John Locke (1632-1704)

The reader may wonder about the First Treatise of Government—it was published, along with the Second Treatise, originally as Two Treatises of Government. The First Treatise was a line-by-line refutation of Robert Filmer’s Patriarcha (written in 1640s, about the same time as Hobbes’ Leviathan, but not published until 1680), in which Filmer argued that the King of England’s claim to authority descended from Adam’s appointment by God as father of the human race. Filmer’s was one version of the Divine Right of Kings theory of political legitimacy and obligation). The Second Treatise, for which this guide is written, was published separately, often with the subtitle, “An Essay Concerning the True Original, Extent and End of Civil Government”.

Chapter One
1. [§3] After recounting 4 specific problems with Filmer’s theoretical defense of the authority of the English monarch (§1), Locke defines political power as the object of his analysis in this Treatise. What two functions are included in political power, as conceived by Locke? And for what single purpose is this power to be wielded, according to Locke?

2. [§3] What term in Locke’s definition of political power indicates that Locke is not describing power as being not merely a DESCRIPTIVE property, but rather a NORMATIVE or PRESCRIPTIVE property? [Compare Locke’s terminology with Hobbes’ terminology; see questions 6 & 84 below.]

Chapter Two: Of the State of Nature
3. [§4] Locke begins with an assertion about each person's freedom in the state of nature. In what, fundamentally, does freedom most basically consist? To what is freedom contrasted in Locke's characterization? (In other words, what two sorts of obstacle to freedom does Locke contrast freedom?)

4. [§4] How is Locke's account of equality connected to his account of liberty in the state of nature?

5. [§4] To whom do you think Locke is referring by the description "the lord and master of them all"? [Recall what Locke’s First Treatise is about!]

6. [§6] What is the distinction between liberty and license? [How is this distinction related to Hobbes’ account of the right of nature in chapter XIV of his Leviathan?]

7. [§6] Locke makes several interesting claims about the laws of nature, reason, God, property, and justice. What sorts of things do humans NOT have liberty to do? What basic role does God play in this discussion?

8. [§6] How are humans able to know the laws of nature that apply to man’s natural condition?

9. [§6] Besides preserving one’s own life, what else ought man do? [What do you suppose Locke means when he uses the expression, ‘ought’? Is this similar to or different from Hobbes’ notion of ‘ought’?]

10. [§6] What objective makes it permissible in the state of nature to injure or cause harm to another person?

11. [§§7-12] Regarding the laws of nature, what rights do persons have? Which persons have this right/these rights? What is the extent of this right/these rights? In other words, how far may person go in acting on the rights of this section?

12. [§7] Why MUST people have these rights regarding the laws of nature, according to Locke?

13. [§8] What are the ‘only two reasons’ Locke explicitly identifies as the bases for lawfully doing harm to another (or ‘punishing’ another)?

14. [§9] Locke considers the relationship between an alien (i.e., a non-citizen) in some country and the right of that country to punish the alien for wrongdoing. What is Locke’s point here? [Locke here might be seen as signaling an important difference between the moral foundations of his theory versus the moral foundations of a theory like Hobbes’. What do you suppose this difference is?]

15. [§§10-11] In addition to punishment as a response to wrongdoing, what other rightful response to wrongdoing does Locke recognize? Who may exercise this rightful response?
16. [§12] Notice that Locke thinks the requirements of laws of nature are easier to understand or to know than are the requirements of civil or municipal (i.e., human-made) law. Why is it harder to understand man-made (or what is sometimes called, "positive") laws?

17. [§13] Locke broaches for the first time the possible motivation for establishing civil government. What is the role of government and what makes it necessary? [Also in this section, Locke indicates a problem with the kind of sovereign Hobbes tried to show was justified. What is Locke's concern about Hobbes' sovereign?]

18. [§14] Hobbes is famous for arguing that in the state of nature, life for humans is miserable because there is no possibility for cooperative agreement. How does Locke's view compare with Hobbes' on this score? What sort of agreement in particular ends the state of nature?

19. [§15] Notice in Locke's quotation of Richard Hooker in §15, which Locke endorses, that there is an explanation of why persons will enter civil government. This plays a significant role later in Locke's justification of property. What leads persons to choose civil government? (You might want to think how this is related to the answer to question 17 above.)

20. [§15] What appears to be the necessary condition for leaving the state of nature according to Locke?

Chapter 3: Of the State of War

21. [§16] What is characteristic of the state of war?

