



# John Locke's Political Philosophy and its Influence

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John Locke presents his political theory in one of his most important and major work, Two Treatises of Civil Government. But the true expression of his political theory lies in the Second Treatise. The First Treatise was rather a counterargument in direct response of Sir Robert Filmer's Patriarcha.

John Locke as a philosopher and a political theorist is a predominant and prominent figure during the seventeenth century for the contribution of many modern political ideas. He is one of the founders of liberal political philosophy, the philosophy of natural rights and limited government. All the more he is also known as the father of modern philosophical empiricism. Known as the father of classical Liberalism his contributions in political philosophy had far reached importance that today's political system is humongously under the influence of his works. His ideas such as the inalienable rights and property rights are largely discussed till date. The idea of limited government had since been of recognition only after its usage of the term by Locke. His largely contributed work to political philosophy lies hugely relevant till day today.

In the preface to the Second Treatise Locke states:

“to establish the throne of our great restorer, our present King William; to make good his title, in the consent of the people, which being the only one of all lawful governments, he has more fully and clearly than any prince in Christendom: And to justify to the world, the people of England, whose love of their just and natural rights, with their resolution to preserve them, saved the nation when it was on the very brink of slavery and ruine .”<sup>1</sup>

The Two Treatise of Civil Government is more or less a philosophy of government. Of the two treatises, the first was rather a counterattack or a counterargument on Robert Filmer's idiosyncratic claim in *Patriarcha* of monarchical authority, that every man is born a slave to natural born kings. He was against the notion of 'Divine Right of Kings' (as claimed by Robert Filmer) which held that kings had their political legitimacy through direct descent from Adam. “The First Treatise of Government is a polemical work aimed at refuting

<sup>1</sup> John Locke and Peter Laslett, Two Treatises of Government, Cambridge: Cambridge University Press, 1960, p-137.

the patriarchal version of the Divine Right of Kings doctrine put forth by Sir Robert Filmer. Locke singles out Filmer's contention that men are not "naturally free" as the key issue, for that is the "ground" or premise on which Filmer erects his argument for the claim that all "legitimate" government is "absolute monarchy"- kings being descended from the first man, Adam and their subjects being naturally slaves. Early in the First Treatise Locke denies that either scripture or reason supports Filmer's premise or arguments."<sup>2</sup> He sought out in the Second Treatise to lay a new basis for governmental authority. He was against the idea that government can be founded on mere force and violence, as he says in the first chapter of the Second Treatise:

"It is impossible that the rulers now on earth, should make any benefit, or derive any the least shadow of authority from that, which is held to be the fountain of all power, Adam's private dominion and paternal jurisdiction, so that, he that will not give just occasion, to think that all government in the world is the product only of force and violence, and that men live together by no other rules but that of beasts, where the strongest carries it, and so lay a foundation for perpetual disorder and mischief, tumult, sedition and rebellion,(things that the followers of that hypothetical thesis so loudly cry out against) must of necessity find out another rise of government, another original of political power, and another way of designing and knowing the person's that have it, then what Sir Robert F. hath taught us."<sup>3</sup>

Locke then argued that a more civilized society can be achieved through natural rights rather than the divine right of kings. Locke held that Natural Law champions over Divine Law as held by Filmer. Locke didn't see this view as a right political philosophy and rather presented his own political philosophy which sought to form a new basis for governmental authority in the Second Treatise after the repudiation of the notion held by Robert Filmer. As also stated in the Britannica Ency., it says:

"Locke claims that Filmer's doctrine defies "common sense". The right to rule by descent from Adam's first grant could not be supported by any historical record or any other evidence, and any contract that God and Adam entered into would not be binding on remote descendants thousands of years later, even if a line of descent could be identified. His refutation was widely accepted as decisive, and in any event the theory of the divine right of king ceased to be taken seriously in England after 1688."<sup>4</sup>

In the realm of political philosophy one cannot do away with Locke's Two Treatise of Civil Government. When we trace back to Locke's political philosophy, it is his Treatises that comes to light which surpasses all of his other works. So many important subjects are discussed in the book content of the Second Treatise but only some of the important aspects of Locke's political thought such as the limited government and the theory of property will be discussed in respect to some claims in the next chapters.

<sup>2</sup> William Uzgalis, John Locke, the Stanford Encyclopaedia of Philosophy, 2017ed., (<https://plato.stanford.edu/archives/sum2017/entries/locke/>)

<sup>3</sup> Opcit, sec 1, p-268.

