

John Locke(1632-1704)

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Introduction

- **John Locke belonged to 17th century English political philosopher -23 Aug. 1632**
- **Birthplace –Somerset, England**
- **He supported Glorious Revolution in England in 1688**
- **Glorious revolution--- Divine Right of King vs Political Rights of the Parliament of England**
- **He was Father of Liberal political theory**
- **He was the first founder of the concept of private property**
- **He was coined the term Limited Monarchy in England**

English Civil War- 1642-1651

- 1 Violent conflict between
- Supporters of Monarchy (Catholics) VS supporter of Parliament (Protestants)
- 2 Internal situation of England became unstable and chaotic.
- 3 Charles I was beheaded and monarchy abolished.

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- John Locke was 10 yrs old when the English Civil war broke out and his father became a captain in the parliamentary ARMY.
 - **King Charles I** was publically executed in 1649 just a few feet away from where Locke was studying at **Westminster school**.

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- 1666- Locke met Lord Ashley
 - Lord Ashley- prominent English politician, A founder of **Whig Party**, later became first Earl of Shaftesbury
 - Locke served Ashley as his **personal physician**.
 - **Due to his contacts with Lord Ashley , Locke got an opportunity to know some other politicians and politics closely.**

1688- Glorious Revolution

- Transformation of Britain from absolute monarchy into parliamentary Democracy
- Also known as bloodless revol.
- He supported this revolution

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- He never married nor had children
 - Death- 28 oct., 1704
 - Death palce- High Laver, UK at 72 yrs old age

Works

- **Two Treatises on Civil Government—
1690**
- **Essays on The Law of Nature**
- **An Essays Concerning Human
Understanding**
- **Three Letters for Toleration**

Social Contract Theory

- *Contents*
- **State of Nature**
- **Problems in State of Nature**
- **Nature of Contract--Two Types of Contract**
- **Nature of State or Government**

Major work of Locke

- “The two treatises On civil Government”
- A 1st Treatise/Book
- In this book , Locke criticized Sir Robert Filmer’s (17th century political theorist) work “PATRIARCHA” – which defended a particular version of the theory of Divine right of king
- This theory says that state is created by God and the authority of sovereign is derived from God hence obedience to king is as imperative as obedience to God.

Acc. To Filmer

- State is Patriarcha : Big family of God
- 'Adam' was 1st king, he was son of God.
- All successive kings are the heirs of Adam.
- Since Adam had absolute authority, kings also have absolute authority.

Filmer was critic of theory of social contract

- 2 grounds
- 1 it is not a logical theory of the authority of state.
- Contract means , will of the man. It means authority of state is based on will of man.

State of Nature

- It is a hypothetical concept used by social contract thinkers to show how own life will be in the absence of state or when we live just acc. To nature.

State of Nature

- **Only Pre-Political**
- **Men were free, equal, and independent**
- **They enjoyed the inalienable natural rights**
- **Men not evil and blood thirsty**
- **He wants peace, love and stability**
- **Rational fellow men i.e. natural law**

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- 1 State of nature is state of peace , good will, mutual assistance and people are enjoying rights then what is the need for contract?
 - 2 Reason for contact-
 - A) though peace and goodwill is prevailing in s.of nature but it is not rational to leave things on goodwill of man because of Man has Reason, and also Passion(when passion dominate reason so problem)

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- So man requires insurance against such a scenario.(but it is also true that man can lead a good life even without a state , hence there Is no need of giving absolute power to state)
 - B) Locke also mentioned certain inconveniences in state of nature
 -  Absence of common Authority to make , Execute and Adjudicate Law
 - in S.O.N., common authority was absent , hence everyone was interpreting the Natural law acc. To their own preferences.

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- We cannot expect a person , who kills his brother to proclaim himself as guilty.(one can't be lawyer and judge at the same time.)
 - Hence , to remove these inconveniences man enters into a contract
 - C) Purpose of the contract-
 - Main purpose is creation of Common Authority i.e. Government

Problems in State of Nature

- **Law of Nature not clearly defined**
- **Absence of enforcing authority of law**
- **No independent authority to resolved disputes**
- **As people did not know the rules or laws**

Nature of Contract

- *Two Types of Contract:-*
- Social Contract- Contract between the people themselves, Limited surrender of their rights, Formation of Civil Society
- Governmental Contract- Contract between civil society and the Rules, through this implementation of first contract, police state

First Contract

- Civil society was formed in this contract
- In the S.O.N. , man was enjoying rights but there was no formal recognition / guarantee
- Hence , in this first contract , people have guaranteed each other's rights by giving formal recognition.

