

## John Locke (1632-1704)

Johan Locke was born in 1632 in England. It was a time of struggle between **monarchy** and **parliamentary** democracy. He was ardent propounder of rights and liberty. He rejected **divine** theory of state. Locke was in favour of **limited constitutional government** in which people's rights and freedom are secured. He is an **individualistic, liberal and empirical thinker**.

### Literary contribution

'Two Treatises of government' is most important literary contribution of John Locke. In this book he has deliberated upon his opinions about origin of state, social contract etc. In his work 'Letters Concerning Toleration' he supported the cause of religious toleration and religious freedom.

**Philosopher of common sense-** Locke does not take **methodological purity** like Hobbes. He is influenced by medieval traditions of Richard Hooker (Ecclesiastical polity) and propounder of **empirical** knowledge of inquiry too. Locke represent the common sense of British people where **revolution** also occurred peacefully. Locke speaks like a religious person but defended **liberty and rights**. **Wayper** rightly said that Locke is the **last voice** of a great tradition (Medieval tradition) and **first voice** of a great tradition (liberalism). Religion, custom and traditions are part of Lockian thinking because he was influenced by **Richard Hooker**. Same time Locke discovered the empirical method of enquiry.

### Human Nature

Like Hobbes, Locke too has supported social contract theory but his **objective is different**: Locke utilized same structure of thought like Hobbes. For Locke human nature is good, although everyone wants to get pleasure.

Locke's opinion about human nature is optimistic. He considers human being is **rational** creatures. Thus, Locke's analysis of human nature is completely different from that of Hobbes. For Locke human nature is **good**, although everyone wants to maximize **pleasure**.

### State of Nature

Unlike Hobbes, state of nature is peaceful. Where people enjoy **Natural Rights**, and Natural rights exist in a state of nature. Society also exists in state of nature. But some **inconvenience** exit in state of nature.

## Natural Law

Lockian natural law is divine law. Locke was influenced by Richard Hookers, a medieval scholar. **Natural law** of Locke is different from natural law of **Hobbes**. Natural right is derived from natural law. Natural law of Locke is universal law or religious law existed during medieval age.

## Social contract

Hobbes justified **absolute monarchy** on the basis of social contract. **Locke modified** this contradiction and propounded **limited constitutional government** with the help of social contract. There was peace in state in nature. There are some inconvenience in state of nature. Natural law exist in state of nature but it was **not written**. Therefore, conflict is bound to emerge. It created inconvenience in state of nature.

(1) **lack of written law**

(2) law enforcing agency

(3) Absence of dispute settlement body like judiciary.

State and society existed in state of nature but there was **lack of government**. Due to these **inconvenience**, natural right and most important component of **natural right- property** comes in danger. Thus primary objective of social contract is to preserve and protect the right to property.

Locke never told about the number of social contract. Hence, it was interpreted by various scholars differently. According to **Sabine**, Locke signed **two contract**. In the first contact, **society is created** whereas, second contract has lead to formation of **government**. According to **Barker**, first step involves formation of contract but second step is creation of '**Trusteeship**'. In social contract of Locke only one right is transferred to the government, that is right to **punishment**. **Two stage contract** is helpful for Locke who says that revolution will not create anarchy. Revolution merely replaces the government and **state will be intact**.

## Right to freedom and Religious Toleration

**Law** is not against freedom but it is a means to facilitate and protect Liberty. He was strongly in favour of **limited constitutional government** in order to ensure maximum **Liberty**. He was against idea of **absolute and despotic government** as advocated by Hobbes. Law protects the liberty and enhance it. Conflict emerge during 1661-62 **catholic** inclined Stuart monarchy and the majority of English people were **Anglicans**. Parliament of England passed **Clarendon Code** which compelled uniformity in form of worship. Locke opposed **religious uniformity** and advocated for **religious toleration**.

In his work, '**A letter concerning tolerance**' he gave his thought about freedom and religious freedom. Locke was follower of Christianity. He was strongly opposed to controlling

religious sentiments of people. It is a product of people's inner conscience which cannot be controlled by society or state. Locke believes that Church is organization and its functions cannot be curtailed by any coercive powers. State is created by people through contract and so power of punishment lies in state only. He was strong **advocate of freedom** and he favoured **secular state** where the role of the state is limited. The state should provide full economic freedom to people. Locke championed the cause of religious toleration. Everyone is entitled enjoy religious freedom. Locke said that **faith of King, can not be faith of subject.**

### **Natural rights:**

Locke is considered as **father of theory of rights**. According to Locke, theory of natural rights consists of right to **life, right to liberty and right to property**. He laid greater emphasis on right to property, which is integral part of right to life. American constitutional makers, **Jefferson, and Madison** were profoundly influenced by Locke's idea. According to **Jefferson**, 'People must have right to life, liberty' **and pursuit of happiness**. After John Locke, the theory of natural rights was supported by **Thomas Paine** in his work, '**The right of man,**' written in 1792. Thus, people should never be denied of their natural rights and the purpose of creation of state and government is ensure to protection and prevention of right against any encroachment.

