requires parents to provide for their children because they, along with God’s help, have made this child through copulation, even though it may not have been their desire to produce a child. This duty to children, however, is only satisfied if the parents willingly choose to do so, since God does not enforce the law of nature in this world, and children are not capable of making their parents fulfill this duty.

If this duty is satisfied, it will likely result in a long-lasting society because it takes a long time before a child is brought to a state of self-sufficiency. Moreover, contributing to the stability and length of a conjugal society is that “the Female is capable of conceiving, and de facto is commonly with Child again, and Brings forth a new Birth long before the former is out of dependency” (2T.80). One can easily imagine a family having dependent children for approximately thirty years.

The Governance of the Family

Who is to govern this society called the family and how shall it be governed? Locke asserts that most of the time the father rules in the family, but this rule is limited. Locke seems to hope for husbands and wives to be in agreement regarding decisions because men and women have an “equal title” to rule over the children, and husbands and wives have “but one common Concern,” which is their children (2T.52,82). Since individuals can and often do have different understandings regarding what is to be done, a “final determination” is sometimes needed in a family. A family, like any other society, must make decisions in the absence of the complete agreement of its members. In those cases, according to Locke, the male should rule because “it

naturally falls to the Man's share, as the abler and the stronger" (2T.82). While the Lockean family still retains some elements of patriarchalism insofar as Locke indicates that the husband is to be given the rule, it is certainly a much more egalitarian view of the family than the one commonly accepted in seventeenth-century England.⁶ Locke is particularly egalitarian when he asserts that obedience is equally due to both parents, and that the woman certainly does have the right to rule in the family when the father is not present through death or desertion.

It should also be noted that, while the Lockean family comes into being because of personal desires for pleasure and support, there are elements of altruism and an other-directed concern within the family. The family, according to Locke, is not merely a business arrangement where partners make purely self-interested exchanges. Locke writes that God "hath placed in them suitable inclinations of tenderness and concern" for each other and their offspring (2T.63,67). Locke, however, believes that while tenderness is in most cases, there is the possibility that parents will treat their offspring as a commodity (1T.57). Even if this did happen, it would not be the norm because parents, according to Locke, are "wisely ordained by Nature to love the Children" (1T.34).

The Duties of the Lockean Family

The *Second Treatise* presents Locke's teaching on the obligations of parents toward their children. Regarding the duty that parents have, Locke states that parents have a natural obligation to "preserve, nourish, and educate" their children (2T.56). Locke says that the power that parents have over their children arises, not from their begetting the child, but from their duty "to inform the mind, and govern the actions of their yet ignorant nonage" (2T.58). Thus, parental power is actually grounded in duty. This duty that parents have is so essential that "the law takes care to

⁶ Susan Moller Okin, "Women and the Making of the Sentimental Family," *Philosophy and Public Affairs* 11: 1 (Winter 1982): 68-69.

do it” if either the parents die and do not provide a tutor or are otherwise unable to provide what is necessary for bringing up children (2T.59).⁷ Parents must govern a child while he is in a state of ignorance because that ignorant child is unable to rule himself. The state, according to Locke, will insure that a child is governed by someone, whether it be through adoption, foster care or even an orphanage. Without parents, a massive state would be needed to shape children. This passage indicates that the duties that parents have toward children have great public importance because the law must ensure that children are governed. While Locke emphasizes parental duties, he also indicates that self-interest might cause the parents to care for the child in the hope that such care might lead the child to return affection to the parents. Locke further asserts that it is the child’s duty to reciprocate respect and honor in terms of the parents’ “care, cost, and kindness in education” (2T.67).

For Locke, the family is obligated to govern children during their “minority” because the governance provided by a family “is but a help to the weakness and imperfection of the nonage,” and God requires that children are helped (2T.65). The authority of the family has a limited duration. The family must direct the upbringing of a child so that the child comes to the point where he is self-governing, and thus, not dependent on others; there comes a time when the child becomes a free and equal person. Locke, when speaking of “minority” and “majority,” recognizes the convention of making distinctions between citizens regarding the degree to which individuals are responsible for their own actions. Locke also cites Divine Revelation as confirming this when he paraphrases Genesis 3:2-24 as giving a man “licence from Divine Authority to leave Father and Mother and cleave to his Wife” (2T.65). While the Lockean

⁷ Locke demonstrates how the law can govern those children who are not governed by parents in “Draft of a Representation Containing a Scheme of Methods for the Employment of the Poor,” in *Political Writings of John Locke*, ed. David Wootton (New York: Mentor, 1993), 446-461.

individual is a free and equal individual when he becomes an adult, Locke does not believe that being a self-governing adult gives an individual license to disregard and scorn his parents. An individual, Locke believes, owes honor, respect, and even obedience in most cases, to the parents.

