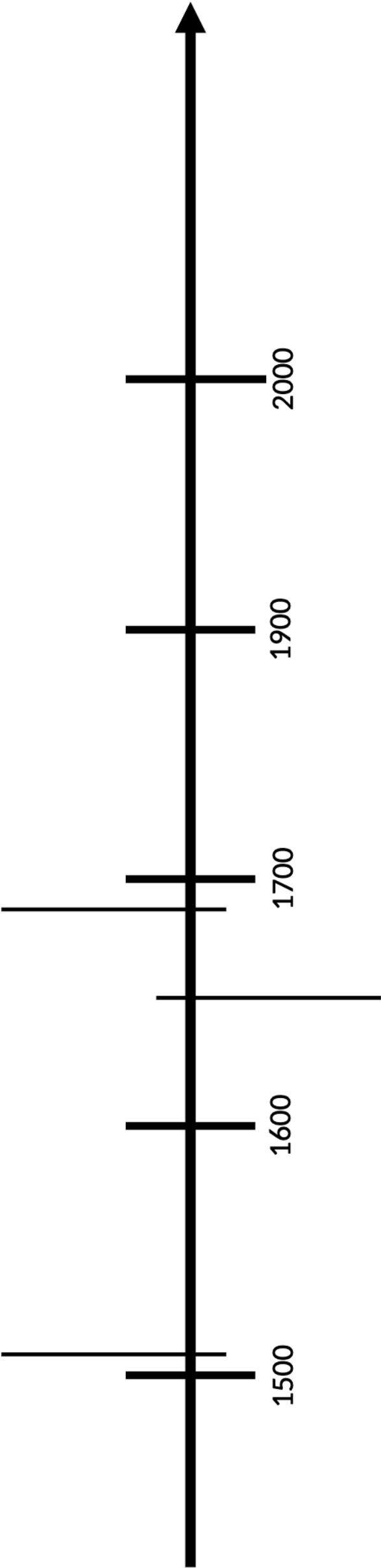


1274: St. Thomas Aquinas finishes
the *Summa Theologica*

1513: Machiavelli writes *The Prince*

1689: Locke publishes *Two Treatises of Government*

1651: Hobbes publishes *Leviathan*



- In the previous class, we saw that:
 - Locke's and Hobbes' notions of state of nature is very similar (individuals are free and equal)
 - For Locke, however, individuals are aware of one another's natural rights to life, liberty, and property
- Most importantly, we saw that he breaks with Hobbes and disagrees that the state of nature is necessarily a state of war. In what sense? Why is this distinction crucial for

Locke's argument for a right to revolution?

- For Locke, a state of war is a limited conflict between two or several parties
- Once the war is over, the state of nature is reestablished
- for Hobbes, it's irrational to revolt: you want to avoid the state of nature at all cost!
- For Locke, you can return to the state of nature if the government is blatantly violating your natural rights. When violations start to mount, it might be rational and more beneficial to revolt.

- There are still a few questions that we need to address before we can move on to authors that have criticized or refined Locke's ideas (Karl Marx, the American Founders...)
- We saw that Locke is a major figure of political and economic liberalism
 - He is not only fundamental for political-liberal ideas such as individual rights and limited government, but also economic-liberal ideas such as free trade and robust property rights
 - Let's look at how he justifies strong property rights, it will be helpful to latter understand one of the great opponent of liberalism: socialism
- We also still have to see how the individuals exit Locke's state of nature and under what conditions they can revolt against the government

- Let's then look at Locke and his notion of property
- For Locke, God gave the world in common to all humans so that they could use it, develop it, and enjoy its goods (pp. 13-15)
- How do individuals go about acquiring things in the world (land, trees, apples, animals...) so that they can eat them, use them, develop them...?
- Individuals mix their labor with unclaimed things that they find in the state of nature
 - For instance, if I grow a tree, build a barn, make a tool... It would be a violation of my natural right to property if someone stole these things.
 - I worked for these things and, therefore, I have a natural right to own them

- Then, Locke advances a caveat to his theory of property
- God wants all humans to enjoy the goods of Creation. Therefore, can individuals acquire as much property as they want? What is the limit of the accumulation of property? (pp. 15-17)
 - Locke's first caveat is that an individual cannot acquire so much that there's not enough for everyone else
 - The limit to acquiring property is *spoilage* (e.g., if I have so many apples that most of them spoil, I am abusing my natural right to property)
- At first, Locke's theory of property is surprising. He is known for being the father of economic liberalism but, when we read his book, it looks like he is advocating for the redistribution of wealth.

- However, Locke's caveat starts to make more sense when we realize that:
- (1) A lot of nobles in England had large uncultivated estates. What is the implication of Locke's caveat for these lands?
- (2) What is the one exception to the caveat that Locke establishes in his theory of property?
 - Money. It doesn't spoil and, therefore, individuals can accumulate as much of it as they want (pp. 22-23).
- Locke was part of an emergent social group, the *bourgeoisie*, a class of non-nobles that is starting to acquire property and is gaining a lot of importance
- Locke's strange caveat makes sense. It seems moderate, at first, but then it attacks the noble class and legitimizes the bourgeoisie.
 - The bourgeoisie will be important for the development of industrialism and the expansion of liberal ideas (e.g. French Revolution). We will hear a lot about them with Karl Marx.

