**Question: Critically explain the social contract theory of Locke.**

**Answer:**

**Introduction:**

Locke was born in England in 1632 and died in 1704. He was a witness to the restoration of Charles II in 1660 and the Glorious Revolution. Like Hobbes, he was also influenced by the contemporary political phenomena. Therefore, he justified the revolution against the despotic rulers. Unlike Hobbes, Locke supported the limited functions of kings i.e. the constitutional form of govt. Locke was the author of so many valuable books and among them “Two Treaties on Civil Government” was his famous book.

**State of Nature:**

The state of nature of Locke was not like the state nature as explained by Hobbes. According to Locke the state of nature was peaceful and was not brutal and there was equality among the people. Each and every people spent his life according to his own choice and there was no any system of subjugation of one by another. The natural resources were common in state of nature. The people were governed by his reason not by the magistrate. There was no government to prescribe law. Thus the important difference between Hobbes and Locke is that according to Hobbes, there was no any natural law. On the other hand, according to Locke men were governed by reason and governing by reason was considered the law for them in the state of nature and it was coined by Locke as natural law. But the state of nature was not perfect one. These imperfections was seen in various cases like the partial judgment; inadequate forces to execute the judgments and various kinds of verdict in similar cases. Therefore, three organs - the legislature, the executive and the judiciary were necessary to enact, execute and protect the laws of state of nature.

**Social Contract:**

The above mentioned deficiencies of law compelled the natural men to conclude a contract among them and that contract created a civil community (civil government) and resultantly the state were originated as an important social institution. One of the most important features of the social contract theory of Locke was the emergence of civil govt. Which was based on the consent of people? There was no any compulsion for the individual to enter into the contract.

 The people surrendered their natural rights to civil society to interpret, execute and to punish the individual for the violation of the law. The civil society (society including the monarch) which is to interpret the laws also was bound by the contract. Unlike Hobbes, Locke viewed that the civil society did not have unlimited power. Hobbes did not support the absolute monarchial system. He said, “I easily grant that the civil government is the proper remedy for the incontinence of the state of nature … But I desire those who make this objection, to remember that absolute monarchs are all bad men…..”

**Characteristics:**

1. The individual retained with them some natural rights like right to life, liberty and property and these natural rights were inalienable rights of men.
2. The purpose of govt. is to uphold and protect the natural rights.
3. People have the right to revolt against the govt. if it goes against the common interest of the people.
4. The state which proceeds to Social Contract was not anarchy.
5. Sovereignty of the state resides in the hands of the people and the govt. is only the trustee of the sovereignty.
6. Locke in his social contract theory created functional specialization of power.

 **Criticism:**

1. **Mechanistic in nature: -** Locke’s social contract theory of state was a fully a mechanistic in nature. The state is not a simple institution which can be created by only a contract. It has some complicated elements which contributed to its formation. But views of Locke regarding the contract were simple and mechanistic.
2. **Logical Inconsistence: -** Locke did not stick any particular view. For instance, his statement varied regarding reside of sovereignty of the state. He said that the sovereignty resides in the individuals, the community, the government and the legislature.
3. **Mum regarding the outcome of the contract:** - Locke in his social contract theory said about the “Original Contract”. But he did not said about what is the source of Original Contract. Either it is society or the state.
4. **Majority can be despotic: -** Locke considers the authority holder should be majority. He did the same mistake as was done by Hobbes giving the power of the state to the single individual. Both the single person and majority can be despotic to the common people.
5. **His theory of consent is defective :** - Locke’s theory of tacit consent is defective in so far as it contains no provision for continuity of consent and the contract was concluded is binding on all the succeeding generations.
6. **The men in nature were not moral and civilized:** - There was no any historical evidence that in primitive society the men were moral and civilized. Men became moral and civilized gradually as society progressed. Therefore, how it was possible for them to form state through contract?

 **Conclusion:**

Despite the deficiencies of social contract theory of Locke, it cannot be denied that he was one of the influential political thinkers of the contemporary period. He was called the father of liberalism and contained the seeds of utilitarianism. He was the first political thinker who draws the distinction between the state and society. Other contributions of Locke to political theory are those of the natural rights of people, supremacy of the civil community, and he was the pioneer who bestowed power to the people and to revolt against the civil community if it goes against the common interest of the people.

