

## John Locke

### Second Treatise on Government

#### Of the Social Contract:

*Political power* is that power which every man, having in the state of nature, has given up into the hands of the society, and therein to the governors whom the society hath set over itself, with this express or tacit trust that it shall be employed for their good and the preservation of their property. Now this *power*, which every man has *in the state of nature*, and which he parts with to the society in all such cases where the society can secure him, is to use such means for the preserving of his own property, as he thinks good and nature allows him, and to punish the breach of the law of nature in others, so as (according to the best of his reason) may most conduce to the preservation of himself and the rest of mankind. So that the *end and measure of this power*, when in every man's hands in the state of nature, being the preservation of all of his society, that is, all mankind in general, it can have no other *end or measure*, when in the hands of the magistrate, but to preserve the members of that society in their lives, liberties, and possessions, and so cannot be an absolute, arbitrary power over their lives and fortunes, which are as much as possible to be preserved, but a *power to make law*, and annex such *penalties* to them, as may tend to the preservation of the whole by cutting off those parts, and those only, which are so corrupt that they threaten the sound and healthy, without which no severity is lawful. And this *power has its original only from compact*, and agreement, and the mutual consent of those who make up the community . . .

These are the *bounds*, which the trust that is put in them by the society, and the law of God and nature, have *set to the legislative power* of every common-wealth, in all forms of government.

First, they are to govern by *promulgated established laws*, not to be varied in particular cases, but to have one rule for rich and poor, for the favorite at court and the country man at plough.

Secondly, these *laws* also ought to be designed for no other end ultimately, but *the good of the people*.

Thirdly, they must *not raise taxes on the property of the people, without the consent of the people*, given by themselves or their deputies.

And this properly concerns only such governments where the *legislative* is always in being, or at least where the people have not reserved any part of the legislative to deputies to be from time to time chosen by themselves.

Fourthly, the *legislative* neither must *nor can transfer the power of making laws* to any body else, or place it anywhere, but where the people have . . .

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#### Concerning Legislative Power:

*The legislative acts against the trust* reposed in them when they endeavor to invade the property of the subject and to make themselves, or any part of the community, masters, or arbitrary disposers of the lives, liberties, or fortunes of the people.

The reason why men enter into society is the preservation of their property, and the end why they choose and authorize a legislative is that there may be laws made, and rules set, as guards and fences to the properties of all the members of the society, to limit the power and moderate the dominion of every part and member of the society. For since it can never be supposed to be the will of the society that the legislative should have a power

to destroy that which everyone designs to secure by entering into society, and for which the people submitted themselves to legislators of their own making, whenever the *legislators endeavor to take away and destroy the property of the people*, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any farther obedience and are left to the common refuge, which God hath provided for all men, against force and violence. Whensoever therefore the *legislative* shall transgress this fundamental rule of society, and either by ambition, fear, folly or corruption, *endeavor to grasp themselves, or put into the hands of any other, an absolute power* over the lives, liberties, and estates of the people; by this breach of trust they *forfeit the power* the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and, by the establishment of a new legislative, (such as they shall think fit) provide for their own safety and security, which is the end for which they are in society. What I have said here, concerning the legislative in general, holds true also concerning the supreme executor, who having a double trust put in him, both to have a part in the legislative, and the supreme execution of the law, acts against both when he goes about to set up his own arbitrary will as the law of the society. *He acts also contrary to his trust* when he either employs the force, treasure, and offices of the society to corrupt the *representatives* and gain them to his purposes, or openly pre-engages *the electors* and prescribes to their choice, such, whom he has, by solicitations, threats, promises or otherwise, won to his designs, and employs them to bring in such who have promised beforehand what to vote, and what to enact . . .

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### **Concerning Rebellion:**

. . . *Such revolutions happen* not upon every little mismanagement in public affairs. *Great mistakes* in the ruling part. Many wrong and inconvenient laws and all the *slips* of human frailty will be *borne by the people* without mutiny or murmur, but if a long train of abuses, prevarications and artifices, all tending the same way, make the design visible to the people, and they cannot but feel what they lie under, and see whither they are going, it is not to be wondered at that they should then rouse themselves, and endeavor to put the rule into such hands which may secure to them the ends for which government was at first erected . . .

. . . I answer, that *this doctrine* of a power in the people of providing for their safety a-new, by a new legislative, when their legislators have acted contrary to their trust, by invading their property, is *the best defence against rebellion*, and the probablest means to hinder it: for *rebellion* being an opposition, not to persons, but authority, which is founded only in the constitutions and laws of the government; those, whoever they be, who by force break through, and by force justify their violation of them, are truly and properly *rebels*: for when men, by entering into society and civil government, have excluded force and introduced laws for the preservation of property, peace, and unity amongst themselves, those who set up force again in opposition to the laws, do [rebel], that is, bring back again the state of war, and are properly rebels, which they who are in power, (by the pretence they have to authority, the temptation of force they have in their hands and the flattery of those about them) being likeliest to do, the properest way to prevent the evil is to show them the danger and injustice of it, who are under the greatest temptation to run into it.

The end of government is the good of mankind, and which is *best for mankind*, that the people should always be exposed to the boundless will of tyranny, or that the rulers should be sometimes liable to be opposed, when they grow exorbitant in the use of their power, and employ it for the destruction, and not the preservation of the properties of their people?

### **Short Essay:**

**Compare Locke's Theory of Natural Rights with the principles stated in the American Declaration of Independence. (You can find the Declaration of Independence in most history textbooks or online).**

**Due:**