The Lockean family is arguably much more individualistic than the pre-modern family, and thus, it supports the significance of the individual in modernity. David Foster points out that Locke asserts that the age of majority occurs with the “emergence of reason” in a single individual and not with “the establishment of a new family.”⁸ Locke wants to explain the origin, governance, and duties of the family according to reason. Locke’s view of the family is that it is partly held together by natural bonds and partly by duty.

Age and the education given by parents are to bring a child to the point where he can exercise his rational capacity so that he will have “attained a state of Freedom, and his Understanding [will] be fit to take the government of his Will” when he comes to the age of majority (2T.59). No child is born with these capabilities but has them only potentially. This development of rationality, which is the “only star and compass” for human beings, is essential for Locke (1T.58). Nurses, tutors, and governors can help a child to acquire these abilities (2T.61).

Concerning the education of children, Locke says, “The father (is) . . . to give such strength to their bodies, such vigour and rectitude to their minds, as may best fit his children to be most useful to themselves and others” (2T.64). Both body and mind are to be educated, and children are to be made useful for themselves and others. An educated body and mind will aid children because, according to Locke, God has given the property of the earth to the “industrious

⁸ David Foster, “Taming the Father: John Locke’s Critique of Patriarchal Fatherhood,” *Review of Politics* 56 (1994): 648.

and the rational” (2T.34). Because education is focused on making children useful, it would follow that this education is concerned with developing the practical capacity and not solely with learning speculative knowledge.

The *Two Treatises*, then, indicates at least three things about Locke’s view of parents and the formation of children. First, parents have the primary responsibility to preserve, educate, and nourish their children. Second, parents must do this because it is a natural duty, and this natural duty is supported by the interest a parent has in having the child reciprocate. Third, the formation of the child must be directed in such a way that the child becomes self-sufficient. Self-sufficiency is understood as the child having the use of reason, being able to govern himself, and being useful to himself and others.

Locke does not explicitly state in the *Two Treatises* that children whose parents have provided an education which develops their reason and makes them useful are good citizens, but it is implied. For Locke, the best citizen should have an attachment to a proper political order and should be trained to have certain moral habits, such as civility, that promote the political and social order. Since man is not born with the proper moral habits, this training must come from the parents.⁹

It has been argued that Locke believes that the family is at least partly natural because of natural desires and natural feelings of tenderness toward spouses and children. At the same time, Locke, like other modern social-contract theorists, believes that political life is completely artificial and depends fully upon a contract. What is the relation between the partly natural family and the unnatural political order? Families, for Locke, are important to the political order for two reasons. First, families exist throughout human history, and often large families

⁹ cf. ECHU I.3.13 on the rejection of innate practical principles.

constitute the beginning of political life. Second, families are important to political order for Locke because, when they fulfill their natural duties, families prepare individuals for political life by helping individuals become rational and industrious. The natural family, therefore, is a support for artificial political order.

Locke's *Some Thoughts Concerning Education and Families*

The *Two Treatises* indicates that education is “the first part of Paternal power”; but Locke has not left this essential subject unconsidered (2T.69). He writes *Some Thoughts Concerning Education* (first published in 1695), in which he examines the content and method of education. One might say that this work picks up where the discussion of family life in the *Two Treatises* left off. “The links between *Some Thoughts* and *Two Treatises* are especially important; the former provides a training and educational programme for the development of the moral person in a political arena.”¹⁰ Locke, it seems, believes that *Some Thoughts* has much political importance. That is, the education described in *Some Thoughts* seems likely to produce a certain type of citizen.

The Epistle Dedicatory [Letter of Dedication] reveals its theme: The education of children is primarily, although not exclusively, a private activity of the family, which has immense public importance. Why does Locke assert that education is primarily a private matter done by families? Locke argues that it is a duty for parents to provide education for their children. It seems that one could fulfill that responsibility by paying a child's tuition at a school, but Locke's proposal that families educate their children in the home is a radical proposal that circumvents the difficulties of reforming an existing school system. The education in schools at that time was misdirected because schools had too great an emphasis on learning Latin and not

¹⁰ John W. Yolton and Jean S. Yolton, eds. *Some Thoughts Concerning Education* (New York: Oxford University Press, 1989), 1. Passages from the work will be cited textually as ST and section number.

enough emphasis on acquiring virtue. Locke calls for home-based education, therefore, where the father, or, in his place, the tutor of the father's choice, will educate the child.

