

john locke 2nd treatise on government

The Second Treatise of Government by John Locke stands as a cornerstone of Western political philosophy, profoundly influencing modern democratic thought and the very architecture of liberal governance. This seminal work, published in 1689, systematically explores the origins of legitimate political authority, the nature of individual rights, and the conditions under which governments can and should be resisted. Locke's examination of the state of nature, natural law, and the social contract lays the groundwork for understanding concepts such as property rights, liberty, and the limitations inherent in governmental power. This article will delve into the core tenets of Locke's Second Treatise, exploring its key arguments regarding natural rights, the formation of civil society, the role and limits of government, and the critical right to revolution. Understanding John Locke's Second Treatise on Government is essential for grasping the foundations of many contemporary political systems and the ongoing debates surrounding individual freedom and state authority.

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The State of Nature and Natural Law

John Locke begins his profound analysis in the Second Treatise by positing a "state of nature" as a condition preceding organized society and government. Unlike the often pessimistic view of thinkers

like Thomas Hobbes, Locke's state of nature is not a war of all against all. Instead, it is a state of perfect freedom and equality, governed by the law of nature. This law, accessible through reason, dictates that all individuals, being God's creation, possess inherent moral obligations and rights. It prescribes that no one ought to harm another in their life, health, liberty, or possessions. This fundamental principle forms the bedrock of Locke's political philosophy, emphasizing inherent moral order even in the absence of formal political structures.

In this natural state, individuals are free to order their actions and dispose of their possessions as they see fit, within the bounds of the law of nature. Importantly, Locke asserts that in the state of nature, every individual has the executive power of the law of nature. This means that each person is empowered to punish transgressors of this law, ensuring its enforcement. However, Locke also recognizes the inherent difficulties and potential for bias in individuals acting as both judge and jury. This recognition of the practical limitations of self-governance within the state of nature directly leads to the necessity of forming a civil society.

Natural Rights: Life, Liberty, and Property

Central to John Locke's Second Treatise on Government are his assertions regarding natural rights, which he famously articulates as life, liberty, and property. Locke argues that these rights are not granted by governments but are inherent to human beings by virtue of their natural condition and existence. They are inalienable, meaning they cannot be justly taken away or surrendered. The right to life is the fundamental right to exist and to preserve oneself. The right to liberty is the freedom from arbitrary control and the ability to act according to one's will, so long as it does not infringe upon the rights of others.

The right to property holds a particularly significant and detailed exposition in the Second Treatise. Locke grounds the right to property in labor. He argues that when an individual mixes their labor with something found in nature, such as land or a piece of fruit, they transform it and make it their own. This principle of appropriation through labor is crucial because it establishes a natural basis for

ownership that precedes civil law. Locke contends that the accumulation of property is not only a natural right but also a driver of industry and prosperity. However, he also places limitations on property acquisition, suggesting that individuals should not hoard resources beyond what they can use, thus leaving "enough, and as good" for others.

The Social Contract and the Formation of Civil Society

John Locke posits that individuals enter into a social contract to overcome the inconveniences and uncertainties of the state of nature, particularly the lack of an established, known law, an impartial judge, and the power to enforce judgments. The primary purpose of this contract is the preservation of their natural rights, especially property, which is often threatened in the state of nature due to the potential for individuals to transgress natural law without a clear and consistent mechanism for redress. This contract is not a surrender of all rights but a delegation of certain powers to a common authority.

The formation of civil society, therefore, is a voluntary act of individuals who agree to be governed by the majority. This consent is the foundation of legitimate political power. Locke distinguishes between the initial act of entering into society and the subsequent act of establishing a form of government. The social contract creates a political community, and within this community, a government is formed to enact and enforce laws. This government derives its legitimacy solely from the consent of the governed, making it a trustee of the people's power, not their absolute master. The collective will of the people, expressed through the majority, forms the basis of this governmental authority.

The Purpose and Limits of Government

According to John Locke, the fundamental purpose of government is the preservation of property, which he defines broadly to include life, liberty, and estate. The establishment of a government is a means to an end: to provide a stable framework within which individuals can enjoy their natural rights without fear of encroachment. A government's legitimacy rests on its ability to fulfill this crucial role.

Locke outlines several key functions of a properly constituted government:

- Establishing known and settled laws, not subject to arbitrary will.
- Appointing known and indifferent judges to resolve disputes according to these laws.
- Exercising the power of the society to enforce these laws when necessary.

Crucially, Locke places strict limits on governmental power. He argues that the legislative power, which is the supreme power in any commonwealth, is not, nor can possibly be, absolute or arbitrary. The government is a trustee, and its powers are limited by the trust reposed in it by the people. These limitations include:

- Governments cannot have absolute, arbitrary power over the lives and fortunes of the people.
- The legislative and executive powers must be exercised by settled standing laws, promulgated and known to the people, not by extemporary decrees.
- The supreme power cannot take any part of any man's property without his own consent.
- The legislative power cannot transfer its power to any other hands, as it is delegated by the people.

