

EDITOR'S INTRODUCTION

John Locke (1632–1704) wrote voluminously on subjects as diverse as the theory of knowledge, the reasonableness of Christianity, the case for religious toleration, the theory of money, and moral and political theory. In his own day and in the first half of the eighteenth century his fame rested mainly on his philosophical work: it was as the author of the *Essay Concerning Human Understanding* that he was so highly esteemed in England and Europe. Later in the eighteenth century his major work in political theory, the *Second Treatise of Government*, drew level with the *Essay* or even surpassed it in stature, especially in America where its doctrine of limited government and a right of revolution was widely referred to in the years leading up to the American revolution. Since then the *Second Treatise* has become a classic in the history of political theory. This seems odd at first sight. The *Treatise* was, as we shall see, professedly written only to justify a particular constitutional revolution in late seventeenth-century England; it was found useful again in justifying a particular colonial revolution in the late eighteenth century; but neither of those revolutions was in the next century so challenged as to seem in need of such an outdated defence. Locke's cause was decidedly the winner, both in England and America: the issues were settled. So why does his book now rate as a classic?

Part of the answer is that the Western liberal constitutional state, whose title-deeds Locke was one of the first to establish, is now under attack from new quarters—from the communist world and the third world, so that the liberal state is thrown back on the defensive and is glad to enlist in its support any plain hard-hitting case in its favour. Nothing could apparently be plainer than Locke's case, although on a closer look it turns out to be full of ambiguities. But the very ambiguities contribute to its stature as a classic, in two ways: they make the *Treatise* an excellent subject on which students may develop their critical abilities, and they make it an acceptable theoretical fall-back for publicists who accept the modern liberal state and society uncritically. What makes it especially valuable in both respects is that it is a case not only for the liberal state but also for liberal property institutions. Locke's case for the limited constitutional state is largely designed to support his argument for an individual natural right to unlimited private property. Defenders of

the modern liberal state see, or sense, that that right is at the heart of their state. And nobody has made a more persuasive case for that right. On that, Locke is a much better bet than any of his contemporaries and most of his successors in the liberal tradition. The student of liberal theory is thus well advised to pay particular attention to the place of Locke's theory of property in his theory of government.

The *Second Treatise* is pretty well self-contained. Its companion piece, the *First Treatise*, is not essential to the understanding of the *Second*, though for Locke at the time it was important. It was directed against the principles of Sir Robert Filmer, whose books, asserting the divine authority of kings and denying any right of resistance, were thought by Locke and his fellow Whigs to be too influential among the gentry to be left unchallenged by those who held that resistance to an arbitrary monarch might be justified. Locke, having as he thought demolished Filmer in the *First Treatise*, simply summed that matter up in the first paragraph of the *Second* before going on to his positive case for limited government. Locke himself drew attention to the self-contained nature of the *Second Treatise* by inserting, apparently during the first printing of the *Two Treatises*, a new title for the *Second*: it had originally been simply "Book II" of the *Two Treatises*, and this subtitle was retained, but it was also given a separate title "An Essay Concerning the True Original, Extent, and End of Civil Government".

However, although the *Second Treatise* can stand by itself, in order to appreciate its whole meaning we need to know something about Locke's position in the intellectual currents of his time, and something about his role in the political and economic life of his country. We shall also have to look at other writings of his which reveal assumptions that he was taking for granted, especially the *Essay Concerning Human Understanding*, which contains a theory of human nature essential to the argument of the *Treatise* but not made explicit there.

Locke's Life and Times

Locke was born, in 1632, into a well-to-do family, of modest landed estate in Somerset. His father was a captain in the Parliamentary army in the civil wars of the 1640s. John was educated at one of the best schools (Westminster School, London) and then at one of the most famous Oxford colleges (Christ Church) where he lived, first as an undergraduate, then as a graduate fellow

and teacher, from age 20 to age 34. At Oxford, where he concentrated on philosophy and medicine, he taught philosophy and took a medical degree. Afterwards, he kept up an active interest in medical science and moved in leading scientific as well as political circles, his scientific proclivities being recognized by his election to the prestigious Royal Society in 1668.

