he actually said. While it may be argued that we have subsequently created a society of possessive individualists, Locke himself had a far more profound vision. His individual emerges precisely at the point at which he begins to act socially. This is not an individual absorbed in the cares and pleasures of his private world but a human being who steps forward in the name of the bond with others that he already carries within him. We might say that he becomes an individual through his assumption of civic responsibility. In this sense, it is not the individual who sustains the political community but rather the political community that sustains the individual. This may seem a surprising suggestion in light of the emphasis that from Locke onward has been placed on the preservation of private rights; but it is less surprising once we recognize that no such conception of rights can survive unless it relies on a common responsibility for sustaining them. Rights are meaningless without a community that is prepared to defend them. The individual who sets himself outside the community is the principal threat to an order of rights.

Many readers of Locke have taken his forceful defense of rights as an indication that he has introduced a far-reaching revision in the idea of natural law. He can indeed sound as if rights are prior to obligations. Yet this is hearing Locke with ears attuned to our own more anarchic social reality, in which individuals feel entitled to pursue their subjective claims against one another without reference to any order of justice that ought to unite them. Locke’s own context was one in which the medieval idea of natural law has been reinforced by the scientific discovery of a law of nature. The latter term Locke generally uses because he wishes to invest moral law with the authority emerging with the scientific discovery of law. There is no suggestion that the moral law operates blindly or automatically; it is precisely to persuade people to recognize their obligations to support civil society that he wrote the *Two Treatises*. The mere assertion of rights, he argues, is bound to remain ineffectual so long as it is not sustained by an order of mutual obligation authorized to defend them. Far from juxtaposing natural rights against natural law, Locke understood that they were reciprocal. There could be no enjoyment of rights without law, and there could be no law without respect for rights. In the 18th century the language of natural rights became widespread while (not coincidentally) there was also a flourishing renewal of interest in natural law. Only later was the concept of nature dropped, and then the status of rights became more attenuated. For Locke, however, the situation remained clear. The danger of an unlimited assertion of rights arose from monarchical claims of standing outside community law.

Resistance to royal absolutism was not simply the overriding issue of Locke’s day. It was the central principle of his political thought. In this respect he differs from Hobbes, who made the absolute authority of the sovereign the linchpin of his political construction. Where Hobbes sees the sovereign as outside the covenant by which civil society is instituted, Locke insists that the sovereign must ultimately be subordinate to the social compact. For Hobbes there can be no agreement without an absolute power capable of enforcing it; for Locke only an agreement that includes the absolute power is worthy of the consent of free people. Yet despite the apparent sharp differences between Hobbes and Locke, these differences are more apparent than real. Hobbes’ sovereign is not as absolute as he appears: His power ultimately derives from the free consent of the majority. Conversely, Locke cannot dispense altogether with a power whose imposition must settle many issues to which we have
preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation: for the law of nature would, as all other laws that concern men in this world be in vain, if there were no body that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do.

Sect. 8. And thus, in the state of nature, every man comes by a power over another; but what absolute or arbitrary power it is not, criminal, when he has a right to it, but, according to the passions, means, or boundless extravagancy of his own will, but only to retribute to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restraint: for these two are the only reasons, why one man may lawfully do harm to another, which is that we call punishment. In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men, for their mutual security; and so he becomes dangerous to mankind, the tye, which is to secure them from injury and violence, being slighted and broken by him. Which being a trespass against the whole species, and the peace and safety of it, provided for by the law of nature, every man upon this score, by the right he hath to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on any one, who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief. And in the case, and upon this ground, every man hath a right to punish the offender, and be executioner of the law of nature.

Sect. 9. I doubt not but this will seem a very strange doctrine to some men: but before they condemn it, I desire them to resolve me, by what right any prince or state can put to death, or punish an alien, for any crime he commits in their country. It is certain their laws, by virtue of any sanction they receive from the promulgated will of the legislative, reach not a stranger: they speak not to him, nor, if they did, is he bound to hearken to them. The legislative authority, by which they are made over the subjects of that country, hath no power over him, and therefore, if by the law of nature every man hath not a power to punish offenses against it, as he soberly judges the case to require, I see not how the magistrates of any community can punish an alien of another country; since, in reference to him, they can have no more power than what every man naturally may have over another.