22. [§16] Why is it permissible to kill an aggressor?

23. [§§17-18] Locke makes the case for strong rights to liberty. What is Locke's reasoning here? Is liberty valued as an end in itself? Is liberty valued as an instrument or means to something else? What part or parts of the text would you point to in order to answer this question about how liberty is valuable?

24. [§19] How does Locke characterize man's condition in the state of nature and in the state of war? How does the existence of a civil power affect these two conditions? Does ending the state of nature necessarily end the state of war? What part of the text would you point to in order to support your answer to this last question?

25. [§21] What 'great reason' does Locke identify at the end of Chapter 3 that induces humans to put themselves into society and quit the state of nature? [Compare this with the text appropriate to responding to question 17 above.]

Chapter 4: Of Slavery:

26. [§22] Note the distinction between 'natural liberty' and 'liberty of man, in society'. The latter is also called by Locke, 'freedom under government'. What does this latter sort of liberty consist in?

27. [§23] Locke considers two different cases of becoming a slave. One is through being conquered after one has been an unlawful aggressor against another (slavery by conquest), and the other is become a slave through a contract of slavery (slavery by compact). The first sort of slavery seems to be just (at least, the just conqueror does not injure the slave, Locke says). But the second sort of slavery is fundamentally unjust, according to Locke. Why? [Compare your answer here to your answer to question 6 above.]

Chapter V: Of Property:

This chapter is arguably one of the most influential pieces of philosophical analysis and argumentation in the Anglo-American tradition. Even today, political philosophers, political commentators and citizens take inspiration from what they take Locke to have argued, but many have a misunderstanding of Locke's view. This chapter bears very close scrutiny, not just for its role in Locke's overall theory of the state's legitimacy, but also for its role in the history of economic theory.
28. §25 What is it precisely that Locke "endeavours to shew" in Chapter V? What is the initial state of ownership of the earth?

29. §25 Notice Locke’s reference in his statement of what he intends to show in this chapter to consent. What is the difference in the relationships between (a) consent and legitimate property acquisition and (b) consent and the legitimacy of civil government (as initially discussed, for instance in §§ 14-15)?

Locke’s attention to the role of consent and property is interesting here. Presumably, Locke would have been concerned with the idea that property could be held by natural right by the King of England (and other divinely appointed monarchs)—see the penultimate remark in §25 that opens Chapter V. But, in fact, one of the main points that Locke is clearly intending to show is not just that an alternative natural right foundation for private property is wrong, but also that a CONVENTIONAL foundation for private property (e.g., a Humean, or Millian) is wrong. This is one implication of his argument that consent is unnecessary to the establishment of an exclusive right of private dominion of property.

30. §26 What is Locke’s reasoning for the claim that there must ‘of necessity’ be available for individual persons the means by which they may ‘appropriate’—i.e., acquire, exclusive rights to [private] property? What kind of ‘necessity’ do you suppose Locke has in mind here? See the last sentence in §35 for further hints, and also §130. [Notice that Locke here characterizes the right to property as a ’private dominion, exclusive of the rest of mankind’—how does this conception of a right contrast with the Hobbesian ‘right of nature’ in Leviathan, Chapter XIV, §§1-2? ]

31. §27 With what does Locke begin his account of what we, as individuals, can own as private property? By what method do people appropriate objects as property which were previously not owned by any particular individual? [Another way to see this issue is to ask what it is that Locke thinks each individual initially has an exclusive right to.]

32. §27 What restriction on acquisition does Locke recognize in §27? [This restriction is typically referred to as the ‘Lockean proviso’.]

33. §28 What is the structure of Locke's argument in §28? What is his conclusion? [Look at what he 'endeavoured to shew' in the chapter in response to question 28 above.] Is Locke’s argument cogent here?

34. [Note that in §30, he describes his principle of just acquisition of property a ‘law of nature’. [This characterization of his rule of appropriation sometimes leads to Locke being described as having a natural rights view of property. Such a natural rights view of property might serve as the basis to evaluate the adequacy or justness of positive or civil laws regarding property. Given the role of God in Locke’s view, we might say he has a God-given rights view of private property.]

35. §31 What is the objection to which Locke is responding in §31? What is his response? [This response introduces what is sometimes referred to as the Spoilage Condition or the Spoilage Provision.] How does Locke describe the condition of life that exists for ‘a long time’ while persons observed this spoilage condition? [Compare this to what he also says in §36 about the ‘first ages of the world’, and §107 about what form the first legitimate governments are likely to take.]