On leaving Oxford he formed a lasting personal and political connection with the first Earl of Shaftesbury, which brought him into the centre of the political life of the time. Beginning as Shaftesbury's personal physician he soon became his political confidant and researcher as well. Shaftesbury was leader of an influential group trying to compel Charles II to exclude his brother, the Catholic James, from the succession to the throne, and apparently prepared to resort to armed resistance if parliamentary means failed. They did fail; Shaftesbury was imprisoned for a time; but the plot went on, with Locke in the thick of it, attending conspiratorial meetings with and without Shaftesbury. There is strong reason to believe that while all this was going on, from 1679 to 1683, Locke's intellectual talents were brought into play to provide a theoretical justification for resistance to the sovereign; that he did write such a work; and that that work was the nearly complete draft of the *Two Treatises*, which only needed a few changes and additions to convert it in 1689 into a defence of the Whig Revolution.*

In 1683 Locke, for his own safety, fled to Holland, where he stayed until the Revolution made it safe to return to England, which he did in February 1689. From then until his death in 1704 he led a less hectic and, except for increasing ill-health, a more comfortable life, but still a very active one. Part of his activity was on the intellectual front: his published work in philosophy, and on Christianity and toleration, aroused much controversy and kept him busy publishing clarifications and defences of his position (though the *Two Treatises*, which he never acknowledged as his, did not).

He might well have rested on his renown as a philosopher, but his interest in affairs of state, and particularly in government economic policies, was so compelling as to induce him to serve, from 1696 to 1700, as one of the commissioners of the Board of Trade, the government body which advised on economic policy, in which he soon became the dominant figure. In this he was picking up again

*The case for this was convincingly made by Peter Laslett in 1956 and is presented in Part III of the Introduction to his authoritative edition of the *Two Treatises*.

the work he had done in 1673–75, before his exile, as secretary to an earlier similar body, the Council of Trade and Plantations. His interest in this is not surprising when one realizes that he was, already in the 1670s, a fairly wealthy man with substantial investments in such things as the raw silk trade, the Royal Africa Company (the slave trade), and the Bahama Adventurers.*

It is clear that when Locke wrote the *Two Treatises* he was no unworldly scholar but a man of property, greatly interested in safeguarding established property institutions, much concerned with policies to promote the increase of the nation's wealth, and deeply committed to the Whig position, both when it was a conspiracy against Charles II in 1679–83, and an open conspiracy against James II in 1688, and of course when it had triumphed with the installation of William and Mary in 1689. The *Treatises* are a product of that experience, of a mind shaped in Oxford and reshaped in conspiratorial and commercial London.

Locke on Human Nature

Every political theory which sets out to justify or advocate a particular system of government, or a limited or unlimited degree of obligation of the citizen to the state, must rest on an explicit or implicit theory of human nature. The theorist must show, or assume, that the human beings who will have to submit to and operate the desired system do need it and are capable of running it. In the seventeenth and eighteenth centuries this was often done by postulating a supposed natural condition of mankind, or "state of nature", from which men had historically or would necessarily move by some sort of agreement into political or civil society. Hobbes, for instance, had pictured men as so contentious that they could not survive without handing over their natural rights to an all-powerful and self-perpetuating sovereign state, and rational enough to see the need to do so. Hobbes set out his theory of human nature quite explicitly in the first eleven chapters of *Leviathan*, before he even used the logical device of a supposed natural condition of mankind.