- “gold and silver, being little useful to the life of man in proportion to food, raiment, and carriage, has its value only from the consent of men, whereof labour yet makes in great part, the measure, it is plain, that men have agreed to a disproportionate and unequal possession of the earth, they having, by a tacit and voluntary consent, found out a way how a man may fairly possess more land than he himself can use the product of, by receiving in exchange for the overplus gold and silver, which may be hoarded up without injury to any one; these metals not spoiling or decaying in the hands of the possessor.” p. 23

- As you can imagine, this is a very different conception of property than the ones that have existed before. For instance: how does Locke's notion of property differ from Hobbes'?
- For Hobbes, the sovereign freely established relations of property in order to ensure the security and stability of the commonwealth
- Individuals could acquire anything to survive in the state of nature, but they were not able to enjoy these things because it's a constant state of war
- Premodern thinkers saw property in terms of its relation to virtue. Property was important to them, but they were particularly worried about how property could help foster the virtues.
- For instance, Christians were often worried that too much property could lead to greed
- Further, politically speaking, the accumulation of wealth was a problem for a long time before the rise of liberalism and industrialism
- Imagine a non-noble that acquired too much wealth. This could be a direct challenge to the local nobility.

- Let's now look at why individuals should exit the state of nature and form a commonwealth
- Locke's state of nature sounds really peaceful, why leave it at all?
- At first, Locke's reasons sound very classical:
 - Individuals want a settled, predictable, and stable law, and they want a government that will enforce these laws for them
 - For Hobbes, the government is a *blessing* because it avoids the chaos of the state of war
 - For Locke, the government is a *contrivance* – but one that provides numerous benefits
- However, Locke has another important reason why individuals want a common government. Look at the last paragraph on p. 30.
 - Individuals also want an *impartial judge*. In what sense? Why is this such a big deal?

- For Locke, a major drawback of the state of nature is that, since all individuals have a right to enforce one another's natural rights, all individuals are also *judges in their own causes*.
 - For Locke, if you catch a criminal, you are bound to enforce an appropriate penalty (up to the death penalty).
 - However, because they are judges in our own causes, individuals will abuse their duty to enforce their natural rights
- Individuals need common institutions that have no stakes in the individuals' conflict and that can enforce their natural rights impartially. What institutions can help them do this?
 - Division of power between legislative and executive to prevent concentration of power and abuses
 - Existence of judges that have no stakes in the individuals' conflicts (pp. 33-38)

- If you look at how Locke describes how individuals will form a commonwealth in pp. 24-26, you will notice that it's very similar to what Hobbes said:
 - Individuals establish a common law and authority. They decide on a commonwealth by majority vote. They renounce their right to execute the natural rights.
 - However, in the last paragraph of this section in p. 26, Locke then abruptly says that it's illegitimate for a commonwealth to be an absolute government. Why?
- For Locke, an absolute government is *itself a partial judge in its own cause*
 - The point of leaving the state of nature is the advantage of having an impartial judge. An absolute government has no checks and appeals, and is not a legitimate form of commonwealth.
 - Individuals *cannot* renounce their natural rights because they have a duty to execute (or delegate the execution of) the natural rights. It's illegitimate to agree on an absolute government.
 - Doesn't this line of argument feels very... revolutionary?

- Locke doesn't have our modern notion of legislative and executive powers (and he doesn't have a separate notion of judicial power)
 - For Locke, the legislative power agrees on the laws of the commonwealth, and the executive power executes them
 - In the US Constitution, the legislative power is in the Congress and the executive one in the presidency
 - For Locke, it wouldn't be strange for the king to both have legislative and executive power: both king and parliament agree on the laws and, then, the king executes them
- Locke also had a third “federative” power: the power that take decisions on matters of foreign policy and international affairs

- Let's now look at Locke's notion of the right to revolution
- For Locke, there are two ways that a government can be dissolved.
What are they? (first way: pp. 44-45; second: p. 48)
- The first one is more straightforward:
 - If someone makes laws arbitrarily or without following the established procedures, the people have no obligation to obey those laws and the government is dissolved
 - This first way is direct: if a king, for instance, decides not to follow the established rules, then the people get to choose a new king

- The second one is more complicated. Locke knows that he is going to be criticized for this idea: the people can dissolve the government *if they no longer trust it*.
- This is a perfect passage for conservatives and absolutists to criticize Locke:
Locke is a dangerous revolutionary! If the people merely *want* to dissolve the monarchy, then they can do it without a problem!
- The beginning of chaos and anarchy!

- Locke foresees these objections (p. 50) and provides a few counter-critiques:
 - Individuals should have the possibility to dissolve the government much before the government starts to blatantly change the normal legal procedures
 - Individuals don't give themselves body and soul to the government when they exit the state of nature: they *entrust* the government with the protection of their properties. If that *trust* is breached, then they get to take it back.
 - Individuals don't tend to revolt for no reason. They do it after “a long train of abuses” (p. 50).
 - The kings will not try to take power if they know that the people can potentially revolt