Locke states that he believes *Some Thoughts* fills a need for parents who seek to educate their children because it will equip parents to do a necessary job. He emphasizes the importance of education in the Epistle Dedicatory when he writes: "The well Educating of their Children is so much the Duty and Concern of Parents, and the Welfare and Prosperity of the Nation so much depends on it, that I would have everyone lay it serious to heart."¹¹ Locke sees this mostly private act of educating as having immense public importance; in fact, the welfare and prosperity of the nation depend upon it.

Family education has its public importance because it is the primary means of making good citizens: The family can mold the child so that he will be good for himself and good for others. Locke begins *Some Thoughts*: "A sound mind in a sound body is a short but full description of the happy state in this world" (ST.1). Locke admits the possibility that someone could be great in mind and/or body by nature alone without an extensive education, but that would be unlikely. Education is the crucial factor in most people's lives. Locke says: "Of all Men we meet with, Nine Parts of Ten are what they are, Good or Evil, useful or not, by their education" (ST.1). The aim of a sound mind and sound body, it should be noted, is modest. Locke does not aim in this work to create a class of philosophers-kings or even a class of warriors; rather the aim is to make gentlemen well-suited to live within a liberal political order by encouraging morality and rationality. With this reasonable objective of *Some Thoughts*, it further appears that this education program is intended for the general population, and not just for the few who possess great natural gifts.

¹¹ Yolton and Yolton, *Some Thoughts*, 80.

Some Thoughts is a relatively long work and touches on many subjects, but insofar as the work relates to the formation of good citizens by parents, two main topics dominate: self-mastery and proper behavior toward others. These characteristics are clearly essential traits of good citizens, and in this work Locke provides the means of inculcating them in members of the political order. These two themes are not mutually exclusive, and Locke speaks to both throughout the work.

Civility, liberality, justice, courage, compassion, curiosity, and truthfulness constitute the core virtues to be inculcated in children, according to Locke. These virtues make the job of the parents harder in the short run because it is not easy to teach these virtues. In the long run, however, the job of parenting will have been made easier because there will be fewer difficulties when the child is older. Locke wants to show parents it is in their long-term interests to promote such virtues. If parents understand it is in their interests, then they will likely work to inculcate such habits. Moreover, all of these virtues would be excellent qualities of a good citizen, because these virtues would make the child good for himself and good for others.

Locke also encourages the study of politics. In *Some Thoughts*, Locke cites works by Samuel Pufendorf, a seventeenth-century German jurist, and Hugo Grotius, a seventeenth-century Dutch jurist asserting that in these writers one “will be instructed in the natural Rights of Men, and the Original and Foundations of Society, and the Duties resulting from thence” (ST.186). This civic knowledge is an important part of the curriculum. Locke says: “This general Part of Civil-Law and History, are studies which a Gentleman should not barely touch at, but constantly dwell upon, and never have done with” (ST.186). Locke does not speak of any other subject that the student should “dwell upon and never have done with.” The concern with civic knowledge indicates that the curriculum Locke recommends has, as one of its aims, producing a

citizen who understands and who will seek to perpetuate a proper political order. A gentleman will likely be involved in politics, and therefore, he must have some knowledge of political affairs.

Connected with the theoretical study of law and political institutions should be the study of English constitutions, legal statutes and the English common law. Locke considers this an obvious part of the education of an English gentleman, and he believes that the study of English legal tradition is useful for a man “whatever station he is in . . . from a Justice of the Peace, to a Minister of State” (ST.187). Locke believes that this study of English political tradition would also likely engender an intellectual patriotism because it “will give insight into the reason of our Statutes, and shew the true ground upon which they came to be made, and what weight they ought to have” (ST.187). The study should focus on the principles which those laws and legal practices embody, which Locke calls the “true measures of Right and Wrong” (ST.187). It seems that a study of the English political tradition by an advanced student will cause him, when he is an adult, to seek to preserve what is best in the English tradition and improve upon those areas where there is a shortcoming.