36. §32 What is Locke’s theory for how land comes to be owned privately? How does God figure in this theory?

37. §33 Why is appropriation of land by the means Locke cites NOT a ‘prejudice to any man’? In other words, how is the Lockean Proviso to leave enough and as good for others satisfied through Locke’s appropriation method?

38. §34 Some readers of Locke read in §34 a tacit endorsement of capitalism and its virtues (perhaps along the lines of the Protestant work ethic’ as described by Max Weber). What passage do you think they have in mind? [To whom does God in particular give the world, according to Locke? To whom does God NOT apparently intend the world belong? See also §48]

39. §36 The conditions that restrict a person’s moral permission to appropriate land parallel the restrictions on appropriating other objects. What is it that overturns or renders ineffective these restrictions?

40. §37 Locke makes a curious claim in §37 (first paragraph). When a person encloses and works on 10 acres of land, he does as well as giving 90 acres to the rest of mankind. What does Locke have in mind here? Consider what Locke says in §33 (in response to question 37 above).

41. Note in §39 just how confident Locke thinks that property rights along the lines he has outlined are self-evident and uncontroversial.

Comment [CGG1]: No question here.

Comment [CGG2]: Again – no question here. But the passage is important for comparing the pre-money phase of the state of nature and the post-money state of nature.
42. [§40-42] Following up the ideas targeted in question 40 above, consider the things you value, purchase and make use of on a daily basis. How many of these things are things we take directly from nature, unadulterated by some kind of labor? Is this convincing support for Locke's theory of value? Why or why not?

43. [§44] What is the 'great foundation of property', according to Locke? Why does this foundation imply private property?

44. [§46] Locke writes, “And indeed it was a foolish think, as well as dishonest, to hoard up more than his share, and robbed others.” Criticizing this activity as 'dishonest' seems like a more or less straightforward moral criticism. What sort of criticism do you think Locke has in mind when he characterizes the activity as ‘foolish’? Is this a moral criticism? If not, what kind of criticism is it? [Compare this to his concluding section for Chapter V, §51. For its relationship to Locke’s argument for legitimate condition, see also §107.]

45. [§46] At the end of §46, Locke again makes a crucial distinction with respect to what it is that constitutes a holding that 'exceeds the bounds of [one’s] just property. What does it NOT consist it? What DOES it consist in? [Compare this with his remarks in §31.]

46. [§47] An earlier question (#29 above) asked about the relationship between what Locke intends to ‘shew’ in Chapter V (§25) and what the foundation of political legitimacy is (§§14-15). What might we say about the origin of money relative to this distinction?

47. [§48] Locke considers an interesting hypothetical situation: an island on which there is absolutely no object that could serve as money, though the island is stocked with many intrinsically desirable things. In such a place, the absence of money would also ensure the absence of what else? Why? [Compare this to his remarks in §34 & §37.]

48. [§48-50] A crucial change in the conditions of life in the state of nature is precipitated with the invention of money. How is the invention of money connected to the restrictions on appropriation of property?

49. [§50] What is it that persons consent to when they consent to the use of money, according to Locke?

50. Summary question for Chapter V. What role did the state play in (a) the emergence of private property, and (b) the emergence of money?
Chapter VI: Of Paternal Power

Our interest in Chapter VI is mainly his discussion in §57, though there are several interesting points in his discussion. Locke's main interest in Chapter VI is to examine the analogies/disanalogies between parents' rights of power over their children and a government's rights of power over the community's citizens. He is attempting to explain why very early political authority took the form of hereditary monarchies, and to show why it is nonetheless appropriate to view even these forms of political authority as based upon consent. As can be seen in Chapter VIII, consent figures heavily in one of the central discussions by Locke of political authority.

Along the way, Locke revisits the idea of equality as expressed in §4 (question 4 above) and how the inequality between children and adults figures in the authority parents have over their children. Children have obligations/duties of obedience towards their parents, but it evaporates as the children achieve the power of reason. As the child's obligation evaporates, so too does the authority parents have over their children. Locke says (in §58) that the parental power "arises from" the duty they have to take care of their off-spring; hence, parental power itself is not arbitrary but is sanctioned only as requisite for the parents to meet an obligation they have (an obligation that appears to be grounded in natural law. In §61 Locke indicates that we are "born free" just as we are "born rational"—not in actuality but we are "born to" both, the latter being the foundation of the former.