Sect. 10. Besides the crime which consists in violating the law, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature, and to be a noxious creature, there is commonly injury done to some person or other, and some other man receives damage by his transgression: in which case he who hath received any damage, has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it: and any other person, who finds it just, may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

Sect. 11. From these two distinct rights, the one of punishing the crime for restraint, and preventing the like offense, which right of punishing is in every body; the other of taking reparation, which belongs only to the injured party,
Sect. 87. 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 offense deserves, even with death itself, in crimes where the heinousness of the fact, in his opinion, requires it. But because no political society can be, nor subsist, without having in itself the power to preserve the property, and in order thereunto, punish the offenses of all those of that society; there, and there only is political society, where every one of the members has quitted this natural power, resigned it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire, by settled standing rules, indifferent, and the same to all parties; and by men having authority from the community, for the execution of those rules, decides all the differences that may happen between any members of that society concerning any matter of right; and punishes those offenses which any member hath committed against the society, with such penalties as the law has established: whereby it is easy to discern, who are, and who are not, in political society together. Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another: but those who have no such common appeal, I mean on earth, are still in the state of nature, each being, where there is no other, judge for himself, and executioner; which is, as I have before showed it, the perfect state of nature.

Sect. 88. And thus the commonwealth comes by a power to set down what punishment shall belong to the several transgressions which they think worthy of it, committed amongst the members of that society (which is the power of making laws), as well as it has the power to punish any injury done unto any of its members, by any one that is not of it (which is the power of war and peace); and all this for the preservation of the property of all the members of that society, as far as is possible. But though every man who has entered into civil society, and is become a member of any commonwealth, has thereby quitted his power to punish offenses against the law of nature, in prosecution of his own private judgment, yet with the judgment of offenses, which he has given up to the legislative in all cases where he can appeal to the magistrate, he has given a right to the commonwealth to employ his force, for the execution of the judgments of the commonwealth, whenever he shall be called to it; which indeed are his own judgments, they being made by himself, or his representative. And herein we have the original of the legislative and executive power of civil society, which is to judge by standing laws, how far offenses are to be punished, when committed within the commonwealth; and also to determine, by occasional judgments founded on the present circumstances of the fact, how far injuries from without are to be vindicated; and in both these to employ all the force of all the members, when there shall be need.

Sect. 89. Wherever 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, wherever 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: for hereby he authorizes the society, or which is all one, the legislative thereof, to make laws for him, as the public good of the society shall require; to the execution whereof, his own assistance (as to his own decrees) is due. And this puts men out of a state of nature.
failure to obtain the support of all. Consent is rather the assent to the process that includes the expectation that the minority will dissent from the majority. We have in that sense consented to laws from which we may dissent because we have participated in the process by which they were made. Majority rule is the only principle on which assemblies can effectively operate. "For when any number of Men have, by the consent of every individual, made a Community, they have thereby made that Community one Body, with a Power to Act as one Body, which is only the will and determination of the majority." (par. 95). That consideration determines the direction of the remainder of the Second Treatise, which, having established the principle of majority rule as the operative principle of civil society, then turns to the task of ensuring that it remains within the boundaries of the law of nature it was instituted to preserve. Chief among the means of restraining majority tyranny is continuous recollection of the "ends of political society and government." Locke seeks to make men responsible by calling them to their responsibilities. While not neglecting institutional devices designed to minimize the opportunities for overreaching, Locke places far greater reliance on the spirit that animates the legislative majority. This is largely in keeping with his conviction that the bond of trust makes the compact of civil society possible rather than the other way around. What his political reflections lack in precision, they make up for in rhetorical force. Locke's vision, rather than his details, has made the Second Treatise the most powerful evocation of liberal democracy.

Locke is thus at his evocative best when he reminds his readers that "the great and chief end" of men’s formation of commonwealths "is the Preservation of their Property" (par. 124). He recognizes that the assault on property is the thin end of the wedge by which lawlessness seeps into civil society. The supreme legislative power exercised by the majority is corralled by principles that maintain it within the bounds for which it was instituted. First among its self-restraining principles is that it cannot be arbitrary because, even in the state of nature, none possess such power over
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amongst them. They, who remove, or change the legislative, take away this decisive power, which no body can have, but by the appointment and consent of the people; and so destroying the authority which the people did, and nobody else can set up, and introducing a power which the people hath not authorized, they actually introduce a state of war, which is that of force without authority: and thus, by removing the legislative established by the society, (in whose decisions the people acquiesced and united, as to that of their own will) they untie the knot, and expose the people anew to the state of war. And if those, who by force take away the legislative, are rebels, the legislators themselves, as has been shown, can be no less esteemed so; when they, who were set up for the protection, and preservation of the people, their liberties and properties, shall by force invade and endeavor to take them away; and so they putting themselves into a state of war with those who made them the protectors and guardians of their peace and property, and with the greatest aggravations, rebels, rebels.