<sup>4</sup> Graham A.J. Rogers, John Locke, Encyclopedia Britannica, Encyclopedia Britannica, Inc., July, 2016. (<https://www.britannica.com/biography/John-Locke>)

The Second Treatise offers a positive account of the basis of legitimate government in counterbalance to the negative thrust of the First Treatise, the latter being designed to undermine Filmer's based arguments in favour of absolute royal power."<sup>5</sup>

It is interesting to note that the whole of the Second Treatise centres round a definition which Locke laid in his first chapter of the book. The definition of political power, it states;

"Political Power then I take to be Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property, and of employing the force of the Community, in the Execution of such Laws, and in defence of the Common-wealth from Foreign Injury, and all this only for the Public Good."<sup>6</sup>

In the political theory of Locke, presented in the Second Treatise, Locke basically starts with men in the state of nature where there was no law and governance and everything was in absolute freedom. Locke says; "Men living together according to reason, without a common superior on earth, with no Authority to judge between them, is properly the state of nature."<sup>7</sup> Here by reason Locke meant the Law of Nature. To Locke, the state of nature was characterised by reason and tolerance. According to Locke, the basis of the equality, independence, and ultimately the freedom that exists between all individual men is their mutual possession of reason.

Men in the state of nature is the original condition of men according to Locke, or rather the pre-political condition of mankind. To Locke, the law of nature serves as the ruling law in the state of nature. By this law of nature, Locke means the innate reason we get by birth. By reason we know the basic moralities of life. It supposes that man by the use of reason could know the fundamental principles of morality. By reason we know something is right or wrong. For instance, we know that it is wrongful to kill a fellow man or wrongful to violate a fellowman's rights. Men in the state of nature are bound to refrain from hurting one another. In the state of nature Locke argues that no man is subordinate nor inferior to another for God has created each individual as free and equal beings. So enslaving another individual means trespassing against god. And anyone going against the faculty of equality is to be punished and to the offender is to be given justice. Locke's political philosophy is grounded by natural law. Perhaps natural law and natural rights are the most central concepts in Locke's political philosophy. Natural law can be discovered by reason alone and applies to all people. In the state of nature Locke claims;

"The State of Nature has a Law of Nature to govern it, which obliges everyone: And Reason, which is that Law, teaches all Mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his Life, Health, Liberty, or possessions. For men being all the workmanship of one omnipotent, and infinitely wise maker: All the Servants of one Sovereign Master, sent into the World by his order and about his business, they are his Property, whose Workmanship they are, made to last during his, not one another's pleasure. And being furnished with like faculties, sharing all in one community of nature, there cannot be

<sup>5</sup> E.J. Lowe, Locke, Routledge, 2005, p-161.

<sup>6</sup> John Locke and Peter Laslett, Two Treatises of Government, Cambridge, Cambridge University Press, 1960, sec 3, p-268

<sup>7</sup> Ibid, p-280.

supposed any such Subordination among us, that may Authorise us to destroy one another, as if we were made for one another's uses, as the inferior ranks of Creatures are for ours. Everyone as he is bound to preserve himself from, and not to quit his Station wilfully: so by the like reason when his own Preservation comes not in competition, ought he, as much as he can, to preserve the rest of Mankind, and may not unless it be to do Justice on an Offender, take away, or impair the life, or what tends to the Preservation of the Life, the Liberty, Health, Limb or Goods of another.”<sup>8</sup>

The law of nature having being considered as knowable to man by reason, it is also understood as the law of reason. And this reason was given to man by God. The law of nature thus, had no authority who could have imposed on man but it was ruled by reason and by reason man differentiates between the right and wrong. It was indeed an important human faculty gifted to man by god. By the law of nature as quoted above, we can see that there is equality and no authority for no one ought to do harm to another man's individual natural rights.

Locke claims that all men are naturally born free and that all men have equal rights in the state of nature. The state of nature is of perfect freedom that men are: “perfectly free to order their actions, and dispose of their possessions and themselves, in any way they like, without asking anyone's permission-subject only to limits set by the law of nature.” It can be noted that there is no superiority in the state of nature which makes it a free state. And the state of nature is equal that “which no one has more power and authority than anyone else; because it is simply obvious that creatures of the same species and status, all born to all the same advantages of nature and to the use of the same abilities, should also be equal in other ways, with no one being subjected to subordinate to anyone else, unless God, the lord and master of them all, were to declare clearly and explicitly his wish that some one person be raised above the others and given an undoubted right to dominion and sovereignty.”<sup>9</sup> Thus it can be noted here that there is no special treatment given to any man. They are all equal with the same privileges granted to each one of them.