Some other interesting things found in Chapter VI include a reference to a presumably moral obligation that leaves one owing "relief and support to the distressed", an obligation that might suggest a moral obligation to provide welfare (§70). Interestingly, though, Locke asserts that this duty does not entail or stem from a right on the part of the distressed (unlike the case of children who have an actual right to assistance from their parents). Hence, even if there is some kind of duty to aid the distressed, the distressed do not have a right to support and relief. (This is sometimes referred to, for instance in the moral theories of Mill and Kant, as a case of imperfect duty.)

Another interesting thing to be found (§72-§3) is the supposition that parents have a right of bequest—that is, they have the authority to decide to whom to leave their estates, including land holdings. Nonetheless, this right appears to be subject to being governed by the customs and laws of the civil society in which the land is located. This is especially important with respect to inheritance of land, which is not portable. In order for a person to inherit land in a civil society, one may take title to the land only on condition of joining the civil society and accepting as authoritative the laws of the land. This is one way the consent of the people may be extended through subsequent generations beyond the generation of the founding members who initially consent. This discussion also figures in why the early political arrangements were hereditary monarchies.

In §74, Locke indicates why even early political arrangements were based upon consent despite there being strong familial relationships between the persons. Again, we will see the centrality of consent's role a bit later, but note that Locke suggests that even in "the first ages of the world" where there is much uninhabited space, the situation for persons is such that "without some government it would be hard for them to live together". This is yet another sign of the ambivalence Locke seems to have about human nature and the potential for peaceful living in the state of nature. In the next section, §75, he seems to identify one of the central functions of government even here in primitive times—conflict resolution. Note the reference to government as an 'umpire'.

But let's return to the more central questions of relevance for the overall political theory. Look at §57 (and you can also look at §63). We get insight into some of the basic elements of Locke's theory because he appears to offer definitions of some important concepts and he indicates the relationships, or least some of the relationships, between them.

51. [§57] What general necessary condition must hold in order for a person to be properly subject to a law?
52. [§57] How does this general necessary condition apply to persons being subject to the law of nature?
53. [§57] What is the true notion of law, according to Locke? [Why might the law of nature be said to be teleological? Consider Aristotle's notion of final cause—see his Physics, Book II, chapter three.]
54. [§57] What does individual liberty or freedom appear to be here? [see also §63]
55. [§57] How are law and freedom related?
56. Now for the tough question: how is the sense of freedom explicated here by Locke connected to the true notion of law? Something for you think about is the reference Locke makes to "bogs and precipices".

The interest here is that consent, which will play a huge role in Locke's theory of political justification, typically assumes a background condition of freedom. The justificatory force of consent seems to presuppose that I undertake consent freely. If I consent to hand over my wallet to you because you hold a gun to my head, the presumption is that my being subject to your coercive force renders my "consent" hollow, or in other words, undermines the idea that I've even consented at all. I must be free in some substantive sense in order to genuinely consent to something—that is, in order for my consent to legitimate the way I am treated.
Chapter VII: Of Political or Civil Society:

Following Book I of Aristotle’s work, The Politics, Locke proposes in this chapter that we analyze different kinds of associations between persons in terms of the end or goal (telos) that the association serves and what sorts of interpersonal bonds develop in an association serving this end. The first association Locke considers (§§ 78-83) is conjugal society between man and woman, and his view of the end which this association serves is procreation and preservation of the species. Note that the basis of the association is consent and he allows that there is no necessity that the relation be permanent in the state of nature, though he DOES think that when political associations come about, the political authority might have reason to make the voluntary conjugal association permanent and regulate it perhaps in other ways (think of the right of bequest mentioned in the Chapter VI, §§72-3).

57. [§82] Locke mentions in the discussion of the family that a husband and a wife may have ‘different understandings’ and ‘different wills too’. Why is this a problem and on what basis is does Locke ground his solution? [Note how both nature and the power of contract affect the disposition of how disagreements are settled.]

58. [§83] At the end of §83, Locke indicates a basic principle concerning the extent of authority of any association. What is this basic principle?

59. [§85] The ‘society’ between master and servant is another association Locke considers. He distinguishes between voluntary servitude and slavery as the result of being the loser in a just war. Note that forfeiture of a right to life entails, Locke thinks, forfeiture of a right to liberty and subsequently forfeiture of a right to property as well. What is the consequence of having lost a right to property, according to Locke? What does Locke’s discussion of slavery imply about the end (telos) of civil society?