Locke, by contrast, opened the argument of the *Second Treatise* by plunging right into a supposed state of nature, but he used it not to depict men's necessary behaviour or motivation, as Hobbes had done, but to assert men's natural rights. To get Locke's postulates

*Details of his wealth and investments are given in Maurice Cranston's definitive *John Locke, a Biography*.

about human needs and capacities one must turn to his *Essay Concerning Human Understanding*. There, in the course of an argument that there are no innate principles, either logical or moral, he asserts that there are innate inclinations of the appetite which are constant, namely, "a desire of happiness, and an aversion to misery".* These need to be checked by rewards and punishments:

Principles of actions indeed there are, lodged in men's appetites, but these are so far from being innate moral principles, that if they were left to their full swing, they would carry men to the overturning of all morality. Moral laws are set as a curb and restraint to these exorbitant desires, which they cannot be but by rewards and punishments that will over-balance the satisfaction any one shall propose to himself in the breach of the law.**

He ends by pointing out that his denial of innate moral laws is not a denial of any moral law:

There is a great deal of difference between an innate law and a law of nature; between something imprinted on our minds in this very original, and something that we being ignorant of, may attain to the knowledge of, by the use and due application of our natural faculties. And I think they equally forsake the truth, who running into contrary extremes, either affirm an innate law or deny that there is a law knowable by the light of nature; *i.e.* without the help of positive revelation.***

Locke's rudimentary sketch of human motivation is remarkably like Hobbes's more precise theory. Appetites and aversions are the mainspring. Unless they are checked by a law armed with rewards and punishments they will override all moral behaviour. The similarity with Hobbes is even more striking in the importance Locke gave to men's desire for reputation, as in an entry in his journal in 1678:

The principal spring from which the actions of men take their rise, the rule they conduct them by, and the end to

*Book I, Ch. 3, sect. 3. This is the chapter "No innate practical principles" which in some modern editions is numbered Book I, Ch. 2.

**Book I, Ch. 3, sect. 13.

***Book I, Ch. 3, sect. 13.

which they direct them, seems to be credit and reputation, and that which at any rate they avoid is in the greatest part shame and disgrace. This makes the Hurons and other people of Canada with such constancy endure inexpressible torments. This makes merchants in one country and soldiers in another. This puts men upon school divinity in one country and physics and mathematics in another. This cuts out the dresses for the women and makes the fashions for the men, and makes them endure the inconveniences of all. This makes men drunkards and sober, thieves and honest, and robbers themselves true to one another. Religions are upheld by this, and factions maintained; and the shame of being disesteemed by those with whom one hath lived, and to whom one would recommend one's self, is the great source and director of most of the actions of men. Where riches are in credit, knavery and injustice that produce them are not out of countenance, because, the state being got, esteem follows it, as in some countries the crown ennobles the blood. Where power, and not the good exercise of it, gives reputation, all the injustice, falsehood, violence and oppression that attains that goes for wisdom and ability. Where love of one's country is the thing in credit, there we shall see a race of brave Romans; and, when being a favourite at court was the only thing in fashion, one may observe the same race of Romans all turned flatterers and informers. He therefore that would govern the world well had need consider rather what fashions he makes than what laws, and to bring anything into use, he need only give it reputation.*

Locke's appetitive men, desirous above all of the esteem of others, have however, like Hobbes's men, enough natural reasoning ability to conclude that they need to agree on those principles of morality "that are absolutely necessary to hold society together, which," Locke adds, "commonly too are neglected betwixt distinct societies".** Appetites unchecked would destroy society; they can be checked by a general recognition that some minimum rules of

*Quoted in H.R. Fox Bourne: *The Life of John Locke*, 1876, Vol. I, pp. 403-4.

***Essay*, Book I, Ch. 3, sect. 10.

morality are needed. There is some ambiguity as to whether those rules need to be enacted into positive laws with enforceable punishments. We shall find the same ambiguity in the *Second Treatise* where *sometimes* Locke sees such rules, which he calls the law of nature, as being generally acknowledged and observed in "the state of nature", i.e. without any government to enforce them, but *sometimes* argues that a government with ultimate coercive power is necessary to enforce them. This ambiguity allows Locke to argue in the *Treatise*, both that there must and can be an agreement to establish an all-powerful civil society against which the individual retains no rights, and that no such power can arbitrarily be exercised by any government. Both arguments were required, as we shall see, by his concern for individual property rights.

