Rights, Revolution, and Regicide: John Locke and the Second Treatise on Government (1689)
Biographical Sketch

- 1632, Born in Wrington, West England.
- Puritan Family, Pro-Cromwell
- Patronage of Alexander Popham (1647-50)
- Christ’s Church, Oxford (1652-56) B.A., (1658) M.A.
• 1667, meets Lord Ashley (Shaftesbury). Becomes personal physician/secretary (1667-1688)

• 1674, travels to France to study the limits of French Catholic toleration of Protestants (Edict of Nantes)

• 1683, flees England to avoid arrest; Exile in Holland (1683-88)

• 1688, Glorious Revolution in England. Locke returns to England accompanying Queen Mary.
• 1688, 1689, publishes *First and Second Treatise on Government*.

• 1696-1700, Director for British Board of Trade. This board administers all British colonies, including those in North America.

• 1704, Dies at Oates (West country Estate, gift from William and Mary)
The First Treatise on Government (1688)

- Response to Sir Robert Filmer’s *Patriarcha* (1685)
- Rejection of basis of absolute Monarchy
- Rejection of Religion as basis of civil authority
- Notion of Paternalism; Idea of “Mother Country”
The Second Treatise on Government (1689): Outline

- Ch. 1- The Definition of Political Power
- Ch. 2-7- Concept of the State of Nature: Origins of Private Property, Slavery, and Warfare
- Ch. 8-14- Nature of Political Power and Legitimate Government
- Ch. 15- Paternal, Political, and Despotic Power
- Ch. 16-18- Characteristics of Illegitimate Government
  - unjust foreign Conquest, usurpation of legitimate political power, tyrannical extension of ruler’s power
- Ch. 19- Conditions for legitimate Revolution/ Regicide
Second Treatise: Outline, cont.

• Why is Locke Writing?

• “Lest men fall into the dangerous belief that all government in the world is merely the product of force and violence” (preface Ch. 1)

• What is the basis of his argument?
  • Natural Rights Theory
  • Social Compact Theory
The Definition of Political Power

• “Political Power, then, I take to be a right of making laws with penalties of death, and consequently all lesser penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defense of the common-wealth from foreign injury; and all this only for the public good.” (Second Treatise, Ch. I)
The State of Nature

If rights are naturally unrestricted and man universally equal, whence comes hierarchy/government?

Locke argues that humans began in a “state of nature” and only surrendered certain rights to a central authority in order to improve the human condition: thus instituting government.

- God Created Man and all are, in effect, God’s property- Men and physical space.

- Man “has no liberty to destroy himself, or so much as any creature in his possession, yet when some nobler use than its bare possession calls for it.” (Ch. 2, para 5)

- As God “owns” mankind, human rights include right to all necessary means of survival- life, liberty, health, and property. (Ch. 2, pg. 6)

- But natural state allows no mechanisms to promote/protect these rights- instead devolving to anarchy and darwinian struggle between strong and weak. So what are these mechanisms?
State of Nature: Property

• If God owns all of the Earth, and allows all men equal entitlement to the “bounty of the Earth”, where does property come from?

• property necessary to human survival, as long as its dispersement is equitable:
  • right to what’s needed for subsistence
  • requirement for land “improvement”

• Labor/money instituted to procure property
State of Nature: Slavery

- State of Nature denies the right of any to exercise arbitrary power over any others. So Locke rejects Slavery? NOPE!

- legitimate vs illegitimate slavery

- Compact between individuals: voluntary slavery

- Right of “just” victors to place vanquished in “bondage”; but only as much as state of War continues. (Ch. 3)
State of Nature: Warfare, (ch. 4)

- War is caused by efforts of one individual or group to violate the rights of life of another.

- Hobbes makes war synonymous with nature; Locke rejects this idea

- War inherently provides for a victim and aggressor (early Just Warfare?)

- Legitimate War entails: self defense, redress, or security from predators
Keep Your Government Hands off My State of Nature!

- Legitimate Government exists only to:
  - promote collective access to universal rights already extant in the state of nature: life, liberty, health, and property
  - punish those within society who violate those rules and rights agreed upon by the collective.

- Political power is the power of the society, temporarily centralized in order to coerce agreed upon values and privileges; Once political power becomes unresponsive, or destructive, to those aims it ceases to be legitimate or Despotic power (Ch. 8, 9, 12-14)

- Society has right and responsibility to “reacquire” that power once government becomes illegitimate.

- How do we know if Government is Illegitimate?
How Do we recognize Illegitimate Gov.?

• Engages in unjust Foreign Conquest

• Usurps internal Political power (legitimate)

• Extends tyrannical power of individuals/institutions over the rights of individuals not voluntarily submitted to state. (2.168)
Governments Gone Wild: Justifying Revolution and Regicide

- Consent constitutes fundamental element to just government

- When the consent of the governed is absent: right to resist
  - When tyranny symbolized by person or office- elimination of person/office
  - When tyranny symbolized by institutional or political corruption- right to overthrow system itself.
The Second Treatise in Context

- Cromwell and military dictatorship
- Restoration of the house of Stuarts: Charles II, James II
- Locke’s Political/Religious affiliations
- The Exclusion Crisis, The Glorious Revolution
- The Country Party and efforts at Revolution
The British “Glorious Revolution” (1688-9)

- Legitimization of Regicide/Establishment of distinctly “Protestant” monarchy
- Restoration of religious and Social balance in English state
- Key historical transition to the “Primacy of Parliament”; end of absolutism in British Monarchy
The Effects of Locke’s Writings: The American Revolution (1775-1783)

- Influence on American Whig Politics/ Influence on Jefferson and Madison’s political philosophy
- Ideology in modern Revolutionary movements
- Alliance of Enlightenment “elites” and social mobilizers
The Effects of Locke’s Writings: The American Revolution (1775-1783), Cont.

• Declaration of Independence:

  “We hold these truths to be self-evident, that all men are endowed with certain unalienable rights, among which are the rights to life, liberty, and the pursuit of happiness.”

• “We the People, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty...”

• Locke’s Second Treatise

  “If the consent of the governed, or the maintenance of those rights for which consent was originally procured, the rights to life, liberty, health, and property, should ever find themselves alien to the ends of government or the policies from which government might have promoted those ends, the compact between subject and government can no longer be held viable in nature; the bonds between each forever severed in order to promote the construction of a more perfect system of government which provides for the better maintenance of those rights impossible to surrender to any authority meant for their promotion.”
The Effects of Locke’s Writings: The American Revolution (1775-1783), Cont.

After Great Awakening, increasing appearance of “natural rights” theory in popular and religious culture

Leading into the Revolution, ideas of natural rights, social compact, and republican virtue blended with secular and theological traditions in order to promote “national” identity.
The Effects of Locke’s Writings: The French Revolution, (1789-99)

- Influence of Locke’s anti-clericalism/Catholicism on French Revolution
- Influence of Voltaire, Rousseau
- Idea of Revolution gone horribly wrong
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