**Q: Explain the Views of Locke on state**

**Answer**

**Introduction**

Locke’s view on state is different from that of Hobbes. According to Hobbes that state is a necessary institution and it is essential to protect the life, liberty and property of the people. Therefore, he assigned absolute and unlimited power to it. On the other hand, Locke said that the state is created by the people only to remove the incontinences of the natural rights. Otherwise there is no need of state. He did not consider that the state most essential institution as viewed by Locke. His view regarding the state is explained as follows;

1. **Parliamentary Form of Government:**  Locke in his view supported the parliamentary type of government. According to him Locke considered the legislature as the supreme branch of government. Because it represent the will of the people and it also is ultimate protector of natural rights. In this way Locke became the philosopher of parliamentary form of government. However, he is not willing to make absolute and therefore imposed some limitation on it. It only can exercise it power imposed by the community.
2. **Absolute Authority is Assigned to Community:**  According to Locke the power of legislature is most important and he viewed it as “*the Supreme power of the Commonwealth”.* Though he granted the supreme power of the state to legislature yet he did not assigned to the absolute power. The absolute power holder is the. Community. The Community can curtail the power legislature if goes against the interest of the former. Locke considered the government as only the trust of the community and by doing this he subordinates the position of government to the community. In this way Prof. Vaughan says, “*Locke makes every fair provision not only for popular control of Government but also—what is yet more important – for a progressive extension of that control, as* *experience may dictate.”*
3. **Federative Power of the State:** This is another function of the state. The federative power of state includes the power to protect the interests of the community and the individual citizens in relation to other communities and citizens. It implies the external affairs of state. It should be mentioned here that he separated the power of executive and legislature but he did not separate the power of executive and federative power.
4. **Classification of Government:** Locke was not much interested in the classification of government. Instead of classification he gave importance to the principles of government. However, following the Aristotelian principles he classified the as the Monarchy, Aristocracy and the democracy. If the legislative power is exercised by one person it is called monarchy. On the other hand, if it is exercised by a group of people and by their heirs it is called aristocracy. But if it is exercised by community it is called democracy. Democratic form of government is based on the consent of the community and therefore, according to him it is best form of government.
5. **State is a mean to the End:** Locke said, “*State is an artifice which is created for and it continues to exist, for the better living of the individuals.”* From his statement of Locke it is clear that state is a mechanistic or an artificial institution created by individuals for their welfare. The state is a mean through which it is tried to reach to the end and the end is the individuals. The state should sacrifice its all efforts for the well being of the people. Locke gives more importance to individuals than the state.
6. **State is Based on the Consent of the People:** According to Locke state is based on the consent of the people. He argued that the people obey the state not because it apply its force on individuals but because people gave consent to be ruled at the time of original contract. This also implies the acceptance of the principle of majority rule.
7. **Constitutional Government:** As mentioned above that the government is based on the consent of the people it is implied that he preferred to the constitutional government i.e. the government which is based on the rule of law. According to him the laws should be mentioned in written form so that the community can know about the provision of the laws. If people do not know the laws there will be arbitrary of particular person and then it will not possible to create a civil society which bears civil liberty. But at the time of emergency Locke permitted the use prerogative. In this connection Prof. Wayper says, “*they should only be supplementary to and never a substitute for the rule of law.”*
8. **Secular State:** Locke state was secular in its nature. His state is based on religious tolerance. In his state he believes that there should be any religious persecution by state, any institution or by any individuals. He argues that the state should not interfere in any body’s soul. But he also believes if religious faith of people became a pose of threat to the peace, law and order situation of the state, the state can suppress or even repress it by using it own force. Regarding position of Church in the state of Locke, Laski says, “*Locke makes of the church an institution radically different from the ruling condition of his time. It become merely voluntary society, which may exert no power save over its members. It may use its own ceremonies; but it cannot impose them on the unwilling.”*
9. **Negative Function of State:**  Locke assigned the state only some negative functions. The first and foremost negative function of the state only to prevent the violation of rights of the people in society. These are protected by constitutional provisions. Another negative function of the state is to protect the state from the foreign aggression. It is not concerned with the moral and material development of the people.
10. **Locke’s State is Transformer State:** According to Prof. Wayper the state of Locke is transformer state. It transforms the individual’s self interest to public interest. Waypers says, “*The state holds check self interest and the mechanism whereby men acting as they must are in the end brought to act as they ought to do that is, for public happiness.”*

**Conclusion**

From these above mentioned points we can come to the conclusion that Locke was supporter democratic state. According to him there should be the rule law in the state and the rules should be combined in the form of constitution. This implies that he favored the limited power of the head of the state. The power of the state should be vested in the hand of individuals. Locke even kept the position of community above the legislature. His view was that the state is an artificial institution created by men for the own welfare. In other words it be can said that the state is an mean and the individual are the end.

