

John Locke Second Treatise on Government Quote Analysis

Name: _____ Period: _____

Directions: The following quotes are from John Locke's *Second Treatise of Government*. Respond to the questions. Discuss the quotes in groups. Agree or disagree with Locke.

1. *POLITICAL POWER, then, I take to be a RIGHT of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defence of the common-wealth from foreign injury; and all this only for the public good.*

Who is supposed to benefit from the use of political power? What are the benefits?

Explain why you *agree* or *disagree* with Locke.

2. *TO understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions... But though this be a state of liberty, yet it is not a state of license: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one: and 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: for men being all the workmanship of one omnipotent, and infinitely wise maker...*

Describe the state of nature? What are the limits on human freedom? Why are humans limited?

Explain why you *agree* or *disagree* with Locke.

3. *Though the earth, and all inferior creatures, be common to all men, yet every man has a property in his own person: this no body has any right to but himself. The labour of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property.*

What is property? How does a human gain property?

Explain why you *agree* or *disagree* with Locke.

4. *Man being born, as has been proved, with a title to perfect freedom, and an uncontrolled enjoyment of all the rights and privileges of the law of nature, equally with any other man, or number of men in the world, hath by nature a power, not only to preserve his property, that is, his life, liberty and estate, against the injuries and attempts of other men; but to judge of, and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself... ever therefore any number of men are so united into one society, as to quit every one his executive power of the law of nature, and to resign it to the public, there and there only is a political, or civil society. And this is done, where-ever any number of men, in the state of nature, enter into society to make one people, one body politic, under one supreme government; or else when any one joins himself to, and incorporates with any government already made:*

How is law created and enforced in the state of nature? How is a political society created?

Explain why you *agree* or *disagree* with Locke.

5. *MEN being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent... There is a common distinction of an **express and a tacit consent**, which will concern our present case. No body doubts but an express consent, of any man entering into any society, makes him a perfect member of that society, a subject of that government. The difficulty is, what ought to be looked upon as a tacit consent, and how far it binds, i.e. how far any one shall be looked on to have consented, and thereby submitted to any government, where he has made no expressions of it at all. And to this I say, that every man, that hath any possessions, or enjoyment, of any part of the dominions of any government, doth thereby give his tacit consent, and is as far forth obliged to obedience to the laws of that government...*

How is a political community created? What is the difference between express and tacit consent? How does someone give tacit consent?

Explain why you *agree* or *disagree* with Locke.

6. (Paraphrased Quote) *The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government for the preservation of their property, [because the state of nature needs] First, ... an established, settled, known law... Secondly, an indifferent judge..., and Thirdly, the power to back and support the sentence when right, and to give it due execution... Thus mankind, notwithstanding all the privileges of the state of nature, being but in an ill condition, while they remain in it, are quickly driven into society. ...willingly give up every one his single power of punishing, to be exercised by such alone, as shall be appointed to it amongst them.*

Why do humans create governments? What is lacking in the state of nature? What do they give up when they join a political community?

Explain why you *agree* or *disagree* with Locke.

7. *The first and fundamental positive law of all commonwealths is the establishing of the Legislative Power; as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the common-wealth, but sacred and unalterable in the hands where the community have once placed it; nor can any edict of any body else, in what form soever conceived, or by what power soever backed, have the force and obligation of a law, which has not its sanction from that legislative which the public has chosen and appointed: for without this the law could not have that, which is absolutely necessary to its being a law.*

What is a legislative power? Why is it important?

Explain why you *agree* or *disagree* with Locke.

8. *In these and the like cases, when the government is dissolved, the people are at liberty to provide for themselves, by erecting a new legislative, differing from the other, by the change of persons, or form, or both, as they shall find it most for their safety and good.... Here, it is like, the common question will be made, Who shall be judge, whether the prince or legislative act contrary to their trust?... To this I reply, **The people shall be judge**; for who shall be judge whether his trustee or deputy acts well, and according to the trust reposed in him, but he who deposes him, and must, by having deposed him, have still a power to discard him, when he fails in his trust?*

When can a legislative be dissolved? Who determines when it is necessary to dissolve a legislature? In what ways is this an individual decision? In what ways is this a group decision?

Explain why you *agree* or *disagree* with Locke.