From the "State of Nature" to Civil Government

Locke, like Hobbes, introduces the "natural" condition of mankind not as an historical condition existing before the emergence of civil society but as a logical abstraction from the essential nature of man. Though Locke does say later that it may also have been an historically prior condition (as in §§ 100–112 of the *Second Treatise*),* he presents it first as a logical deduction from the supposed nature of man and the supposed intentions of the Creator, which in turn are deduced from the observable biological needs of man.**

From the presumed intention of the Creator it followed that men were naturally equal, in the sense that no-one had more power or jurisdiction than another, and were naturally free "to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature", which forbids anyone harming another or destroying himself, and requires each to try "when his own preservation comes not in competition" to preserve the rest of mankind (§§ 4–6). This law of nature would be generally observed, but there would be some transgressors; hence some power to restrain them would be needed; and since there was no government, that power must be left to every man individually (§ 7), but only as much power as is necessary "for reparation and

*Hereafter all references to the *Second Treatise* will be simply to the numbered sections, §§.

**cf. "Natural Rights in Hobbes and Locke" in my *Democratic Theory: Essays in Retrieval*, Oxford 1973, at p. 229.

restraint" (§ 8). Locke assumes that there are few offenders: he sums up this picture of the state of nature by calling it "a state of peace, good will, mutual assistance and preservation" where men live together according to reason, and contrasting it sharply with a "state of war" which is described as "a state of enmity, malice, violence and mutual destruction" (§ 19).

If he had kept to that picture of a peaceable state of nature there would still have been some case for setting up government, for there would be the inconvenience of every man having to be his own judge and policeman, but it would not need to be a very strong government. However, Locke did not keep to that picture. As early as § 21 he asserted that one great reason for men quitting the state of nature was that in it "every the least difference" is apt to end in the state of war; and later (in § 123), when he had to explain why men would ever leave such a free and equal condition as the state of nature, the reason he gave was that in it each was "constantly exposed to the invasion of others", his life and property "very unsafe, very insecure", and his existence "full of fears and continual dangers".

This ambiguity about the state of nature simply reflects Locke's fundamental ambiguity about human nature. In the first picture men generally are naturally reasonable enough to impose on themselves individually the moral rules needed to curb their contentious appetites. In the second picture they are not: the greater part are "no strict observers of equity and justice" (§ 123), and none can secure themselves individually. Locke needed both these inconsistent assumptions about human nature in order to make his case, which was that individuals must be understood to have agreed to give up their natural rights and powers to an all-powerful civil society, but that the civil society (themselves when so united) could not conceivably have delegated absolute or arbitrary power to any government, but must be understood to have retained the right to alter the frame of government whenever they (acting by a majority of themselves) so desired.

The assumption that men were too avaricious to secure themselves individually was needed to explain why men who were created free and equal would submit their natural rights to any authority. The assumption that, on the contrary, they naturally acknowledged a law of nature and would claim only the limited power needed to restrain occasional transgressors, not an absolute or arbitrary power over others, was needed to show that they could

not hand over, and hence that no government could be given, absolute or arbitrary power.

Locke's argument proceeds along those lines. In order to protect their lives, liberties and estates, individuals must have agreed to hand over to society "all their natural power" (§ 136), or "all the power necessary to the ends for which they unite into society" (§ 99) as judged by the society (§ 97), even including jurisdiction over their possessions (§ 120), and to be bound by laws made under the authority of society. The acts of the society are the acts of the majority at any time (§ 96). The society thus created can then set up whatever frame of government it prefers, and may change it whenever it wishes. But it is inconceivable that the society should ever give absolute or arbitrary power to any government, for two reasons. First, since individuals by nature do not have arbitrary power over their own lives or over the lives and properties of others, they cannot give arbitrary power to society, and therefore the society does not have it to give to any government (§ 135). Secondly, to hand over absolute arbitrary power would be contrary to the very purpose for which the society was established, that is, the protection of the life, liberty and estate of each member: if they handed over their natural rights and powers to an absolute and arbitrary government they would have less protection than they had in the state of nature where each could at least take protective action for himself (§ 137).