Natural rights are birth right, like color of skin of human being. It is moral right. Because it was not granted by law. Natural rights not the gift of community or state. Instead state is made for protection of natural right. **James Tully** says that lock is propounder of constitutional government. Most important right of individual is mastery over his mind and body. All material property is result of capacity and labour of individual.

**Philosopher of revolution** -American Revolution and glorious revolution of Britain (1688) was an outcome of thought of Locke. The ideas of Locke also inspired the revolution of US. **Peter Laslett** said that, two treatise on civil government is published in 1891. But it was written before 1688. It could not published due to fear of King. Locke described the following reasons, behind revolution:-

- King act in his self-interest than in accordance with rule of law.
- King interferes into independent functionary of legislature.
- Change in mode of election without consent of people.
- King surrenders people to some foreign power.
- When executive neglects its legitimate duties.

In case of revolution only government will change. There shall not be anarchy. Government dissolves due to revolution state will be remain intact. It is because of two stage **social contract**.

## Rejection of Natural Subjection: -

Locke is against the **paternal authority of state**. Since authority of king is considered natural as authority of father in a family. In **Two Treatise of Civil Government**, Locke did not criticized Hobbes. Locke criticized Robert Filmer, therefore lock laid down the foundation of limited constitutional government. Locke propounded **two stages of social** contract. Locke was critique of **Robert Filmer**, who wrote **Patriarchy**'. Filmer defended **divine rights of king**. He said that King has **natural authority** over subjects. Like **father exercises** natural authority over his child. Locke refused the principal and argued that child is not adult, thus father is entitled to rule over child. But subjects are not minor. Everyone is child of God, thus free and equal. **Consent** is the only base of obeying order of others.

Locke has propounded 'theory of labour value' which gives people freedom to acquire property, because property is inseparable part individuality and product of their labour. Since individual himself is owner of his body, the property earned by exercising his labour is also his own. This is termed as '**possessive individualism**' which has given birth to capitalism. According to **Macpherson**, in such system, majority of people will be denied of their right to own or acquire material property.

### Property

Locke is chief exponent of theory of theory of **right to property**. He considered right to property is '**fruit of labour**' where everyone is absolute natural proprietor over his **own body**. The individual shall have full control over property earned by him through **labour of his body** or work done by his hands. Because it is added into natural resources. God has gifted nature with adequate natural resources. Main objective of state should be to secure individual's life and property. Locke speaks like a religious person. He said that property is gift of God. It becomes individual property, when person **mixes his labour into natural resources**. Everyone is owner of his mind and body. Therefore whatever acquired by his mind and body belong to him. He propound has our theory of value.

According to Macpherson, Locke's major objective behind creation of state and government is to justify his theory of right to property. In his work, people have created government or commonwealth to secure their property. **Macpherson** said that Locke is an out and out capitalist.

### Limitation on right to property

- No one is entitled to earn more than his share because everyone has right to live free and safe life. We should leave property for others too.
- People have no right to spoil property or resources made by God. Locke has accepted the fact that no **consent is required** from anyone to acquire property because god has gifted

everyone with a same capacity to **labour or work**. Locke believed that people must own only such amount of land that others are not deprived of their due share.

Macpherson called Locke's philosophy as '**possessive individualism**'. He said that Lockian limitation over property is valid for **agricultural economy**. It becomes meaningless for capitalist economy. According to Macpherson, introduction of **currency** in modern times has paved the way for acquiring unlimited property. Locke's supported **limited and Laissez-faire state** through contract for sake of accumulating capital, promoting free trade and business. This shows that he was strong supporter of capitalism. Locke believed that property earned by slave servant/tenant will be **Master's property** apart from property earned through his **own labour**.

**James Tully is not** agree with agreement of **Macpherson**. Tully said that property is not only material possession but the capacities of human mind and body is the biggest property of individual. Locke supported **taxation** too which proves that he is not supporter of merely the property class. **Tully said that Locke is father of constitutionalism and limited government**. Further he opined that meaning of property is comprehensive in Locke's idea. Thus, biggest property's is mind and body of individuals.