Sec. 228. But if they, who say it lays a foundation for rebellion, mean that it may occasion civil wars, or intestine broils, to tell the people they are absolved from obedience when illegal attempts are made upon their liberties or properties, and may oppose the unlawful violence of those who were their magistrates, when they invade their properties contrary to the trust put in them; and that therefore this doctrine is not to be allowed, being so destructive to the peace of the world: they may as well say, upon the same ground, that honest men may not oppose robbers or pirates, because this may occasion disorder or bloodshed. If any mischief come in such cases, it is not to be charged upon him who defends his own right, but on him that invades his neighbors. If the innocent honest man must quietly quit all he has, for peace sake, to him who will lay violent hands upon it, I desire it may be considered, what a kind of peace there will be in the world, which consists only in violence and rapine; and which is to be maintained only for the benefit of robbers and oppressors. Who would not think it an admirable peace betwixt the mighty and the mean, when the lamb, without resistance, yielded his throat to be torn by the imperious wolf? Polyphemus’s den gives us a perfect pattern of such a peace, and such a government, wherein Ulysses and his companions had nothing to do, but quietly to suffer themselves to be devoured. And no doubt Ulysses, who was a prudent man, preached up passive obedience, and exhorted them to a quiet submission, by representing to them of what concernment peace was to mankind; and by showing the inconveniences might happen, if they should offer to resist Polyphemus, who had now the power over them.

Sec. 229. The end of government is the good of mankind; and which is best for mankind, that the people should be always exposed to the boundless will of tyranny, or that the rulers should be sometimes liable to be opposed, when they grow insistant in the use of their power, in order for the destruction, and not the preservation of the properties of their people. That, sect. 230. Nor let any one say, that mischief can arise, from hence, as of a sudden head, or turbulent spirit, to desire the alteration of the government. It is true, such men may stir, whenever they please; but it will be only to their own just ruin and perdition: for till the mischief be grown general, and the ill designs of the rulers become visible, or their attempts sensible to the greater part, the people, who are more disposed to suffer than right themselves by resistance, are not apt to stir. The examples of particular injustice, or oppression of here and there an unfortunate man, moves them not. But if they universally have a persuasion, grounded upon manifest evidence, that designs are carrying on against their liberties, and the general course and tendency of things cannot but give them strong suspicions of the evil intention of their governors, who is to be blamed for it? Who can help it, if they, who might avoid it, bring themselves into this suspicion? Are the people to be blamed, if they have the sense of rational creatures, and can think of things no otherwise than as they find and feel them? And is it not rather their fault, who put things into such a posture, that they would not have them thought to be as they are? I grant, that the pride, ambition, and turbulence of private men have sometimes caused great disorders in commonwealths, and factions have been fatal to states and kingdoms. But whether the mischief hath oftener begun in the peoples wantonness, and a desire to cast off the lawful authority of their rulers, or in the rulers insolence, and endeavors to get and exercise
sake of the rights of others without toppling the whole structure of rights. Realizing that rights are indivisible, we also see the extent to which we are never simply defenders of our individual rights. In asserting the rights of one, we assert the rights of all. This idea of community Locke has incorporated into the political form that seems to have given priority to the individual. Within the elusiveness of that relationship stands the elusiveness of his political thought.

**Key Terms**

The Glorious Revolution of 1688  
law of nature  
natural rights  
royal absolutism  
priority of the moral community  
civil society  
divine right of kings  
consent of the governed  
tacit consent  
state of nature  
inconveniences  
prepolitical community  
compact  
property  
right to life  
right to the property civil commonwealth  
genesis of civil society  
men being judges in their own case  
transfer of liberty  
majority rule  
consent  
executive power  
federative power  
prerogative power  
usurpation  
tyranny  
dissolution of government  
liberal democracy  
Latitudinarian Christianity  
religious toleration