Locke claims three such rights are the natural rights which are the right to life, the right to liberty and the right to property. Locke claims that any man violating this rights of another man can be punished by everyone in order to stop the vicious and cruel act of that man from being repeated or that other men may not repeat the same and can learn from the punishment that going against each man's rights can bring himself merciless punishment. As Locke says in the Second Treatise;

“And thus it is ,that every man in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from everybody, and so to secure men from attempts of a criminal, who having renounced reason, the common rule and measure, god hath given to mankind, hath by the unjust violence and slaughter he hath committed upon one, declared war against all mankind, and therefore may be destroyed as a lion or a tiger, one of those wild savage beasts, with whom men can have no society nor security.”<sup>10</sup>

<sup>8</sup>John Locke and Peter Laslett, Two Treatises of Government, Cambridge, Cambridge University Press,1960, Sec 6, p-271.

<sup>9</sup> Ibid, p-269.

<sup>10</sup> Ibid, p-274.

The state of nature exists wherever there is no legitimate political authority able to judge disputes and where people live according to the law of reason. Unlike Hobbes, Locke's state of nature is free, equal and independent. For Hobbes the state of nature is a state of war, as he describes 'war of all against all'. Whereas for Locke, the state of nature is happy and rational. While Locke's state of nature was within bounds which is the law of nature, Hobbes' state of nature had no limitation. In the state of nature people were governed by reason and there was no common authority. Unlike Hobbes' state of nature which was characterised as state of war, Locke's state of nature was a happy one. But the reason men needed to leave the state of nature was to form a civilised society where their natural rights would be protected. In the state of nature men lived by reason and tolerance that is embedded in the law of nature with the absence of political authority. All people in the state of nature were governed by natural law and each individual was vested with the executive power of natural law. In the law of nature, Locke argues that sovereignty does not reside in the state but with the people. The law of nature governs in the state of nature. Men by birth are endowed with reason that he is able to differentiate right from wrong. For instance, by reason one knows that it is wrong to kill a fellow man. If a person commits crime, the offender is fit to be punished by his actions. And anyone in the state of nature has the right to punish the offender because by freewill everyone is politically independent and equal. People are their own judge in the state of nature. In the state of nature men is endowed with rights to enforce the law of nature. The right to self-defence and the right to punish those violators who infringe upon others rights. To quote,

"For by the fundamental law of nature, man being to be preserved, as much as possible, when all cannot be preserved, the safety of the innocent is to be preferred: And one may destroy a man who makes war upon him or has discovered an enmity to his being, for the same reason, that he may kill a wolf or a lion; because such men are not under the ties of the common law of reason, have no other rule, but that of force and violence, and so may be treated as beasts of prey, those dangerous and noxious creatures, that will be sure to destroy him, whenever he falls into their power."<sup>11</sup>

By the above statement we can learn that the natural condition of man or the state of nature as claimed to be peaceful is not really so because there are people who would infringe on others rights and would do harm to others and to their property. There is no real security in the state of nature. Though by the law of nature men are not supposed to bring harm to one another, there are some who would go against the law and be paid with ransom of punishment by other men. So Locke claims, when a man who does harm and tries to rule over other men puts himself into the state of war. The state of war Locke says, "is a state of enmity and destruction". He claims the state of war prevails when someone tries to have his absolute power over another, and that thereby violates the offender's freedom. When a man tries to enslave the other he puts himself to the state of war. The state of war also prevails when there's biasness due to individual favour in their judgements because people are their own judge or when other men does a judgement in favour of the criminal. The state of war occurs when people exert unwelcome force on other people, interfering with their own natural rights and freedom, without common authority. By this reason of the state of war in the state of nature, Locke says is "one great reason of men's putting themselves into society, and quitting the state of nature."<sup>12</sup> While for Hobbes the state of war is

<sup>11</sup> Ibid, sec16, p- 278.

the natural condition of man, to Locke the state of war exists only when people violates the natural law. And it is because of the state of war that people need to come by a social compact to better ensure their protection of their natural rights within the limited government. In other words, the state of war necessitates the creation of governments.

