

# john locke second treatise on civil government

john locke second treatise on civil government is a seminal work that profoundly shaped Western political thought, offering a foundational understanding of legitimate governance. This treatise, published in 1689, dissects the nature of political power, arguing for its origins in the consent of the governed rather than divine right or hereditary succession. Locke's exploration of natural rights, the social contract, and the right to revolution continues to resonate in modern democratic societies. This article will delve into the core principles of Locke's philosophy as presented in his Second Treatise, examining its key concepts, historical context, and enduring legacy. We will explore the state of nature, the formation of civil society, the limits of governmental power, and the conditions under which citizens are justified in resisting tyranny.

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## The State of Nature and Natural Law

John Locke's Second Treatise begins with a detailed examination of the "state of nature," a hypothetical condition preceding any organized government. In this state, Locke posits that individuals are governed by natural law, which is discernible through reason. This natural law dictates that all individuals possess inherent rights, including the rights to life, liberty, and property. Unlike the more pessimistic view of Thomas Hobbes, Locke believed the state of nature was not a perpetual war of all against all, but rather a condition of perfect freedom and equality, where individuals were obligated to respect the natural rights of others.

## Natural Rights as Inherent and Inalienable

Central to Locke's argument is the concept of natural rights, which are not granted by any government or authority but are intrinsic to human beings from birth. These rights are considered inalienable, meaning they cannot be surrendered or taken away. The right to life is the most fundamental, followed by the right to liberty, which encompasses freedom from arbitrary constraint. The right to property is also paramount, arising from an individual's labor mixing with the natural world. Locke argued that individuals have a right to the fruits of their labor and that the acquisition of property is a natural extension of this right, subject to certain limitations to ensure there is enough left for others.

# **The Role of Reason in Natural Law**

Locke's natural law is not a set of arbitrary rules but a rational framework derived from God or inherent in the universe. Reason allows individuals to understand their own rights and the corresponding duties they owe to others. This understanding necessitates a moral obligation to refrain from harming others or infringing upon their natural freedoms and possessions. Even in the absence of formal laws and judges, individuals are bound by this moral code, which guides their interactions and prevents complete anarchy. However, Locke acknowledged that the enforcement of natural law in the state of nature could be problematic, leading to potential conflicts and disputes.

## **The Social Contract and the Formation of Civil Society**

Recognizing the inherent difficulties in consistently enforcing natural law and protecting individual rights in the state of nature, individuals voluntarily enter into a social contract. This contract is not an agreement to surrender all freedoms but a mutual transfer of certain powers to a governing body in exchange for the assurance of protection of their remaining natural rights. The primary purpose of this contract is to establish a political society that can provide a stable framework for the enjoyment of life, liberty, and property.

## **Consent of the Governed as the Basis of Legitimacy**

For Locke, the legitimacy of any government rests entirely on the consent of the governed. This consent can be express, as when individuals explicitly agree to join a political society, or tacit, as when individuals by their actions, such as residing within a territory and enjoying its protections, implicitly agree to be bound by its laws. Without this consent, any exercise of power by a ruler or government is illegitimate and can be considered a form of tyranny. This principle of consent is a radical departure from the prevailing notions of divine right monarchy.

## **The Transition from State of Nature to Civil Society**

The transition from the state of nature to civil society involves individuals agreeing to give up their executive power of the law of nature—the right to punish transgressors—to the community. This collective authority is then vested in a government, which is tasked with creating and enforcing laws that protect the rights and promote the common good. Locke was careful to distinguish this from a perpetual surrender of all rights. Individuals retain their fundamental rights, and the government's authority is conditional upon its fulfillment of its obligations to the people.

## **Property Rights and their Protection**

The concept of property is central to Locke's political philosophy and a primary motivation for the

formation of civil government. He argues that individuals acquire property by mixing their labor with the resources found in nature. This labor imbues common resources with value and makes them the rightful possession of the individual who transformed them. This principle extends beyond land to encompass the fruits of one's work and intellectual creations.

## **Labor as the Foundation of Property**

Locke's theory of labor as the basis of property ownership is revolutionary. He contends that before the advent of money and extensive commerce, individuals were limited in their accumulation of property by what they could use before it spoiled. However, the introduction of money, a durable and exchangeable commodity, allowed for the accumulation of wealth beyond immediate needs. This, in turn, created a greater disparity in property ownership and made the establishment of laws to regulate it even more crucial.