**Human Nature** **according Locke**

Like Hobbes and other political thinkers Locke also started his political philosophy with his view with human nature. He portrayed human nature not systematically but in scattered way in his *Essays Concerning Human Understanding* the *Second Treaties.* Hobbes ideas of human nature were fully contrast to the ideas of Hobbes.

1. According to Locke the human nature is basically good and decent.
2. The people like to live peacefully and always try to aside the conflict among them.
3. Man is basically orderly, social minded, quite and capable of ruling themselves.
4. They are not selfish as said by Hobbes and always have the tendency for the well being of others.
5. Unlike Hobbes, Locke’s faith is that there is no egoistic, competitive and aggressive feeling in the minds of human being.
6. He believes that all human being are equal in the moral sense. Naturally they enjoy some rights viz. the right to life, liberty and property.

But in his explanation he could not explain scientifically the reasons or the basis of nature of human being like that of Hobbes. This is why Prof Wayper says, his view is “nothing *like so profound and certainly nothing like as consistent as that of Hobbes.*

**Question: Explain Locke’s views on Liberty**

**Answer**

**Liberty**

Locke was supporter of democratic system. As exponent of democratic system he was also the ardent supporter of individual liberty. His views on liberty are explained as follows;

1. **Supporter of Natural Rights:** In his scheme of liberty Locke included some fundamental rights which are most essential for the development of individuals. These rights are right to life, liberty and property. Locke coined these rights as natural rights which individuals possess from the state of nature. These rights are fundamental rights and therefore, nobody can curtail them.
2. **The Prime duty of state is only to Protect the Natural Rights:** This is another aspect which is related to liberty as said by Locke. According to Locke, The prime function of state is to protect the natural rights. Because the individuals can find happiness only in the protection of their natural rights. Here, it should be mentioned one thing that Locke did not draw a line of distinction between the freedom and rights of men.
3. **Right to Withdraw Consent:** Locke believed that the government is based on the consent of the people. He viewed that that government is legitimate which is based on the consent of the people. The absolute government is based on force and therefore, it cannot get the legitimacy. The belief of Locke on the theory of consent implies that people can withdraw their support if the government violates their trust i.e. the liberty.
4. **Full freedom to Individuals:**  Locke was considered the father of liberalism. As an exponent of liberalism Locke believes full freedom to individuals. According to him each individual is rational. He can better understand his own problems and thus can find out the solution of the problems. Individuals should be given full freedom in socio-economic and political fields so that they can develop their personality. Locke assigns purely negative functions of state. The function of state is only to confine to maintain the law and order of society.The state should not interfere the personal life of the people.

1. **Rights to Private Property:** Locke believes the retention of private property also indicates his philosophy of individual liberty. According to Locke at the beginning the property was common and these were commonly used by people. Later on when the individual’s labor was mixed with property it transformed itself as private. Therefore, protection of private property of individuals is one of the prime duties of state.
2. **Natural Law is essential for Liberty:** Locke gave important position to natural law. He viewed that the state came into existence through contract to protect the natural law and it is essential for liberty. The state must conform to protect the natural law under all circumstances. He said that even the minorities can challenge the moral justification of law passed by the majority if it goes against the natural law of the state.
3. **Rights to revolt:** As per original contract Locke has granted the right to revolt against authority if it does not protect the liberty of the people. In other words it can be said that the individuals have right to revolt against authority if state transgress its limits or fails to protect the liberty of the people. Thus, in his theory of liberty he has confined the role of the state to the position hand-made of the individuals, who is in actual practice, is the supreme and ultimate authority of the state.
4. **Division of Power to Protect Liberty:** In his theory of liberty Locke said about the division of power. He argued that to protect the liberty of the people there should be clear cut division of power. It will prevent the state authority to be tyranny where the people cannot enjoy any liberty.