Any government that oversteps these bounds acts against the trust placed in it and forfeits its legitimacy.

The Right to Revolution and Resistance

One of the most radical and enduring contributions of John Locke's Second Treatise is his articulation of the right to revolution. Locke argues that when a government breaks the trust placed in it by the people, or systematically acts against the purpose for which it was instituted – the preservation of their rights – the people have not only the right but also the duty to resist and even overthrow that government. This is not an endorsement of anarchy or rebellion for its own sake, but a necessary safeguard against tyranny and the erosion of fundamental liberties.

Locke delineates scenarios where the people are justified in exercising this right. These include situations where the legislative power is altered or set aside, where the governor, entrusted to manage the people according to established laws, subverts these laws and his own trust. He emphasizes that the people are the ultimate sovereign. If the government becomes a tyrant, acting arbitrarily and in opposition to the people's rights, it essentially returns the power to the people, who then have the right to establish a new government that will better secure their liberties. This doctrine of resistance is a powerful check on governmental power and a testament to Locke's belief in the inherent sovereignty of the people.

Legacy and Influence of the Second Treatise

The influence of John Locke's Second Treatise of Government on subsequent political thought and practice cannot be overstated. Its ideas provided the intellectual scaffolding for the Enlightenment and the revolutions that followed, most notably the American Revolution. The Declaration of Independence, with its assertion of unalienable rights to life, liberty, and the pursuit of happiness (a formulation echoing Locke's property right), directly reflects the principles laid out in the Second Treatise. Thomas Jefferson and other Founding Fathers were deeply indebted to Locke's philosophy, incorporating his concepts of natural rights, consent of the governed, and the right to revolution into the fabric of American governance.

Beyond the United States, Locke's work has had a profound impact on constitutionalism and the development of liberal democracies worldwide. His emphasis on limited government, the separation of powers (though he focused more on the legislative and executive), and the protection of individual liberties continues to inform political debates and legal frameworks. The concept of a government established by a social contract, accountable to its citizens, and subject to the rule of law remains a central tenet of modern political theory. Even contemporary discussions about human rights, civil liberties, and the balance of power between the state and the individual can trace their lineage back to the seminal arguments presented by John Locke in his Second Treatise of Government.

Q: What is the core concept of the state of nature in John Locke's Second Treatise?

A: In John Locke's Second Treatise, the state of nature is a condition of perfect freedom and equality governed by the law of nature, which dictates that individuals should not harm one another's life, health, liberty, or possessions. It is not a state of war, but a condition where individuals possess the executive power of the law of nature.

Q: How does Locke define natural rights in his Second Treatise?

A: Locke defines natural rights as inherent to individuals and not granted by any government. He famously identifies these as the rights to life, liberty, and property. These rights are inalienable and precede the formation of civil society.

Q: What is the role of labor in Locke's theory of property?

A: Locke argues that individuals acquire property by mixing their labor with natural resources. By expending effort and transforming something from its natural state, an individual makes it their own, establishing a natural claim to ownership that is fundamental to his concept of property rights.

Q: According to Locke, why do individuals leave the state of nature to form civil society?

A: Individuals leave the state of nature to overcome its inconveniences, primarily the lack of established laws, impartial judges, and a reliable executive power to enforce justice. The formation of civil society, through a social contract, aims to better protect their natural rights, especially property.

Q: What are the main limitations Locke places on the power of government?

A: Locke asserts that government power is limited by the trust placed in it by the people. Key limitations include that governments cannot have absolute or arbitrary power, must govern by settled laws, cannot take property without consent, and cannot transfer its power arbitrarily.

Q: Under what circumstances does Locke argue the people have a right to revolution?

A: Locke argues that the people have a right to revolution when a government breaks the trust placed in it, subverts established laws, or systematically acts against the purpose for which it was instituted – the preservation of their rights. In such cases, the government becomes tyrannical, and the people can resist and establish a new one.

Q: How did John Locke's Second Treatise influence the American Revolution?

A: John Locke's Second Treatise profoundly influenced the American Revolution by providing the philosophical justification for independence. Concepts like natural rights (life, liberty, property), the social contract, consent of the governed, and the right to revolution directly informed the Declaration of Independence and the structure of American governance.

Q: Is Locke's concept of property solely about material possessions?

A: No, Locke's concept of property in the Second Treatise is much broader than just material possessions. He explicitly includes life and liberty as forms of property, meaning that the right to property encompasses the right to preserve one's own life and to be free from arbitrary restraint.

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