## **Government's Role in Securing Property**

A primary function of government, according to Locke, is to secure and protect the property rights of its citizens. This includes establishing clear laws regarding ownership, transfer, and inheritance of property, as well as providing a judicial system to resolve disputes and punish those who violate property rights. The security of property is seen as essential for individual liberty and the flourishing of society, as it provides the incentive for individuals to work, innovate, and invest.

## **The Limits of Governmental Power**

Locke was a staunch advocate for limited government, believing that unchecked power inevitably leads to corruption and oppression. He argued that governmental authority is not absolute but is constrained by the natural rights of individuals and the purpose for which it was established. This emphasis on limitations serves as a bulwark against potential absolutism.

## **Separation of Powers**

While not explicitly detailing a system of checks and balances in the modern sense, Locke did advocate for a separation of governmental powers. He identified three key powers: the legislative, the executive, and the federative. The legislative power, he argued, should be supreme, as it is responsible for creating laws. However, it is subordinate to the people and cannot arbitrarily infringe upon their natural rights. The executive power enforces the laws, and the federative power deals with foreign relations. This division of labor within government aimed to prevent any single entity from accumulating too much power.

# **Rule of Law Over Arbitrary Will**

A cornerstone of Locke's theory of limited government is the principle that government must operate under the rule of law, not the arbitrary will of a ruler. Laws should be promulgated, established, and known to the people, and should be designed for the good of the governed. Rulers are themselves bound by these laws and are accountable for their actions. The purpose of law is to preserve and enlarge freedom, not to enslave or impoverish the people.

## **The Right to Revolution**

Perhaps the most controversial and influential aspect of Locke's Second Treatise is his articulation of the right to revolution. He argued that when a government consistently violates the trust placed in it by the people, and acts in a manner that systematically infringes upon their natural rights, the people have not only the right but also the duty to resist and overthrow that government. This right is not a call for constant rebellion but a last resort against persistent tyranny.

## **When Trust is Broken**

Locke posited that political power is a trust granted by the people to the government. When the government acts contrary to this trust, for example, by attempting to enslave the people, confiscate their property arbitrarily, or wage war against them, it effectively dissolves the bonds of society and returns power to the people. The people are then free to establish a new government that will better protect their rights and serve the common good. This principle provided a philosophical justification for challenging oppressive regimes.

## **Distinguishing Revolution from Rebellion**

It is important to distinguish Locke's concept of the right to revolution from mere rebellion or sedition. For Locke, rebellion is an unlawful resistance against legitimate authority, whereas revolution is the lawful act of resistance against an illegitimate or tyrannical government that has itself broken the social contract. The justification for revolution arises only when all other avenues for redress have been exhausted and the government has demonstrated a clear pattern of oppressive behavior.

## **Historical Context and Influence of Locke's Second Treatise**

John Locke's Second Treatise on Civil Government was written in the tumultuous political climate of late 17th-century England. The Glorious Revolution of 1688, which saw the deposition of James II and the accession of William and Mary, provided the immediate backdrop for Locke's work. The

treatise served as a powerful justification for the revolutionary settlement and a philosophical counterargument to the divine right of kings, a doctrine that had been prevalent for centuries.

## **Response to Absolutism and Divine Right Theory**

Locke's ideas were a direct challenge to the absolutist claims of rulers like Robert Filmer, whose work "Patriarcha" Locke explicitly refuted. Filmer argued for the divine right of kings based on a patriarchal model of authority descending from Adam. Locke systematically dismantled this argument, proposing instead a model of government based on natural equality, individual consent, and the protection of rights. This intellectual battleground shaped the course of political philosophy and practice.

## **Impact on the Enlightenment and American Revolution**

The influence of Locke's Second Treatise on Enlightenment thought and subsequent political movements is immeasurable. His emphasis on natural rights, the social contract, and limited government became cornerstones of liberal political theory. American revolutionaries, including Thomas Jefferson, drew heavily on Locke's ideas when drafting the Declaration of Independence. Phrases like "life, liberty, and the pursuit of happiness" are direct echoes of Locke's philosophy. The treatise provided the intellectual framework for establishing republics based on the consent of the governed and the protection of individual liberties.