60. [§§ 87-89] In §87, Locke indicates that he has two meanings in mind when he speaks of property. One is the modern sense of property in terms of ownership rights to objects, as explored in Chapter V. He also has in mind a broader notion of property--the "rights to life, liberty and estate" where 'estate' seems to now stand for the initial or narrower meaning of property. He switches back and forth between these different senses, so readers should think carefully about which sense Locke has in mind when he uses the term 'property'. This section, §87, also signifies the start of Locke's most explicit explanation of the social contract for civil society or political society. Where, and where only, is ‘political society’, according to Locke? What makes this a social contract? [Who are the parties to the contract? Does Locke follow Hobbes here or does he specify different parties to the contract than does Hobbes?]

61. [§§ 87] What is the primary role of the community (the people in a society referred to collectively, rather than individually) in this Lockean version of the social contract? By what mechanisms does the community execute this role? (Locke’s discussion here is associated with what we now call the 'rule of law'.)

62. [§§ 87] What distinguishes a people in ‘civil society one with another’ from those in the state of nature?

63. [§§ 88-89] How do the three branches of government under the U.S. Constitution relate to Locke’s conception of the function of the commonwealth in his political theory? [Cf. §§ 124-126]

64. [§§ 88] What is the origin (the ‘original’ in Locke’s terms) of the state’s power to execute its basic functions? That is, from where does the state get its power/authority?

65. [§§ 90-91, Locke indicates why separation of (governmental powers) is crucial for the success of political society to realize or achieve its end. Why is separation of powers necessary, according to Locke? How does this argument entail that a Hobbesian sovereign (an ‘absolute monarch’ in Locke’s terms) must fail as a solution to the problem of the state of nature?

Chapter VIII: Of the Beginning of Political Societies

66. [§95] How is consent related to obligations of civil society?
67. [§§ 96-99] When a commonwealth forms as separate individuals unite, Locke, like others, refer to the resulting society as a “body politic”. Despite the suspicion that the body politic is only metaphorically a body, Locke nonetheless writes as though it can still be considered to have a will. What principle determines how the will of this unified body politic acts? Is there any possibility that an ALTERNATIVE to this principle will be legitimate?

68. [§98] When Locke uses the body politic metaphor, he says it is natural that the will of the commonwealth be determined in the way he specifies. Nature here seems to have some sort of normative authority or at least some normative force. How are nature and consent related, as sources of normativity? Does one seem to have greater authority than the other?

69. [§98] What alternative model of consent would entail that states so formed dissolve the same day they were formed? In rejecting this alternative model of consent, what sorts of conditions is Locke suggesting are inevitable for any state to contend with?

Locke considers in §100 two objections to his claim that it is consent that is the only route to “lawful government” anywhere in the world. His response to these two objections runs from §§101-112. The first objection points out that we have no historical record of people coming together under conditions of freedom (independence) and equality to consent to government. The second objection points out that all persons we know of are born already being (presumably legitimately) subject to government, and hence no one that exists today can in fact consent to any new government. It is important to keep in mind that this is Locke's first treatise on civil government and it was developed during intrigues concerning succession to the British Crown. Locke's main goal is to show how a constitutionally limited state with final authority on things political resting in the people is justifiable while hereditary monarchy unanswerable to the people is not. So, his replies to the objections often aim to show that the objection that is being considered is not one that can be pressed against Locke without considering that the very same objection also undermines the authority of any hereditary monarchy.

70. Locke points out the project of recording of history typically requires an antecedent step of instituting social conventions resembling or constituting government, so it is not to be expected that we will have much historical evidence of the formation of government itself. He does offer some cases in history that he asserts shows that people instituted government under conditions of freedom and equality (§§101-2). These cases are, well, subject to reasonable doubt. But Locke makes another kind of argumentative move in §103. What is his point there at the end of the section?

71. [§§ 105-106] Why might people fix on the rule of one person? Which person is the likely candidate?

72. [§106] How does this historical tendency for early communities to fix upon the rule of one person fit with Locke's thesis about consent as a necessary condition for lawful government?

73. [§107] What conditions are lacking that would, if present, make early communities think about separating the ruling power? What do Locke's remarks in §§107-8 (& §110) concerning the conditions that allow persons in early communities to accept one person rule reveal about the presence of money in the community?