Locke informs his readers that “the great Business of all is Virtue and Wisdom” and that the goal should be to “teach him to get a Mastery over his Inclinations, and submit his Appetite to Reason” (ST.200).¹² Locke’s stressing of this point seems to imply that many elevate that which is secondary in education, i.e. subjects of study, over that which is primary, i.e. the acquisition of virtue.

These are then the main subjects of Locke’s *Some Thoughts Concerning Education*. It is a guide for parents in fulfilling the natural duty of educating their children. The aim of this

¹² Locke has certainly stressed the mastery of the inclinations in *Some Thoughts*. It is mentioned or referred to in these sections: 33, 36, 38, 45, 48, 50, 52, 55, 63, 75, 77, 90, 103, 107, 139, 200.

education is for families to produce moral, free, rational, and productive individuals. Those properly formed by this education will also be good members of the political society. Locke believes that this general strategy of educating the youth will have positive long-term effects on children. Most children will become “industrious and rational,” thus making them good for a liberal society, and thus, supporting the life of a liberal political order by filling it with citizens suited to life in such a regime.

American Founding: James Wilson on the Family

The founders of the American political order were mostly directed toward the challenge of establishing political institutions strong enough to sustain political life, but not so strong as to be a great threat to the rights of individuals. That is, there were debates about the utility of the Articles of Confederation and then much writing about the Constitution of 1787—particularly the debates between the Federalists and anti-Federalists. There is no significant treatment of the role of the family like the one found in John Locke. That might be the case because the Lockean approach was essentially the accepted model for family life by the generation of leaders of the American founding. The role of the family was not controversial, and thus, didn’t elicit any significant debate at the time.

One important founder, James Wilson (1742-1798), a Pennsylvania delegate to the Constitutional Convention, did address the family. Wilson is certainly a significant founder as he signed both the Declaration of Independence, for which he was a reluctant but key supporter, and the Constitution; he was also an associate justice of the Supreme Court.¹³ Wilson addresses the family briefly in his first Lecture on Law which was delivered on December 15, 1790, and was

¹³ Gary Gregg II and Mark David Hall, eds., *America’s Forgotten Founders*, 2nd ed. (Wilmington, DE: 2012), 25-32. Hall suggests that the disregard of Wilson might be due to his penury and imprisonment for debts in the final years of his life.

“almost a state occasion,” drawing an audience which included President George Washington along with many members of Congress and many members of the Pennsylvania legislature.¹⁴ In that lecture titled, “Of the Natural Rights of Individuals,” Wilson states that “marriage is the true foundation of society.” Every society recognized the importance of marriage, and Wilson briefly traces the concern for family during the ancient world. Wilson suggests that earlier forms of marriage degraded women and treated them as slaves because education was withheld from them. According to Wilson, women in the ancient world were “thrown away in marriage.” There is a dignity that Christianity brings to marriage, and the law at the time of the American founding was beginning to recognize more fully that dignity. In short, Wilson is suggesting that modern law is ‘republicanizing’ marriage. Wilson also suggests that common law at the time was recognizing that children were not simply the possession of parents. It seems that Wilson acknowledges that the law is catching up to the understanding of the family as articulated by Locke.

Tocqueville and the Family in Democratic America

Another important observer of early America gives attention to the family. Alexis de Tocqueville, who traveled in the United States during 1831-1832 and then wrote the two-volume *Democracy in America* (Volume 1 in 1835; Volume 2 in 1840). In Volume 2, Tocqueville considers how the democracy has influenced operation of the family and has modified the traditional roles of family members. F. L. Morton considers this treatment of the family not to be an insignificant portion of the work. According to Morton, Tocqueville believed that there were

¹⁴ Geoffrey Seed, *James Wilson: Scottish Intellectual and American Statesmen* (Millwood, NY: KTO, 1978), 150.

deficiencies in democracy and that the ‘democratic family’ could address those problems because the family is presented as “a haven of co-operation that nurtures habits of altruism.”¹⁵

As for Tocqueville’s treatment of the family, he begins his chapter on the family by asserting that the family of the aristocratic society of the ancient and medieval world does not exist in the United States. There is not absolute despotism in the family; Tocqueville writes that “from the moment when the young American approaches manhood, the bonds of filial obedience are loosened day by day.”¹⁶ This is even more evidence that social life in the United States has adopted the Lockean model of the family where individuals are prepared and directed to be self-governing members of society and not merely subject to despotism. Tocqueville says that since democracies interact with individuals as individuals, democracies cannot simply work through the father, as is the *modus operandi* in aristocratic society; democracies need individuals to be able to know and abide by the laws and contribute to political and economic life without constant supervision.