**Criticism:**

1. Locke in his theory of liberty supported the natural rights of the people. But, the natural rights which people enjoyed in state of nature may not applicable in modern society. According to changing time and situation rights also change. Therefore, the rights which people enjoyed in the state of nature may not have relevance in this modern society.
2. According to Locke people have the right to withdraw consent from the authority if it does not protect the liberty. But it is not possible to guarantee that the replaced authority will absolutely protect the liberty of the people.
3. Locke argued that full freedom should be given to individuals to develop their personality. Full freedom brings completion among the people. In that situation the weaker section of society will not survive. The goal of state is to do welfare of all people without any discrimination. Here, the main purpose of creation of state will suffer and in that situation it is not possible to protect the liberty of all people.
4. Locke in his theory of liberty emphasis the rights to private property. He said that rights to property are natural right. But in his theory he forgot that for the greater interest of the state can take over the property of the people. In India the right to property is rejected through constitutional amendment.
5. Right to revolt is granted by Locke to people. According to him if state transgress its limit or fail to protect the liberty of the people they revolt against the state. But he could not realize that revolution is not ultimate solution. To resolve the problems consensus is the best policy than the revolution.

**Conclusion**

In conclusion it can be said that though there are some drawbacks of the theory of liberty of Locke yet it should be confessed that Locke was a democratic. He supported the republican and constitutional form of government. It is right that most of the political thinkers believe that Locke was a pioneer who paves the way to think about the individual liberty.

**Question; explain the views of John Locke Property on** **Private.**

**Answer:**

**Property**

Different political thinker expressed their views regarding the reservation of private property. Plato believed that property obscure the reasoning power and therefore he denied it to the guardians. Aristotle approved of property, but said that any class which became too wealthy would constitute threat to political stability. St Thomas refused that property is sanctioned by National Laws and claimed that it is an additional enacted by human legislators. And Hobbes allowed his citizens to own property but gave the sovereign the power to regulate the ways in which it was employed. All the theorists have in short expressed reservation about property. But, Locke firmly believed that institution of private property was essential for the development of mankind. Locke justified the retention of property on many grounds which are explained as follows;

**Justification of Private Property**

1. **Protection of Property is the Prime Aim of Contract:** According to him, the commonwealth i.e. the state came into being to protect the natural rights of life, liberty and property. Among these rights the private property is most sacred and valuable rights. Locke was neither agrees with Aristotle nor Rousseau regarding the retention of private property. He said, “*That property ownership has become concentrated in too few hands and hence can no longer enter a claim to legitimacy.”* He believed that the state must preserve private property for the happiness of its people. It is always is the source of joy and therefore, as prime condition of contract the state should protect it for the welfare of its citizens.
2. **Religious Ground of Retention of Private Property:** Locke justified the retention of private property on religious ground. According to him God did not commit himself on public and private property of earth resources. He said, *“The appropriate means for making use of the resources which God has given to men is for individuals to develop them so that they can actually sustain life.”* Therefore, he believes that private retention of private property is not unjustified on religious.
3. **Man Mixes Labor with his Private Property:** Another ground of justification of private property is that the people mix their labor with private property. He said, “*The labor of his body and the work of his hands we may say properly his.”* Men put their labor by way of tilling and sowing the land. It his labor which make land productive and therefore, land is his own property. He said, *“As much as a man tills, plants and improves, cultivates and can use the product of, so much is his property.”* Quoting him in support of his argument, He again said*, “Though the water running in the fountain be every one’s yet who can doubt that in pitcher in his only who draw it out.”*
4. **Private Property is Sanctioned by Society:**  According to Locke the retention of private property is approved by society. Society has recognized this institution. Not only this but also it is natural to bulk of the society as everyone has desire to increase one’s possession. He believes that whether we like its retention or not it is right that it has consciously existed in society. In this regard he said, *“We shall see that men will begin presently to enlarge his possession.”*
5. **Retention of Private Property on Historical Ground:** Locke’s retention of private property is justified on historical grounds. He viewed that only the poor individuals who did not have property suffered under the rule of tyrannical rule. Similarly liberty was snatched from those people who were without property. Therefore, he believes that to enjoy the liberty having private property is one of the most important conditions for all sections and particularly for the middle class people. It will guarantee all kinds of liberties.

**Conclusion**

Locke was an ardent supporter of retention of private property. According to him the retention of private is one of the most important purposes of creation of state. He not only justified the private property on the basis of his social contract but he justified it on religious and historical ground.