Locke differentiates the state of nature to the state of war,

“And here we have the plain difference between the state of nature, and the state of war, which however some men have confounded are as far as distant, as a state of peace, good will, mutual assistance, and preservation, and a state of enmity, malice, violence, and mutual destruction are one from another. Men living together according to reason, without a common superior on earth, with Authority to judge between them, is properly the state of nature. But force, or a declared design of force upon the person of another, where there is no common superior on earth to appeal to for relief, is the state of war.”

In the Second Treatise Locke claims and supports the idea of natural rights and argues for a limited constitutional government which would protect the natural rights of an individual. The natural rights which includes life, liberty and property. The right to property brought forth by Locke in the Second Treatise is of utmost importance in his political thought analysis. Locke himself throws so much light to this natural right. Property or estate as sometimes interchanged is one crucial and important topic being emphasised, criticised and re-studied many times till today. By property Locke talks both of self-ownership and material possessions. According to Mabbott, “Locke derives the right to private property from the right of self-preservation. God gave the earth to mankind for its use; and this means to men in general not to specific individual.”<sup>12</sup> In the Treatise as mentioned earlier Locke went against Filmer for his idiosyncratic claim of monarchical right. Filmer’s claim that God gave the earth to Adam was postulated wrong with Locke’s claim that God gave the earth to all mankind. In the Treatise Locke claims;

“God who hath given the world to men in common, hath also given them reason to make use of it the best advantage of Life, and convenience. The Earth, and all that is in therein, is given to men for their support and comfort of their being. And though all the fruits it naturally produces, and beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hand of Nature; and nobody has originally a private dominion, exclusive of the mankind, in any of them, as they are thus in their natural state; yet being given for the use of men, there must of necessity be a means to appropriate them some way or other before they can be of any use, or at all beneficial to any particular man. The fruit, or vension, which nourishes the wild Indian, who knows no inclosure, and is still a Tenant in common, must be his, and so his, i.e. a part of him, that another can longer have any right to it, before it can do him any good for the support of his life.”<sup>13</sup>

Here Locke faces a problem as to owning property for oneself since he states that the earth was given by god to all mankind. But he comes up with a solution to this by justifying how men can own a property for oneself, how men can own private property. To this he starts to claim that a certain property is of private property, he introduces the labour theory. By this he means that each men in order to own a private property

<sup>12</sup> J.D. Mabbott, John Locke, London, The Macmillan Press, 1973, p-147.

<sup>13</sup> John Locke and Peter Laslett, Two Treatises of Government, Cambridge, Cambridge University Press, 1960, Sec26, p-286.

they must mix their labour to it. For instance, the piece of land where he put his labour in of ploughing it for cultivation, that particular plot of land ultimately becomes his property. To this Richard comments, “Thus it is labour which creates property. It is labour also which gives value to most things.”<sup>14</sup>

To Locke, “As much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property.”<sup>15</sup> But however Locke also says that there is a limit to the appropriation of property from nature; “To enjoy as much as anyone can make use of to any advantage of life before it spoils; so much he may by his labour fix a property in. whatever is beyond this, is more than his share, and belongs to others.”<sup>16</sup> Men should take only what would meet his needs and must not own extra or excess for they should leave for those who need. He says that one should not own more than what he need and that it should also be kept for others. Locke stresses on individual liberty where he explains that each person owns his or her own body and all the work that he or she performs. When a person works with the physical labour put in, that whole part of his labour becomes his personal property.

To Lowe, “Locke’s argument here is that by mixing one’s labour with natural resources which are not yet the exclusive property of any other individual- for instance, by gathering fruit from trees in the wild or by tilling virgin land and sowing it with corn- one thereby comes to have an exclusive property right in the products of that labour.”<sup>17</sup> He defines labour as the determining factor of value. This in short means the ‘labour theory of value’. Locke states

“Though the Earth, and all inferior creatures be common to all men, yet every man has a property in own person. This nobody has any right but himself. The labour of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state nature placed it in, it hath by this labour something annexed to it, that excludes the common right of other men. For this labour being the unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good left in common for others.”<sup>18</sup>

Though some of Locke’s contemporaries have used talked of the labour theory, it is Locke who brought importance of it in connection of the defence of property ownership. He argues that when a man mixes his labour to a plot of land for cultivation, the land with its production becomes his property. But owing more than one’s needs should be refrained. Locke imposes a limit to the right of acquisition by labour. One may own only as much as he can use it. In the Second Treatise Locke made a defense of Individual liberty where he says that people have the freedom which he calls in the Second Treatise as ‘Perfect Freedom’ to enjoy their persons and properties in accordance with what they think fit. They have the right to enjoy their properties ‘as they think fit, within the bounds of the law of nature’. And they are not deemed to any kind of subjection.

