

## Quadrant II – Notes

**Programme:** BACHELOR OF ARTS (TYBA)  
**Subject:** POLITICAL SCIENCE  
**Paper Code:** POC 105  
**Paper Title:** Western Political Thinkers (Plato to Locke)  
**Unit:** 5  
**Module Name:** Views on Constitutional Government  
**Module No:** 30  
**Name of the Presenter:** Asst. Prof. Divya Parmar

---

### Notes

#### INTRODUCTION

- John Locke (1632–1704) is among the most influential political philosophers of the modern period. In the *Two Treatises of Government*, he defended the claim that men are by nature free and equal against claims that God had made all people naturally subject to a monarch.
- He argued that people have rights, such as the right to life, liberty, and property, that have a foundation independent of the laws of any particular society.
- Since governments exist by the consent of the people in order to protect the rights of the people and promote the public good, governments that fail to do so can be resisted and replaced with new governments.
- Locke published these works only after the Glorious Revolution of 1688, when Parliament had deposed the absolutist James II in favour of a constitutional monarchy.
- When the state of nature descends into a “state of war,” these free and equal individuals rationally choose to form a social contract, one grounded in mutual “consent” and guided by the “determination of the majority”.
- Individuals give up their natural rights to judge disputes and enforce the law of nature, and in thus giving up their individual rights they create the original powers of government: the legislative and executive, a distinction that Locke uses to justify a fundamental separation of powers.
- Government is formed in the second step of contract by majority vote by the political community formed by the first step of contract.

- In Locke's political system, Government resembles a trust bound to act within the terms of its constitution. Locke evolves a constitutional government; which governs with the consent of the people.
- He claims that legitimate government is based on the idea of separation of powers i.e. Legislative and Executive. Legislative is the supreme power; executive is subordinate to legislature.
- Government as a trustee to the community and its members is bound to act to further public good or common good.
- By constitutional government he meant that government must govern with the consent of people, government is created by the will of the people.
- First is the legislative power. Locke describes the legislative power as supreme in having ultimate authority over "how the force for the commonwealth shall be employed".
- The legislature is still bound by the law of nature and much of what it does is set down laws that further the goals of natural law and specify appropriate punishments for them.
- The executive power is then charged with enforcing the law as it is applied in specific cases. Locke's third power is called the "federative power" and it consists of the right to act internationally according to the law of nature.
- Duties of the Government
  - a) To make universal laws conforming to natural laws- legislative duties
  - b) To protect natural rights and to adjudicate disputes(punish one who breaks law), maintain peace and order- executive duties.
  - c) To manage relations with other state/communities and protect from external aggression- federative duties.
- The limits to the power of the legislature include the following: the legislation must govern by fixed "promulgated established laws" that apply equally to everyone; these laws must be designed solely for the good of the people; and the legislative must not raise taxes on the property of the people without the people's consent.
- The executive, on the other hand, must always be active, because the laws that the legislature passes must always be enforced.
- Locke believed that it was important that the legislative power contain an assembly of elected representatives.
- Locke was more concerned that the people have representatives with sufficient power to block attacks on their liberty and attempts to tax them without justification
- People/ community have the right to overthrow and change the government if it fails to protect the rights of citizen and fails to maintain peace and order, acts arbitrarily and is tyrannical.
- Locke contends that people decided to set up a government that would protect their natural rights and punish the offenders as a few of them tend to depart from the inward morality and oppress other for personal gain.

- Locke envisages limited sovereignty because he regards government as a trust of the community which is answerable to the community.
- Locke's theory of contract corresponds to the theory of constitutionalism which requires the government to exercise limited powers and not act beyond the specific functions.
- It concedes people's right to revolution; they can overthrow the government if it fails to carry out responsibility and set up a new one.