We may notice that both these arguments require the postulate of the peaceable moral state of nature, as set out in §§ 4–8. The first argument requires it because on the opposite postulate (of § 123) individuals would not, on balance, necessarily worsen their condition by handing over arbitrary power. The second argument clearly depends entirely on the postulate of the moral state of nature where men's power is said to be limited to what they need to enforce the moral law of nature, which is explicitly not arbitrary power. And we may notice that even on that postulate Locke's second argument is fallacious, for even in his moral state of nature there are some who do not obey the moral law, that is, who *do* exercise arbitrary power, so there *is* arbitrary power that could be handed over.

We may wonder why Locke did not see this difficulty, nor the even greater one that his case required both the two opposite postulates about the nature of man or the state of nature. We shall not be in a position to suggest an answer until we have seen the further content Locke put into human nature and the state of nature in

his famous chapter on property (§§ 25–51). That chapter is quite rightly famous: it is Locke's unique contribution to the seventeenth-century debate about "the true original, extent, and end of civil government"; it fixed property rights firmly in the centre of all subsequent liberal theory; and it is essential to an understanding of Locke's chain of argument from the state of nature to the limited and conditional nature of governments' powers.

Locke on Property

We cannot here go into all the intricacies of Locke's doctrine of property rights,* but we may try to sort out the main lines of his argument, to notice the additional assumptions he makes, and to assess the significance of his conclusions about property for his general theory of government.

His announced purpose is to explain how, although God had given the earth and its fruits to mankind in common, there could be a natural individual right to private property. The explanation is deceptively simple. God had given the earth to men for their subsistence: there was a natural right to life; and therefore each had a natural right to take to himself what was needed for sustaining his life. Moreover, every individual had a property in his own person and his own labour, and so could rightfully appropriate to himself from the common whatever he mixed his labour with. By this reasoning there must be certain limits to the amount of rightful individual appropriation. First, anyone may appropriate only as much as leaves enough and as good for others, since *everyone* has a right to his own preservation. Second, one may appropriate only as much as he can use before it spoils, for nothing was made by God for man to spoil or destroy. And third, of course, one could appropriate only what he had mixed his labour with. Within these limits, appropriation of the land itself as well as its fruits was justified. On these grounds there was evidently a natural right to this limited appropriation, a right which did not require any consent of others.

Had Locke stopped there he would have done nothing to justify the property institutions of his own, or any civilized society, all of which upheld private property rights far in excess of those limits. But he did not stop there. He made a further assumption, that while

*For a fuller examination, see my *Political Theory of Possessive Individualism*, Ch. V, sect. 2, pp. 197 ff.

men were still in the state of nature they had introduced the device of money. This rendered inoperative the spoilage limitation, for one could now convert any amount of perishable goods into money, which did not spoil.

The introduction of money also transcended the limitation about leaving enough and as good for others. The argument here was not quite as clear. In the first three editions of the *Treatise* Locke simply left it that the introduction of money would lead naturally to extensive commerce, which would make it profitable for individuals to appropriate more land than they could use the product of, so that all the land would be appropriated, leaving none for others, and that this was justified because all had consented to the use of money. In later editions he added a new argument (in § 37): land which is privately appropriated is ten times as productive as land left in common, so even when the land is all appropriated there is more produce for everybody. There is not enough and as good *land* left for others, but there is enough and as good (indeed more and better) *produce* for them. The original requirement had been that private appropriation should leave enough to meet everyone's equal right to subsistence, and that requirement was still satisfied after all the land had been taken up.