<sup>14</sup> Richard I. Aaron, John Locke, London, Oxford University Press, 1971, p-277.

<sup>15</sup> Ibid, sec 32, p-290.

<sup>16</sup> Ibid, sec 31, p-290.

<sup>17</sup> E.J. Lowe, Locke, New York, Routledge, 2005, p-181.

<sup>18</sup> John Locke and Peter Laslett, *Two Treatises of Government*, Cambridge, Cambridge University Press, 1960, pp. 287-288.

“To understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man”.<sup>19</sup>

Locke says that the only intention of the use of political power is for the public good. Political power he says to be the power of making laws and executing penalties, preservation and protection of properties for the good of all people.

Political society began as Locke says as the premise of the formation of political society that; “Men being, as has being said by nature, all free, equal and independent, no one can be put out of this Estate, and subjected to the political power of another, without his own consent. The only way whereby any one divests himself of his natural liberty, and puts on the bonds of civil society is by agreeing with other men to join and unite into a community, for their comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of their properties, and a greater security against any that are not of it. This any number of men may do, because it injures not the freedom of the rest; they are left as they were in the liberty of the state of nature. When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude the rest.”<sup>20</sup>

Violating the property rights of fellowmen in the state of nature aroused the need to form a civil government. According to Richard, “Civil government invariably begins with a contract, and this brings to an end a pre-political state known to Locke and his contemporaries as the state of nature.”<sup>21</sup> But what is this contract? It is a contract also known as social contract first used and defenced by the philosopher Thomas Hobbes. According to the Celeste Friend, “Social contract theory, nearly as old as philosophy itself, is the view that persons’ moral and/or political obligations are dependent upon a contract or agreement among them to form the society in which they live.”<sup>22</sup> Locke claims that one chief reason for men’s agreement to the contract is to avoid the state of war. But here, the people has the right to revolt where if their needs are not met by the government, they can overthrow the throne. Now to put very simply of men’s entering into civilised political society, it is clear the reason that they want the proper safeguard of their natural rights. And by this, they would have a common judge to settle controversies when arguments and controversies arise. They wanted an established law with no biasness to their judgements. In the state of nature, men were both the executioner and the judge so there might arise war when in situations there is biasness or violate each other’s rights, so with the setting of a common judge, they would have a peaceful and just judgement. By the social contract they establish a civil society and give their natural rights to a common authority who in return is bound to do works for the common good of the people. According to Jeremy Waldron, “the social contract in Locke establishes political society(the state of nature is already social), and a second stage establishes the government.”<sup>23</sup>

<sup>19</sup> Ibid, p-269.

<sup>20</sup> Ibid, p- 330.

<sup>21</sup> Richard I. Aaron, John Locke, London, Oxford University Press,1971, p-275.

<sup>22</sup> Celeste Friend, Social Contract, The Internet Encyclopedia of Philosophy, 1995, (<http://www.iep.utm.edu/>)

<sup>23</sup> Jeremy Waldron, John Locke, Political Thinkers: From Socrates to the Present, edited by David Boucher and Paul Kelly, New York, Oxford University Press, 2003, p-183.



Men decide to leave the state of nature by mutual agreement in order to better safeguard their property. People needed to give up that state in return of a civil society where there will be set and established laws and rules. One crucial point which needs to be remembered is that while men left the state of nature, they have not surrendered their fundamental natural rights to the authority but they rather placed it before them for better protection and security. The sole purpose of the contract was to protect each and every citizen from the natural rights. As already seen, protection of the natural rights especially of property is the need of people in the state of nature entering into a civil society. The governing factor in the civil society is at hands of the majority as Locke claims,

“The only way whereby anyone can divest himself of his natural liberty, and puts on the bonds of civil society, is by agreeing with other men to join and unite into a community for their comfortable, safe and peaceful living one amongst another, in a secure enjoyment of their properties, and a greater security against any, that are not of it. This any number of men may do, because it injures not the freedom of the rest; they are left as they were in the liberty of the state of nature. When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude the rest.”<sup>24</sup>

“And thus every man, by consenting with others to make one body politic under one government, puts himself under an obligation, to everyone of that society, to submit to the determination of the majority, and to be concluded by it; or else this original compact, whereby he with others incorporates into one society, would signify nothing, and be no compact, if he left free, and under no other ties than he was in before in the state of nature.”<sup>25</sup>

Limited government, Locke believes would protect the natural rights of an individual. Fundamentally, legitimate government is government by the consent of the governed. It is rightful for the people to resist the government when the government does not cater to the public good of the people.