Second Contract

- It led to the creation of Govt.
- **How govt. is formed ?**
- People have transformed 3 of their rights to the govt.
- Right to make law, Execute law, and adjudicate law
- Hence emerged the common authority of 3 organs
- 1 Legislature, 2 Executive 3 Judiciary

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- Man has not transferred his right to life, liberty, and property
 - Who will run the govt.?
 - Locke gave the concept of govt. by Consent
 - It means Election of the Persons who are going to run the govt.
 - Those who will get majority will form the govt.
 - Thus, Locke supports majoritarian model of Democracy.

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- Once the govt. is formed, all are supposed to follow the laws, no one can claim that and will not follow because I hav not voted for the party in power.
 - It means govt. can't take away these rights i.e. it can't make any law that deprives a person of these rights.
 - Why? Any reasonable person will never agree to transfer thses fundamentals rights.

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- It means that govt. has no original powers but only delegated powers i.e. It cannot act on its own will , it has to act acc. To the will of people.
 - It means : govt. is a trust , people are trustees. Govt. has act acc. To wishes of trustees.
 - What if govt. doesn't act acc. To wishes of people?
 - People will have Right to Revolt.

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- What type of revolution Locke is talking about?
 - Peaceful Revolution – there is no need of violence because people are Rational . Hence, problems can be resolved through dialogue.
 - Revolution in simple sense means change in set of persons Ruling.

Nature of State or Government

- **Government is Trust – Sovereign**
- **Limited not Absolute Monarchy**
- **Law is expression of the will of the people not command of the sovereign**
- **Constitutional Monarchy**
- **Consent is the basis of Government**
- **Police state concept**

Features of Social Contract Theory

- **Pre-political state of nature**
- **Problems in state of nature**
- **Two types of contract**
- **Limited surrender of rights**
- **Government as Trusty**
- **Limited Sovereign**
- **Consent of the people**
- **Right to Resistance to government**

Natural Law

- Acc. To Locke n Natural Law says that, ‘no one ought to harm another in his life, health, liberty or possessions’
- Natural law can be discovered by the application of human faculty of ‘Reason’
- **Natural Rights**
- It is a set of rights of human beings derived from nature.
- Exists before the formation of state itself.
- He postulates that state itself was created for the protection of natural rights of man.

Natural Rights(In State of Nature)

- **Right to Life--- Don't Kill Me**
- **Right to Liberty--- Let me make My Own Choices , I have choices**
- **Right to Property--- Give me my Stuff**
- **Sabine** says, “The life – liberty and estate of one person can be limited only to make effective the equality valid claims of another person to the same rights.”

Locke's Concept of Private Property (Workmanship Ideal)