74. [§§ 107-108] What is the primary function of government under one-person rule in these early communities, according to Locke?

75. [§ 111] What is it that causes persons to examine the origin and rights of government and to discover ways to place restraints on government?

76. Do you suppose that Locke is right that the origin of civil societies that begin in peace are likely to have been (will be?) ones in which government is founded by consent by free and equal persons?

Regarding the second objection, Locke is concerned with how future generations become obligated to a government. He is insisting that consent is a necessary condition for legitimate government. While this might seem unproblematic for the persons who begin a society while in the state of nature, he is faced with the difficulty of explaining how their descendants who are born into existing societies with legitimate government are so bound by consent, since a parent cannot by his or her own consent give up the natural liberty of his or her children. In this chapter, it is important to distinguish “natural

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1. For a graphic representation of this idea of the body politic, take a close look at the title page image from the Head edition of Hobbes’ Leviathan, reproduced in low quality in the Hackett edition, after p. lxxvii, or on-line here from wikipedia: [http://en.wikipedia.org/wiki/File:Leviathan_gr.jpg](http://en.wikipedia.org/wiki/File:Leviathan_gr.jpg) (take a close look at what might appear to be the chain mail of the king....)
subjection’ – the obligation a subject has to a ruler because of a king’s natural claim to rule having been appointed by God, and what we might call ‘conventional subjection’ – the obligation a subject has because he or she has agreed to the rule.

77. §§113-116 What is the argumentative significance of Locke’s observation that his opponents concede that there can be multiple legitimate governments in the world? [Recall that Locke’s opponents are patriarchal—legitimate political rule descends from God the Father to his appointed heirs, i.e. earthly kings.]

78. §117 What incentive is there for future generations to consent to the government of their parents?

79. §119 Locke distinguishes between express consent and tacit consent? What is the distinction between the two? What conduct from a person does Locke take to signify the latter form of consent? [Would Locke regard you as having consented to the U.S.’s authority based on this latter analysis?]

80. §121 What is the extent of one's obligation to the government when one tacitly consents to its authority? Is there any escape from the obligation? Is there a significant difference here between express consent and tacit consent with respect to the conditions of obligation?

81. §122 What is the status of foreigners who reside within the bounds of a civil society? Are they obligated to obey the laws of the host state? Are they subject to its authority? Can they become citizens through the activities that are taken to be a sign of tacit consent to government as expressed in §§119-121?

Chapter IX: Of the Ends of Political Society and Government

82. §123 What good reason does Locke offer for a person in the state of nature in which “he be absolute lord of his own person and possessions” would abandon the state of nature and place himself under some other authority?

83. §§124-126 What three ‘inconveniences’ does Locke identify as characterizing the state of nature that can be remedied by proper government? [How are each of these things related to the three branches of government in the US constitutional structure? Cf. §§ 88-89.]

84. §§129-130 Locke says that free individuals must give up two ‘powers’ (see q. 6 above for clarification of Locke’s sense of this term)—what are they?

85. §130 Locke says that giving up the natural ‘powers’ to join civil society is ‘necessary’. What sort of necessity is at work here? [See also §26 for a similar reference to necessity.]

86. §130 Locke says also that giving up the natural ‘powers’ to join civil society is NOT ONLY necessary, but also it is JUST. How does Locke understand JUSTICE here?

87. §131 To what extent does a legitimate legislator’s have authority on Locke’s model?

88. §131 What is a legitimate legislative power bound to do?

89.

Chapter X: Of the Forms of Commonwealth

90. §132 Of significance here is a terminological point—viz., the meaning of ‘commonwealth’ which Locke emphasizes is not synonymous with democracy, but rather means simply an independent community §133. Also of significance is the basis for determining what form a commonwealth has (democracy, oligarchy, elective or hereditary monarchy). The form of a commonwealth is determined by that element that possesses supreme power. What element of a commonwealth has supreme power?

Chapter XI: Of the Extent of the Legislative Power

91. §134 What is necessary to any edict for it to be law?
92. [§§135-141] While Locke regards the legislative power as ‘supreme’, it is nonetheless, neither absolute nor arbitrary. What four general conditions are there on legislative authority?

93. [§135] How are the laws of a civil legislator related to the laws of nature?

94. [§§138-140; 142] One of Locke’s enduring influences in political philosophy is his view of the relationship of legitimate political authority and individual rights to (private) property. When may political authority legitimately take or tax property?