“The aim of such a legitimate government is to preserve, so far as possible, the rights to life, liberty, health and property of its citizens, and to prosecute and punish those of its citizens who violate the rights of others and to pursue the public good even where this may conflict with the rights of individuals. In doing this it provides something unavailable in the state of nature, an impartial judge to determine the severity of the crime, and to set a punishment proportionate to the crime. This is one main reason why civil society is an improvement on the state of nature.”<sup>26</sup>

Locke again claims that while men agrees to unite by the compact, they should keep in mind that by the agreement they would have to surrender all their powers and as a majority form a civil society. To this he adds by this agreement of the compact they have started to bring lawful government to the world.

<sup>24</sup> John Locke and peter Laslett, *Two Treatises of Government*, Cambridge, Cambridge University Press, 1960, pp. 330-331.

<sup>25</sup> Ibid, p-332.

<sup>26</sup> William Uzgalis, *John Locke*, *The Stanford Encyclopedia of Philosophy* (Summer 2017 Edition), Edward N. Zalta (ed.), (<https://plato.stanford.edu/archives/sum2017/entries/locke/>).

“Whosoever therefore out of a state of nature unite into a community, must be understood to give up all the power, necessary to the ends for which they unite into society, to the majority of the community, unless they expressly agreed in any number greater than the majority. And this is done by barely agreeing to unite into one political society, which is all the compact that is, or needs to be, between the individuals, that enter into, or make up a commonwealth. And thus that, which begins and actually constitutes any political society, is nothing but the consent of any number of freemen capable of a majority to unite and incorporate into such a society. And this is that, and that only, which did, or could give beginning to any lawful government in the world.”<sup>27</sup>

According to Richard, “a political community is possible in which the power of the governor is limited, in which sovereignty ultimately pertains not to the monarch, as opposed to those whom he governs, but to the people as a whole. Government becomes an instrument for securing the lives, property, and well-being of the governed, and this without enslaving the governed in any way. Government is not their master; it is created by the people voluntarily and maintained by them to secure their own good.”<sup>28</sup>

Men join together in society through a majority as stated earlier, and consent to a government for the preservation of their property. Locke pointed out three important ends of government that men desire naturally. First, Locke stated that even though men are naturally rational creatures, men will be biased to their own interests therefore, it becomes necessary for a set of laws to serve as the “standard for right and right.” Secondly, men being judge and executioner of the natural law, they may go too far if passion and revenge is involved, therefore an independent judge is necessary to “determine all differences according to the established law.” Finally, a government is necessary to execute sentences against injustices.

Locke’s writings clearly reflect the view that government should be very limited in its actions and should seek only achieve very limited ends. The rule of law is the ultimate guide in determining differences among men, and outside of the limited circumstances when laws are necessary to establish justice, society will thrive independently without the necessity of government. Locke seeks to maintain power in the hands of the individual, as men have the natural ability to distinguish between right and wrong.

According to James Tully, one of the questions Locke’s theory seeks to address is not where political power comes from but who should have it. In Locke’s words, “the great question which in all ages has disturbed mankind, and brought on them the greatest part of those mischiefs which have ruined cities, depopulated countries, and disordered the peace of the world, has been, not whether there be power in the world, nor whence it came from, but who should have it.”<sup>29</sup>

With this said, Locke argued that legislative power is the most sacred power, regardless of whether it is one representative or many, as long as they can be chosen or disposed of by the majority. With this said, Locke also pointed out that it is not necessary for the legislative to always be “in being” if new laws are not necessary. As for executive power, Locke averred that this is a necessary part of government which should always exist to execute the laws.

<sup>27</sup> John Locke and peter Laslett, *Two Treatises of Government*, Cambridge, Cambridge University Press, 1960, p-333.

<sup>28</sup> Richard I. Aaron, John Locke, London, Oxford University Press, 1971, p-270.

<sup>29</sup> James Tully, *An Approach to Political Philosophy: Locke in Contexts*. Cambridge, Cambridge University Press, 1993, p-12.