The third limit, that one could appropriate only as much as one had mixed one's labour with, was also transcended, or had a quite different meaning, after the introduction of money. For when there was no land left, those without any would have to sell their labour, for wages, to those who had land. When B, C, and D sell their labour to A, their labour becomes A's property; it is then *his* labour that is mixed with what was in common: ". . . the turfs my servant has cut . . . become my property . . . the labour that was mine, removing them out of that common state they were in, hath fixed my property in them" (§ 28). Thus there was no limit to the amount one could appropriate by mixing one's labour with what had been given to mankind in common.

Locke has thus in effect removed all the initial natural law limits on individual appropriation, and has established a natural right to unlimited amounts of private property. It is important to notice that Locke has all this happening in the state of nature, *before* men entered civil society (§ 50). It is to protect this natural unlimited right that men agree to establish civil society and government.

And we may notice the further assumptions that Locke has made. Men are naturally desirous of accumulating more property than

they need (§ 48), and this is morally unobjectionable as long as nothing goes to waste (§ 46). The agreement to the use of money (which was what made unlimited appropriation worthwhile) did not create any new moral right: all it did was to remove the technical obstacle that had made it not worthwhile, or not possible, for anyone to appropriate such large and unequal amounts of property: the moral right to do so existed from the beginning. He has also assumed that men are naturally rational and moral enough to make and keep bargains even without any government to enforce them (§ 14): without that assumption the extensive system of markets, commerce, wage-labour, and accumulation, could not have been attributed to the state of nature.

So we have Locke's ambiguity about the nature of man extended into his treatment of property: man is naturally infinitely desirous; he is rational enough to see that to give that desire full rein he needs to adhere to bargains and contracts; but his exorbitant desire will lead him to disregard his obligations unless there is a superior authority to enforce them. This is what requires the institution of government. And that institution is required only when property has become very unequally distributed. In the earliest times, "the equality of a simple poor way of living, confining their desires within the narrow bounds of each man's small property, made few controversies, and so no need of many laws to decide them, or variety of officers to superintend the process, or look after the execution of justice, where there were but few trespasses, and few offenders" (§ 107). It is only in this second stage of the state of nature, after the introduction of money and inequality, that the need for government became pressing. Locke has read back into the state of nature a class division, of whose existence in his own society he was fully aware,* between those who had accumulated and those who had not—between owners and wage-workers.

This creates a further problem. If there was the class-division before the institution of civil society and government, and if the purpose of instituting them was the protection of this unequal property, why would those without property agree to enter civil society and thus give up their natural right of protecting themselves? They would have good reason to do so if they were to become full members of civil society, for then they would be the majority. But if they were tull members they might use their majority power to

*This is made explicit in his *Considerations on . . . Money*, cf. my *Possessive Individualism*, pp. 216–17.

legislate a levelling of property. Locke did not see this as a problem for he never intended them to be full members. He took for granted that the right to vote in elections to the legislature was to be confined to the propertied class. Representation of cities and counties should be in proportion to the amount they contributed in taxes (§§ 157–8), and taxpayers were assumed to be those who had "estate" (§ 140).

But while the non-propertied were not to have any voice in making the laws they were to be fully bound by the laws: everyone is obliged, whether "his possession be of land, to him and his heirs for ever, or a lodging only for a week; or whether it be barely travelling freely on the highway" (§ 119). Both the exclusion of those without estate from the law-making process, and their subjection to the law, were required by the very purpose of civil government, the protection of life, liberty and estate.

Limited and Conditional Government

Enough has been said about Locke's theory of property to show how central it is to his theory of government and how consistent it is with his ambiguous theory of human nature and the state of nature. The state of nature, now, in the chapter on property, treated historically, is divided into two stages, before and after the introduction of money and inequality. One inherent trait of human nature, the boundless desire for possessions, which could not operate in the first stage, is given full scope in the second. Another inherent trait, the ability to follow the dictates of reason, changes its character. In the first stage it is the acceptance, easy then, of the natural law: "reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions" (§ 6). In the second stage, where men are no longer equal, "reason" becomes not a moral law but an ability to calculate what course of action is required to safeguard unequal property; and this kind of reason is to be found only in those who have accumulated some property.*

It is from this second stage of the state of nature that Locke has men agreeing to enter civil society and establish government. So he can, logically enough, insist that the agreement must protect the propertied against the non-propertied as well as against each other

*On this differential rationality, see my *Possessive Individualism*, pp. 232–38.

and against a possibly arbitrary government. This requires a frame of government which shall be under the ultimate control of the propertied. And that is precisely what Locke stipulates.