**A creator has the
Right over what
he creates**

**When you mix
your labour with
an object of
Nature**

**That object
becomes your
Property**

Workmanship Idea Theory or Private Property



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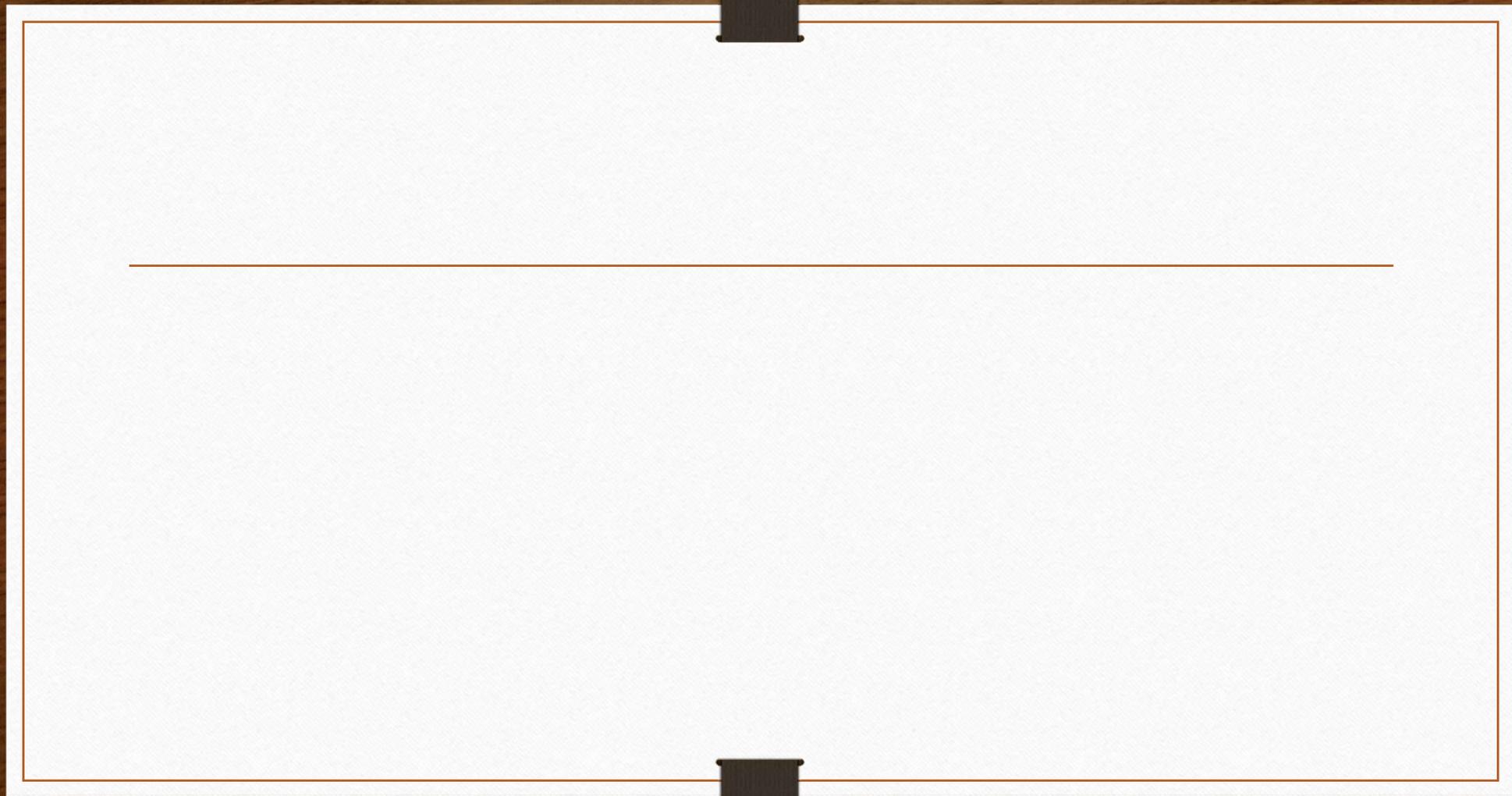
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- **Locke connected Liberty to Property and Life**
 - **Since God is our creator so we are his property**
 - **Only God can take our life and liberty**
 - **All Individual are Equal**
 - **No one can rule over others**
 - **No human can take others life or liberty**

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- **Locke says Man by Nature is a property acquiring animal**
- **State of Nature is Commonly available to all**
- **It is a situation of primitive communism like by Marx**
- **We mix our labour with it and create private property.**

Three Limitations on Private Property by Locke

- **Labour Limitation**
- **Sufficiency Limitation**
- **Spoilage Limitation**



Theory of Resistance or Revolt

- **Government is on the basis of peoples consent or trust**
- **Resistance is not only right but also duty by John Locke**
- **If ruler acts unconstitutional then people have the right to make resistance against government**
- **When government exceeds its limits then resistance against government is justified**

Locke grants Right to Resistance under following reasons

- **Government does not protect natural rights of individuals**
- **Inefficient government**
- **Arbitrary government**
- **Not will of the people backed by government**
- **If government does not acts according to contract**
- **Not protect the interest of the people**
- **If government places people under the foreign rule**

Lockes Contract

- In Hobbes there was only one contract, whereas on Locke there are two contracts.
- First Contract- Outcome is civil /political society
- Second Contract- Outcome is government

What is Civil Society?

- 1 in the state of nature man was living in natural society.
- 2 Civil society is not natural, it is the result of the contract . It is the first stage in the contract where people recognizes the right of each other.
- 3 Conceptually all institutions excluding family and govt. comes into civil society.