## **Enduring Legacy and Modern Relevance**

The ideas presented in John Locke's Second Treatise on Civil Government remain remarkably relevant in the 21st century. Its core tenets continue to inform debates about the nature of government, individual rights, and the balance of power between the state and its citizens. The concept of popular sovereignty, the idea that ultimate political authority resides with the people, is a direct legacy of Locke's work and a fundamental principle of most modern democracies.

## **Foundations of Liberal Democracy**

Locke's philosophy provides the intellectual bedrock for liberal democracy. His insistence on individual rights, the rule of law, and government by consent are all essential components of democratic governance. The idea that government exists to serve the people, and not the other way around, is a powerful and enduring message that continues to inspire movements for freedom and self-determination around the globe. His critique of arbitrary power remains a vital touchstone for safeguarding civil liberties and preventing governmental overreach.

# Contemporary Debates on Rights and Governance

Contemporary discussions on human rights, the limits of state surveillance, the ethics of intervention, and the nature of political legitimacy often engage with Locke's fundamental principles. When considering issues of privacy, freedom of speech, and the right to protest, Locke's arguments about the inherent rights of individuals and the conditional nature of governmental authority offer crucial insights. His work serves as a constant reminder that the legitimacy of any government is ultimately derived from its respect for the fundamental rights and freedoms of its people.

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## FAQ: John Locke's Second Treatise on Civil Government

### **Q: What is the primary purpose of the social contract according to John Locke?**

A: According to John Locke, the primary purpose of the social contract is for individuals to voluntarily surrender certain rights, specifically the executive power of the law of nature (the right to enforce laws and punish transgressors), to a common authority or government. This transfer of power is done in exchange for the protection of their remaining natural rights, namely life, liberty, and property, and the establishment of a stable society governed by established laws.

### **Q: How does Locke define the "state of nature"?**

A: Locke defines the "state of nature" as a condition of perfect freedom and equality, where individuals are governed by the law of nature, which is discernible through reason. It is not necessarily a state of war but a condition prior to any civil government, where individuals possess natural rights and are bound by natural law to respect the rights of others.

### **Q: What are Locke's "natural rights" and why are they important?**

A: Locke's natural rights are inherent, inalienable rights that individuals possess by virtue of being human. These are primarily the rights to life, liberty, and property. They are crucial because they are considered pre-political, meaning they exist before the formation of any government, and they form the basis upon which legitimate government is founded. Government's primary role is to protect these rights.

### **Q: Under what conditions does Locke argue individuals have a**

## **right to revolution?**

A: Locke argues that individuals have a right to revolution when the government fundamentally breaks the trust placed in it by the people. This occurs when the government systematically infringes upon their natural rights, acts arbitrarily, or attempts to enslave or oppress the populace, effectively dissolving the social contract and returning sovereign power to the people.

## **Q: How did Locke's ideas influence the American Revolution?**

A: Locke's ideas profoundly influenced the American Revolution. His concepts of natural rights, the social contract, and the right to revolution provided the philosophical justification for the colonists' rebellion against British rule. The Declaration of Independence, with its emphasis on unalienable rights and the consent of the governed, clearly reflects Locke's political philosophy.

## **Q: What is the difference between Locke's state of nature and Hobbes' state of nature?**

A: The primary difference lies in their view of human nature and the condition of anarchy. Thomas Hobbes viewed the state of nature as a "war of all against all," driven by selfish desires and a constant fear of death, where life was "solitary, poor, nasty, brutish, and short." John Locke, conversely, saw the state of nature as governed by reason and natural law, where individuals possessed natural rights and could coexist, albeit with potential inconveniences in enforcing those rights.

## **Q: How does Locke's theory of property differ from earlier conceptions?**

A: Locke's theory of property is unique because he grounds it in individual labor. He argues that by mixing one's labor with common resources, one justly acquires private property. This contrasts with earlier notions that might have based property rights on divine grant or conquest, and it establishes a strong link between individual effort and ownership.

## **Q: What does Locke mean by "tacit consent" regarding government?**

A: Tacit consent, according to Locke, is an implicit agreement to be governed by a particular political society. It is demonstrated by individuals who enjoy the benefits and protections of a government, such as residing within its territory and utilizing its infrastructure, even if they have not given explicit, formal consent. By accepting these benefits, they tacitly agree to abide by the laws of that society.

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