

17.03. Introduction to Political Thought

Lecture Outline: Locke, *Second Treatise of Government*, 10-14, 19 (§. 211-30, 240-43)

I. Forms of commonwealth

- A. What is a commonwealth?
- B. Types
 - 1. Democracy
 - 2. Oligarchy
 - 3. Monarchy (Locke's critique of absolute monarchy (§. 90-94); cf. Hobbes)

II. Formation of civil society and government

- A. Majority rule
- B. Legislative power
 - 1. Supreme power of commonwealth
 - 2. Limits on legislative power: neither absolute nor arbitrary power
 - a. Legislative power can be no more than the power that individuals had in the state of nature before they entered into society
 - b. Legislative authority must rule in accordance with "settled standing laws"
 - c. Legislative power cannot take any man's property without his own consent
 - d. Legislative cannot transfer power of lawmaking to other hands
- C. Government as trust
 - 1. Government is "only a fiduciary power to act for certain ends"
 - 2. People have "supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them" (§. 149)

III. Separation of powers

- A. Division between legislative and executive; legislative supreme
- B. Federative power distinct from executive power but not separated into different hands
- C. Not a doctrine of separation of powers
- D. Contrast with Hobbes who opposed independent nobility, independent church authority, and dividing the power of the state
- E. Executive prerogative

IV. Right to rebellion

- A. Government is a trust; if government acts against the trust, government is dissolved
- B. Grounds for rebellion
 - 1. Legislators take or destroy private property without consent of people
 - 2. Executive sets up his own arbitrary will as law or seeks to usurp legislative power
- C. Objection: right to rebellion lays "ferment for frequent rebellion" (§. 224)
 - 1. Locke's reply
 - a. Revolutions will not happen upon every little mismanagement in public affairs
 - b. True "rebel" is the tyrant who undermines the ends of govt and thereby makes war on the people (rebellare, §. 226)
- D. Who shall be judge of breach of trust?
- E. Another objection: incoherent to include in a constitution the means of dissolving it (Kant)