His argument against *arbitrary* government has attracted most attention, and it is indeed important. Men, being so appetitive and contentious, have no choice but to hand over all their natural rights and powers, including their jurisdiction over their own properties, to a sovereign civil society (§ 120), but it would contradict the purpose for which they did so if they were to authorize an absolute or arbitrary government (§ 137). Hence Locke's insistence that the right of taxation must rest with the majority of the people, or with the majority of their elected representatives (which means, as we have seen, the majority of those elected by the property owners). Apart from this right of taxation, which only the majority of their representatives may exercise, no government can ever have any right to take any part of any man's property without his own consent (§ 138). Even *absolute* power, which must sometimes be granted (as to military commanders over their subordinates), is not *arbitrary* power: it gives the power of life and death but not a power over a soldier's property (§ 139).

Not only are the powers of any government thus *limited*: the whole power of any constituted legislature, and therefore of any other part of a government, is *revocable*: the legislative power (which must be supreme within any frame of government) "being only a fiduciary power to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them" (§ 149, cf. § 222). The authority of any government is conditional on its performing the functions for which it was entrusted with power.

Locke thus asserts a right of revolution. And he turns the tables on those who would deny that right by arguing that when a government has acted contrary to its trust by invading the lives, liberties or estates of the subjects, it is the government, not those subjects who resist it, who are guilty of rebellion: by denying the natural law limits on its power the government does "bring back again the state of war" (the literal meaning of the Latin verb *rebellare*), and may justly be resisted or expelled by force (§§ 226–7).

The Lasting Appeal of Locke's Doctrine

Several reasons for the strong appeal of Locke's doctrine, in his own time and since, are now evident. Composed initially to justify

resistance to Charles II over the right of succession to the throne, it became when published a justification of the Whig Revolution of 1688–89 by which James II was dethroned and replaced by William and Mary, on terms which reduced the power of the crown and increased that of Parliament. It supported the resulting Whig state, which was controlled by the propertied class. A century later the doctrine, backed by all Locke's prestige, was neatly and quite properly turned against the British state by the American colonists. And ever since, although it has needed some supplementing and revising, it has been an invaluable ideological support for the liberal constitutional state and the market society on which the liberal state has been built.

As a liberal ideology it has almost everything that could be desired. It starts with free and equal individuals none of whom have any claim to jurisdiction over others: this is a characteristic and essential assumption of the proponents of a liberal as opposed to a feudal or patriarchal or absolutist state. It acknowledges that these individuals are self-interested and contentious enough to need a powerful state to keep them in order, but it avoids the Hobbesian conclusion that the state must have absolute and irrevocable power: it does this by attributing to men a moral capacity to discover and generally stay within a natural law which forbids harming others: this too is essential to the liberal case, and of course is flattering and agreeable. Moreover, Locke makes a unique and ingenious case for a natural right of unlimited private property, with which society and government are not entitled to interfere: no-one, before or since, has come near his skill in moving from a limited and equal to an unlimited and unequal property right by invoking rationality and consent.

The confluence of his main lines of argument about government and about property right provides an eminently useable ideological underpinning for the modern liberal capitalist state. The many ambiguities and logical fallacies in his arguments can easily be overlooked, so honest and enthusiastic was his attachment to the liberal cause. He may well be said to have written the title-deeds of the liberal bourgeois state. Those who wish to question that title, or to reinforce it, may well begin by narrowly examining the *Second Treatise*.