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**Topic Covered:** Paper - C-8 (Modern Western Pol thought)

~~Unit 2~~  
Sem-  
IV

Unit 2: Locke -  
Natural Rights  
and  
Property

~~Unit 2~~

Material given by  
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**Introductory.**— From Thomas Hobbes, the greatest systematic political philosopher whom Great Britain has produced and one of the doughtiest champions of absolutism, we may turn to John Locke, another great seventeenth century English thinker, whose political doctrines stand in great contrast to those of the former. Though Locke's *Treatise on Government* lacks the coherence and systematic character of the *Leviathan* of Hobbes and suffers from great drawbacks as a piece of speculative reasoning, it far surpasses the latter in historical importance and as a theory of practical application. Whereas the *Leviathan* was remote from considerations of immediate policy and was still-born, and offended all parties and pleased none, Locke's *Treatise* reflected the spirit of the age and provided the theory for the Glorious Revolution of 1688 which had preceded its publication by one year. In the words of Vaughan 'it remained the gospel of freedom, both in France and England, for at least two generations after its appearance'. It also provided justification for the revolutionaries in America. It is not only in the field of political thought and action that the doctrines of Locke inspired men in Europe and America, in the realms of metaphysics, economics, and theology also he chalked out lines of thought which a number of men followed after him.



time, the state of nature.

**Property and Other Natural Rights.**— The one thing on which Locke lays great emphasis throughout the *Treatise* is that the chief end or purpose for which the state or commonwealth is formed is making secure to the citizens the natural rights to life, liberty and property which they had in the state of nature. Of these the right to property is the most important, so much so that sometimes Locke uses it in a comprehensive sense to include life and liberty. But here we shall employ it in its usual meaning; i. e., material possessions of which land is the most important. It is also important because Locke constantly assumes that all the other natural rights are analogous to the right of private property. He devotes one long chapter to an elucidation of its meaning and justification.

The central point in Locke's theory of property is that, in opposition to the theory later developed by thinkers like Rousseau

and Green who maintained that all rights are a social creation, he held that the right to private property existed in a highly developed form in the state of nature under the operation of the law of nature. Since it existed prior to the formation of the civil society, it does not owe anything to the original contract which brought the state into existence. It is something which the individuals bring with them from the natural to the civil state, and is therefore indefeasible. State and society exist to protect this right and therefore cannot deprive an individual of his property without his consent. They have no right even to regulate it except within certain limits necessitated by the desire to protect it effectively. Generalising we can say that Locke conceived all the natural rights as things which an individual brings with him from birth, and consequently as indefeasible or inviolable claims upon both society and government. 'Such claims can never be justly set aside, since society itself exists to protect them; they can be regulated only to the extent that is necessary to give them effective protection. In other words, the "life, liberty, and estate" of one person can be limited only to make effective the equally valid claims of another person to the same right.\* Well may Professor Vaughan declare: 'Everything in Locke's system revolves round the individual; everything is disposed so as to ensure the sovereignty of the individual.'

Let us now turn to Locke's account of the way in which the right to private property came to develop in the state of nature, solely under the influence of the law of nature and independently of any private or man-made law. He started with the assumption that in the state of nature property was common in the sense that every one had the right to take whatever was necessary for his subsistence. 'God, who has given the world to men in common, has also given them reason to make use of it to the best advantage of life and convenience. Though all the fruits it naturally produces and the beasts it feeds belong to mankind in common; and no body has originally a private dominion exclusive of the rest of mankind in any of them ..... whatsoever he removes out of the state that nature has provided and left it in, he has mixed his labour with, and joined to it something that is his own, and thereby makes it his property.' These extracts imply that though

\* Sabine: *op. cit.*, page 528.

उपरोक्त सिद्धांत  
के अंतर्गत प्रत्येक व्यक्ति  
(from defeat)





originally all the things provided by nature belonged to all and were not the exclusive possession of any single individual, every one could claim as his own whatever he mixed his labour with. The fruits a person gathers from a tree, and 'as much land as a man tills, plants, improves, cultivates and can use the produce of' are his property. This doctrine rests upon the assumption that a man's limbs and their labour are his own; whatever objects or commodities he produces by their help working upon what nature has given become his private property. A person can be said to incorporate into his personality whatever he produces.

If private property could be limited to what is produced by one's labour and were restricted to what was necessary for life and convenience, one could easily accept Locke's theory. But obviously, neither in his days nor at the present time the conditions are so simple. Men own much more than what they need or mix their labour with. It is difficult to say whether Locke would have justified the amassing of great fortunes by the industrialists; but it is plausible to argue that according to Locke's reasoning a capitalist employer of labour is entitled to the entire product of the labour of his servants. This is sufficient to show that his doctrine has become inapplicable to the complex society of today.