Tocqueville praises this new model of family life as “more intimate and sweeter.”¹⁷ There is a kind of equality in families in democracies which is not found in aristocracies. Relations between both parents and children as well as among children are both ‘familiar’ and ‘tender.’ In an aristocratic society there are prescribed roles based on both culture and inheritance laws which give significant favor to the oldest male child and assign the father to be a representative of the family in public life. The aristocratic family does not need to make citizens in the way that the democratic family does because aristocratic families depend on social

¹⁵ F. L. Morton. “Sexual Equality and Family in Tocqueville’s *Democracy in America*, *Canadian Journal of Political Science* 17 (June 1984): 311.

¹⁶ Alexis de Tocqueville, *Democracy in America*, trans. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2002): 558.

¹⁷ Tocqueville, *Democracy*, 561.

hierarchies. The democratic family model leads to members of the family seeing each other as equals and teaches family members to have regard for others, rather having the pernicious form of individualism that Tocqueville finds harmful to democracy.

Related to the Tocqueville's account of the equality and tenderness in the democratic family is his description of the role of women in the new American order. Women in the United States are free to choose partners and are not coerced into marriages before they can exercise their reason. Tocqueville writes that "American women marry only when their reason is exercised and mature, while elsewhere most women ordinarily begin to exercise their reason and become mature in it only within marriage."¹⁸ For Tocqueville, American women when entering into family life understand their special role of supporting the household and it willingly. Tocqueville writes that "for women the sources of happiness are within the conjugal dwelling" and that because that "path can lead to domestic felicity, she enters on it with her first steps and follows it to the end without seeking to turn back."¹⁹ It is, to use another of Tocqueville's famous phrases, "self-interest rightly understood" that causes individuals to commit to family life; that is, it is both good for themselves and good for others to commit to family life. Because of the contribution to family life made by women, Tocqueville asserts that "the singular prosperity and growing force of this people [must be attributed] . . . to the superiority of its women."²⁰

Conclusion

A society with a limited government needs individuals who can be self-governing and economically productive, and for that to occur, citizens in a free society need to have certain qualities in order to make that society possible. Locke boiled these qualities down to being

¹⁸ Tocqueville, *Democracy*, 566.

¹⁹ Tocqueville, *Democracy*, 566.

²⁰ Tocqueville, *Democracy*, 576.

rational and industrious. Human beings, however, are not born as such; these are character traits that must be acquired over time. For Locke, the very purpose of the family is to enable individuals to become rational, industrious and free; if the family cannot perform this function, then the state must see to it. It would be expensive and inefficient for the state to perform this role, and so it is clearly best for the family to help shape individuals. This view of the family is a break from the family as imagined in aristocratic and pre-modern society where the family was almost entirely a private institution with a private function; its contribution to the public good was simply producing individuals who would generally be directed by others. In an aristocracy only heads of families need to be free while the others typically perform a prescribed social role. American founder James Wilson recognized this changing social role for the family and recognized that the law needed to catch up with the new reality. The law and society as a whole, according to Wilson, should recognize the pre-eminent role for the family. Tocqueville, who having had the opportunity to compare aristocratic France (or at least the remnants of it) with the emerging free society in the United States, affirmed the significance of the family which forms individuals for living in a free society. Tocqueville could see a free society in operation and observed that one of the dangers for a free society is for individuals to be completely disconnected from others. That is problematic as individuals often need others for their own survival and support, but cooperation is also needed to accomplish tasks that require the participation of more than one person.

So if as stated at the beginning of this paper, political theory is about the real world, what would Locke, Wilson, and Tocqueville say about the situation today? All three would support measures that support family formation through a legal environment that supports marriage and seeks to insure that parental duties are met. All three would be deeply troubled by no-fault

divorce, for example. All three would be encouraged by a divorce rate that appears to be decreasing over recent decades and by community programs that support and encourage marriage. Locke would be troubled by an educational system that does not emphasize rationality and industriousness and that seems to have failed many students; but he would be encouraged by some recent educational reforms that appear to emphasize basic educational skills and workplace preparedness. Tocqueville would be concerned by the extreme isolation and privatization practiced by some families today. All three, though, would want to remind us that the family is not an institution separate from the rest of society, and that if we desire a free society, the family needs to embrace its role of making good citizens.