When Locke laid out a government or an authority for the need of the commonwealth, he also set out later that this government should be properly functioned therefore he laid out the powers in three different areas or sections. Basically the separation of power within the limited legitimate government. He mentions this in his 11<sup>th</sup> chapter of the Second Treatise. The three distinct powers include the legislative, executive and the federative power. He wanted an established law which is covered by the legislative power, an unbiased judgement by the executive power and the power to pass judgements as the federative power. Among the powers Locke held the legislative power to be the most important. Locke says;

“In all cases, whilst the government subsists, the legislative is the supreme power. For what can give laws to another, must needs be superior to him: and since the legislative is no otherwise legislative of the society, but by the right it has to make laws for all the parts and for every member of the society, prescribing rules to their actions, and giving power of execution, where they are transgressed, the legislative must needs be the supreme, and all other powers in any members or parts of the society, derived from and subordinate to it.”<sup>30</sup> But to this power Locke lays down some conditions, firstly the appointment of the legislators are done by the citizens. Secondly, they exercise their power only within the given rule of law and does not act on their own consent. Thirdly, the legislators cannot without the consent of men take away his property for by doing that they straightly violate the end of the government that they are to protect men’s property. And lastly, their power they cannot pass it to anyone else.

“The great purpose for which men enter into society is to be safe and at peace in their use of their property; and the great instrument by which this is to be achieved is the laws established in that society. So the first and fundamental natural law which should govern even the legislature itself is the preservation of the society and the preservation of every person in it.”<sup>31</sup>

“So when the legislators try to take away and destroy the property of the people or to reduce them to slavery, they put themselves into a state of war with the people, who are thereby absolved from any further obedience and are left to the common escape that God has provided for all men against force and violence. So whenever legislature breaks this fundamental rule of society and whether through ambition, fear, folly or corruption-try to grasp for themselves or for anyone else an absolute power over the lives, liberties, and estates of the people, by this breach of trust they forfeit the power the people had put into their hands for quite different purposes. And then the people have a right to resume their original natural liberty and to set up a new legislature to provide for their own safety and security.”<sup>32</sup>

By the end of the Second Treatise Locke deals with the right of the citizens to revolt against tyrannies. Locke meant by tyranny as when the government makes not the law but his will over the properties of the people. A tyrannical government starts to act by his will which is covetous and brings the danger of insecurity amongst the individual rights of the people.

<sup>30</sup> John Locke and peter Laslett, Two Treatises of Government, Cambridge, Cambridge University Press,1960, sec 150, p-367.

<sup>31</sup> Ibid, sec134, p-356.

<sup>32</sup> Ibid, sec222, p-412.

“Wherever law ends, tyranny begins, if the law be transgressed to another’s harm. And whosoever in Authority exceeds the power given by the law, and makes use of the Force he has under his command, to compass that upon the subject, which the law allows not, ceases in that to be a magistrate, and acting without authority, may be opposed, as any other man, who by force invades the right of another.”<sup>33</sup> Unlawful government Locke tells to resist and replace them with more suitable ones. Locke states “Since governments exist by the consent of the people in order to protect the rights of the people and promote the public good, governments that fail to do so can be resisted and replaced with new governments.”<sup>34</sup>

Locke’s basic position is that one has a right to engage in forcible resistance whenever one’s rights are invaded and one has no effective appeal to the public system of law. If a private or a public official has unjust taken one’s property and one can effectively appeal to the public system of law for redress, one may not privately and forcibly seek redress. But if an official act under the commission or order of the chief magistrate and, for that reason, one has no recourse to public law, one may forcibly resist. And one would expect of Locke, he emphasizes that the fact that the official’s unlawful act was commissioned or ordered by the “prince” does not validate it at all.

Locke is concerned to show that this doctrine of rightful private resistance will not unhinge desirable social order. Locke rejects the imputation that he favours individual resisting whether they feel aggrieved. He insists that resistance is justified only when one is correct in one’s judgement about official criminality. If one is wrong, one is unlikely to find support among one’s fellow citizens and, hence, one is unlikely to cause much of a stir. In addition, if one is wrong, God will not be very happy when one comes before Him. Indeed, even if one is correct in one’s judgement that governmental officials are violating one’s rights and that one will have no effective appeal within the system of public law, one will probably be imprudent attempting to resist. Still, resistance will be both justified and prudent when governmental violations extend to more and more individuals or even when more and more individuals perceive that their lives, liberties, and estates are in danger.

