

Two Treatises on Government

John Lock

Summary

The *First Treatise* is a criticism of Robert Filmer's *Patriarcha*, which argues in support of the divine right of kings. According to Locke, Filmer cannot be correct because his theory holds that every man is born a slave to the natural born kings. Locke refuses to accept such a theory because of his belief in reason and in the ability of every man to virtuously govern himself according to God's law. The *Second Treatise* is Locke's proposed solution to the political upheaval in England and in other modern countries. This text laid the foundation for modern forms of democracy and for the Constitution of the United States.

The *Second Treatise* consists of a short preface and nineteen chapters. In chapter i, Locke defines political power as the right to make laws for the protection and regulation of property. In his view, these laws only work because the people accept them and because they are for the public good. In chapter ii, Locke claims that all men are originally in a state of nature. A man in this original state is bound by the laws of nature, but he is otherwise able to live, act, and dispose of his possessions as he sees fit. More important, human beings, free from the arbitrary laws of other men, have an obligation to protect the interests of each other, since they are all equally children of God. They also have an obligation to punish those who go against God's will and attempt to harm another by compromising his life, liberty, or possessions.

In chapters iii and iv, Locke outlines the differences between the state of nature and the state of war. The state of nature involves people living together, governed by reason, without need of a common superior. The state of war occurs when people exert unwelcome force on other people, interfering with their own natural rights and freedom, without common authority. The difference between war in society and war in nature depends on when they end. In society, war ends when the act of force, such as fighting, is over. When the last blow has been thrown, both parties can appeal to common authorities for the final resolution of past wrongs. But in nature, war does not end until the aggressive party offers peace and offers to repair the damage done. Locke claims that one of the major reasons people enter into society is to avoid the state of war.

Chapter v deals with the definition and function of property. Whether by natural reason or the word of the Bible, the earth can be considered the property of all the people in the world to use for their collective survival and benefit. But Locke also believes in individual property. For individual property to exist, there must be a way for individuals to take possession of the things around them. Locke explains that the best theory of right to ownership is rooted in the fact that each person owns his or her own body and all the labor that he or she performs with that body. So, when an individual adds his own physical labor, which is his own property, to a foreign object or material, that object and any resulting products become his property as well. Locke defines labor as the determining factor of value, the tool by which humans make their world a more efficient and rewarding place for all. Locke explains that money fulfills the need for a constant measure of worth in a trading system but is still rooted in the property of labor.

The rest of the *Treatise* is devoted to a more specific critique of government, stressing the rule of the majority as the most practical choice for government. He identifies three elements necessary for a civil society: a

common established law, a known and impartial body to give judgment, and the power to support such judgments. He calls for a government with different branches, including a strong legislature, and an active executive who does not outstrip the lawmakers in power. Toward the end of the *Treatise*, Locke finally arrives at the question of forming a new government. When the state ceases to function for the people, it dissolves or is overthrown and may be replaced. When the government is dissolved, the people are free to reform the legislature to create a new civil state that works in their best interest. Locke insists that this system protects against random unrest and rebellion because it allows the people to change their legislative and laws without resorting to force.

Analysis

The ideas expressed in the *Treatises* arose in the middle of England's political drama involving Charles II. Locke hoped to provide a convincing critique of England's current form of government and lay the groundwork for a better option. At the time, Locke's good friend and ally Lord Ashley, the Earl of Shaftesbury, was working from within the aristocracy to overthrow Charles II. Shaftesbury and many others wanted to prevent him from allowing James II, his Catholic brother, to ascend to the throne. Locke worked on both treatises over several years, finally publishing them when William of Orange invaded and seized the throne in what was called the Glorious Revolution. Locke hoped that his new model of government would support William's revolution as the necessary solution to a monarchy that had abused its privileges.

Robert Filmer's *Patriarcha* had argued for the divine right of kings, and the refutation of this position, which had the weight of centuries of tradition behind it, was one of Locke's major tasks. Locke describes government as a human invention organized chiefly to further and protect the right of personal property. Human beings have an obligation in accordance with natural, divine, and moral law to care for each other and support the whole human race. Locke's explanation for the responsibility of community essentially boils down to the Golden Rule: "Do unto others as you would have done unto you." Despite various forms and complicated expansions, no philosopher or political thinker has provided a simpler, more obvious standard than Locke.

The first few chapters of the *Second Treatise* reveal some of Locke's most basic beliefs about human nature. Certain problems necessarily arise in a state of nature, such as the fact that some people will always make war or come into conflict with each other, steal from each other, act aggressively toward each other, and so on. But Locke firmly believes that all people have the ability to use reason to find the correct moral path. He insists that we are rational enough to know what is, and is not, in our best interest. Belief in this universal ability is essential to his remedy for war—civil government. Locke believes that people voluntarily create societies and governments all over the world because government provides certain things that the state of nature cannot, like protection and stability. For Locke, maintaining personal liberty is the key to a proper government, which should work toward the individual's and the commonwealth's best interest at all times.

The *Second Treatise* expresses even more emphatically that the key to all of Locke's political theories is property and the right to individual ownership of goods. Locke doesn't directly discuss the importance of property until chapter ix, but once he does, property quickly becomes the center of his model for government. After all, Locke says, the primary reason that people join together to form societies is that they have property to protect. Those same people become willing to give up some of their natural rights to the governing of a central

authority, since those with property need a higher central authority to protect it. We may note, however, that this explanation leaves those without property out in the cold. Although Locke's ideas were revolutionary for his time, they have sometimes been criticized as lacking equal treatment for landowners and nonlandowners (i.e., the rich and the poor) alike.

Locke supports the right of the people to overthrow rulers who betray them. The executive and the legislature coexist independently to keep each other in check. Further, Locke asserts that if a leader violates the community's trust, the people can and should replace him immediately. Similarly, if the legislative body does not fulfill the needs of the people, it should be dissolved and replaced with whatever form of government the people think best.

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Name: _____ Class Period: _____ Date: _____

Analyzing a Document, Speech, Treaty, Letter, or other Historical Items

1. Name of the item: _____

2. Who is the author? _____

3. What was the purpose of the item? _____

4. Date the item was ratified, sent, entered into, issued, or accepted _____

5. Describe the item; was it a letter, a treaty, a speech? _____

6. Brief background of the item (purpose of the item)

7. List what you think the author was trying to convey to the reader or listener.

8. List some of the things the item tells you about life in the United States at the time it was written; or project as to how it is applicable to the United States. .

9. What questions has the author/item left unanswered?
:

10. How would you respond to the document, speech, or letter if you were the intended recipient or audience?