### **Liberalism/Individual**

Hobbes said that there is no option between absolute government and anarchy but Locke find out a **middle path**. Locke supported limited constitutional government. According to Vaughan, the whole philosophy of Locke is centered around individual and individual liberty. He can be called as **father of liberalism** on following grounds-

Locke has accepted **Laissez-faire state ( French term meaning leaving alone)** which implies two elements:-

- (a) freedom of contract.
- (b) absence of paternal government.

Locke has accepted 'limited constitutional government' which has following features:-

- Locke believes in principle of separation of browser He has separated the three organs of government to prevent accumulation of powers and despotism. Legislative, executive (including judiciary) and federative powers.
- People will have right to **revolt** against government in case of violation of **natural rights**.
- Locke believes in **mechanistic concept of state**. Thus, state is an artificial instrument made by the people. Every individual enjoy **natural right** as **birth right**. For maximization of Liberty, government functions must be limited.
- Human beings are **rational beings**, they are aware of the fact that what is in their best interest and they strive to acquire maximum pleasure.

- He believed in **Laissez-faire** state or theory ‘**night watchman state**’ where role of state is limited.
  - The role of state shall be limited to night watchmanship. The economic affairs shall be governed by market forces where every individual is driven by ‘profit-motive’ Thus, entitlement of **liberty** shall be beneficial to whole society.
  - He laid greater emphasis on **reason** than traditional and convention.
- He has considered state as necessary evil confined its role as follows: -
- a) Maintain of law and order
  - b) Protecting citizens from external attack
  - c) Freedom of contract.

Locke propounded principle of **separation of powers**. He divided three branches of the government. **Legislative power** which is responsible for making law. **Executive power** of the community for executive laws or penalty of death. **Federative powers** is to wage wars to preserve the community including colonies and subjects abroad against other states. Locke included **judicial power into executive power**. **Montesque** later modified this anomaly created by Locke

**Paradox in Locke:** - Locke is modern thinker and father of liberalism he was influenced by **medieval scholar Richard Hooker**. His notion of natural law and natural rights are drawn from medieval thought. Although liberalism believes in rationality, but Locke believes in God. On the contrary he is propounder of empiricism too. For empiricist existence of objects can be verified through our senses. **Existence** of God, natural law cannot proved by our senses. Locke is also silent about number of contract, whether it was one or two. Natural right is derived **by natural law**, which is metaphysical. But he justified right to property on the basis of **labour theory** of value, **which is empirical**. Lock never clarified about number of contract. Whether it was one or two.

### Comparison between Hobbes and Locke

Both Hobbes and Locke are thinkers of 17<sup>th</sup> century who were writing during civil war in England. During the civil war, Hobbes, was in favour of monarchial form of government. On the other hand, Locke supported constitutional form of government.

- In Hobbes, state of nature, is ceaseless conflict and war. There is peace and co-existence in Locke’s state of nature.
- The ultimate aim of Hobbes social contract is **self-preservation**. The purpose of Locke’s social contract was protection of life and **property of people**.

- Both Locke and Hobbes were in support of **theory of consent**. And opposed to **divine theory of state**. Hobbes was in favour of **absolute King** whereas Locke advocated **limited constitutional government**.
- In Hobbes social contract, people have **surrendered all their rights** and powers to king whereas in Locke social contract people have surrendered **only one power**, that is powers of punishment.
- According to Hobbes, after repudiation of social contract people will revert to state of **nature**, whereas Locke believed that after repudiation of contract, government will be dissolved but state and society will continue to exist. Society will replace old government with the **new one**.
- There are elements of individualism and absolute King found in Hobbesian thinking. Locke is in support of individualism he logically completed the theory of consent. And supported limited constitutional government.

### **Locke's Relevance**

Locke is propounder of concept of natural rights. He is considered as father of liberalism. He is pioneer of freedom and religious toleration. He promoted theory of consent and constitutional government. He was father of empiricism.

Relevance of liberalism still exist today even after 400 years of its inception. In the age of globalization, recognition of right to property as important human and democratic right makes Locke's thinking still relevant. His thought has been universally recognized today. **Francis Fukuyama** said that liberalism has emerged victorious in historical ideological battle between liberalism and communism. Many new elements has been encapsulated in liberalism to the one propounded by Locke to fulfill new needs and aspiration of people in changing time.