By the end of his political theory in the Second Treatise Locke emphasis on the dissolution of government. That people in the civil society has the right to resist the government not functioning by the fundamental laws that which tries to violate the law by controlling over the individual rights. As discussed earlier that men come to a compact by mutual agreement in order to do away with their inconveniences oh having no common judge and to better safeguard their individual rights. But the society sets up the limited powers of government that though the head of a state it must perform each task of safeguarding and protecting the natural rights of life, liberty and estate. When the legislators here try to overpower the individual rights, Locke says; “Whensoever therefore the legislative shall transgress this fundamental rule of society; and either by ambition, fear, folly or corruption, endeavour to grasp themselves, or put into the hands of any other an absolute power over the lives, liberties, and estates of the people; By this breach of trust they forfeit the power, the people had put into their hands, for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and, by the

<sup>33</sup> Ibid, sec-202, p- 400.

<sup>34</sup>Alex Tuckness, *Locke’s Political Philosophy*, *The Stanford Encyclopedia of Philosophy* (Spring 2016 Edition), Edward N. Zalta (ed.), (<https://plato.stanford.edu/archives/spr2016/entries/locke-political/>).

establishment of a new legislative provide for their own safety and security, which is the end for which they are in society.”<sup>35</sup>

“Such revolutions happen not upon every little mismanagement in public affairs. Great mistakes in the ruling party, many wrong and inconvenient laws, and all the slips of human frailty will be borne by the people, without mutiny or murmur. But if a long train of Abuses, prevarications, and artifices, all tending the same way, make the design visible to the people, and they cannot but feel, what they lie under, and see, whether they are going; tis not to be wondered, that they should then rouse themselves, and endeavour to put the rule into such hands, which may secure to them the ends for which government was at first erected.”<sup>36</sup>

## Locke’s Influence

John Locke’s political philosophy left much important impact especially to America in particular and to the far Asian countries in general. Though his works were not without criticisms, it still impacted the future generation humongously both in America and other countries. Thomas Jefferson who is a founder of the American Constitution, his advocacy of Locke's ideas is evident in the Declaration. Locke is generally and famously known for his contribution in the Declaration of Independence, the Constitution and the Bill of Rights.

Like Locke’s claim of limited and legitimate government, Thomas Jefferson maintains that the people have delegated the powers of legislation and can revert back the power. Jefferson maintains that all people are created equally like Locke’s claim that men is born free and equal. Both Locke and Jefferson owe the natural rights to god. For which Jefferson borrowed the idea from Locke. The natural rights Locke claims it to be the right to life, liberty and property. But Jefferson turns it only in a bit of the last which he says the natural or the individual rights are life, liberty and pursuit of happiness.

Locke uses the labour theory of value in his analysis of property, and though some other of his contemporaries have also talked about it is Locke who “first made it the centre of a systematic defence of property.”<sup>37</sup>

While Locke writes of the right of citizens to revolt against repressive governments, and Mason that whenever any government shall be found inadequate or contrary to these purposes, a majority for the community hath an indubitable, unalienable, and indefeasible right to reform, alter or abolish it, Jefferson writes that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it and to institute new government. Just as Locke maintains that need for revolt becomes evident when a long train of abuses, prevarication's, and artifices, all tending the same way, make the design visible to the people, Jefferson's likewise maintains that the need for revolt becomes evident when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism.

<sup>35</sup> John Locke and Peter Laslett, *Two Treatises of Government*, Cambridge, Cambridge University Press, 1960, p- 412.

<sup>36</sup> Ibid, p-415.

<sup>37</sup> J.D. Mabbott, John Locke, London, The Macmillan Press, P-147.

As all of the above should make abundantly clear, John Locke was the intellectual founding father of the United States of America. The modern liberal constitutional democracy undoubtedly owes its origin to Locke's ideas of limited government. Limited government, natural rights and equality are all claimed as fundamental concepts in most of the countries today. So much of his terminology as stated earlier can be found in the American Declaration of Independence and the Bill of Rights in their Constitution. Certain ideas which can be accredited to Locke are the limited government or the laissez-faire, majority rule and minority rights, representative democracy, separation of powers, capitalism, rule of law, liberalism.

It can now be concluded that with no opposition how Locke's ideas he has discussed and argued in his political work *Two Treatises of Government* showed great impact till today. Most countries today should be in owe of his ideas especially of the liberal and representative democracy.

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