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- When individuals agree to enter civil society and they adopt the principle of majority rule.
 - They are at liberty to leave civil society but doing so means living in a state of nature that leaves them free but without any defense against others

नागरी समाज- जॉन लॉक

- नागरी समाज हा विवेकशील, विचारशील असणाऱ्या माणसांनी निर्माण केला आहे. आणि तो नैसर्गिक समाजापेक्षा वेगळा आहे.
- नैसर्गिक समाजापेक्षा नागरी समाज वेगळी आहे हा विचारात तो म्हणतो जेव्हा माणूस नागरी समाजाच्या अवस्थेत संकल्पपूर्वक तो आला तेव्हा नैसर्गिक अवस्थेतील अनिश्चितता होती तेव्हा तो सुटला स्वतःच्या सार्वजनिक जीवनाचा तो स्वतः शिल्पकार बनला.

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- नागरी समाज निर्माण झाले निसर्ग हा तीन मनुष्यास निसर्गदत्त हक्क होते असे तो सांगतो. हे अधिकारी जन्मताच मिळाले आणि मनुष्य हे सर्व अधिकार सहित नागरी समाजात येतो तरी आपला एक निवडता जाणवते हे हक्क सुरक्षित ठेवणारी यंत्रणा लॉक ला आवश्यक वाटते.
 - त्या आवश्यक ते पोटी तो आणखीन एक करार करतो.
 - नागरी समाजातून राज्यसंस्था निर्माण करतो. राज्य संस्थेवर जबाबदारी टाकतो की आमच्या अनुमती किंवा संमती नुसार ही राज्यसंस्था निर्माण केली आहे. तेव्हा राज्यसंस्थेची जे sovereign आहे त्याचे उगमस्थान आम्ही आहोत.

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- राज्य तेव्हाच सार्वभौम असू शकते जेव्हा त्याला लोकांची मान्यता आहे. आणि मग राज्य संस्थेवर जबाबदारी आहे ती निसर्गाने जे नैसर्गिक अधिकार दिले ते जोपासण्याची जबाबदारी आहे.
 - मग तो म्हणतो राज्य निर्माण झाले त्याच्यासमोर आदर्श नागरिक समाज सांभाळण्याचं काम होते. एकाच वेळी लोक नागरिक समाज पाहत असताना तो म्हणतो जेव्हा आपण नागरिक समाजाची नागरिक *virtue* ने बनलेली म्हणतो.
 - नैसर्गिक हक्क स्वातंत्र्याचे संपन्न असलेली नागरी समाज राज्यसंस्था जोपासतो किंवा नाही हे पाहण्याची जबाबदारी नागरी समाजाची आहे. आणि मग तो या अर्थाने राज्यसंस्था सुद्धा लोकांच्या नियंत्रणाखाली असते असे म्हणतो.

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- नागरी समाजाकडे लोक असे पाहतो की, राज्यसंस्था ज्या पद्धतीचा आदर्श समाज जात एकमेकांचा आदर सहकार्य विवेक पणा हक्कांचा सन्मान करणारा एकमेकांची प्रतिष्ठा जपणारा असा जो समाज किंवा नाही जर नसेल तर राज्यसंस्था कराराचा भंग करते तर अशा बंद करायच्या राज्य घटकांची जबाबदारी नागरिकावर असू शकत नाही हीच संबंध विचार क्रांतिकारी आहे

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- स्टेट जबाबदारी आहे की चांगल्या समाजाची निर्मिती करणे त्यांची सुरक्षितता प्रदान करणे हे करत नसेल तर राज्यसंस्थेच्या आज्ञेचे पालननाच बंधन मात्र लोकांवर नाही. तेथून राज्यक्रांतीचे योग्य ते तेथून राज्यसंस्थेला आव्हान देणारी हा विचार निर्माण झाला.
 - सिव्हिल सोसायटीने अधिकार दिला की राज्यसंस्था ही लोकशाही तत्वज्ञानानुसार राज्यकारभार करत आहे काराज्याची अंतिम सत्ता लोकांची हातांमध्ये आहे जी शासन संस्था निर्माण केली आहे ती लोकांना जबाबदार आहे निरंकुश नाही लोकांना क्रांती करण्याचा अधिकार सिविल सोसायटी दिला आहे

