

John locke argue that private property philosophy essay



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Almost all modern notions of private property and its legislation is based on arguments advocated by John Locke . His theory has been applied to the property rights of physical and intellectual objects -even extending to international law- however, various interpretations of his opinions exist (Nozick, 1974, pp. 167-182; Tuckness, 2011; Waldron, 2002, pp. 152-184; Widerquist, 2010, pp. 3-4).[1]These analyses range from MacPherson's "class-based capitalism" to Waldron's "limited ownership rights" and also see James Tully argue that Locke promoted limits of civil society (Discourse on Property, 1980, pp. 131-150; Widerquist, 2010, pp. 3-5).

This paper aims to give an account of John Locke's argument for property rights as described in his book The Two Treatises of Civil Government and then critically analyse it to establish its political philosophy and likely consequences. In conclusion it will argue that as various -and often incompatible and contradictory- interpretations of his theory have been suggested and incorporated in different political ideologies, it is impossible to ascribe a certain set of political consequences to the right to private property as advocated by Locke.[2]

First assumptions

First, let us follow Locke in his argument that private property is a natural human right. He begins by assuming that it is a right intended in nature and commanded by God that mankind should preserve itself (Locke, 1689, 25). He makes a further assumption that God has "given the world to men in common" to use and to flourish (Locke, 1689, 26). These two assumptions along with a statement that man owns his person and labour, make the basis of his arguments for the right to private property (Locke, 1689, 27).

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Definitions

Limits/provisos

No-waste

Various critiques of Locke's Treatises have identified sets of limits to what he advocates: (I) there should be no waste or destruction, (II) and that one should leave plenty, "enough, and as good [...] in common for others" (Locke, 1689, 27; MacPherson, 1962, pp. 210-212; Widerquist, 2010, pp. 7-11). Widerquist (2010, p. 8) also mentions a third proviso of charity among the scholarly interpretations of Lockean appropriation, but Locke (1689, 40-45) does not mention it directly in chapter five of his second book. In short, the first proviso -no-waste- asserts that property is to be used and enjoyed within bounds of "reason", where nothing is destroyed or spoilt (Locke, 1689, 31; Widerquist, 2010, pp. 7-8). Locke (1689, 32, 38, 46) also argues that any appropriator can take as much as they can use, consume, and need but not anything more.

Second proviso, enough and as good

Justification

Giving back/taking nothing

Locke (1689, 27-37) even argues that an appropriator, by the act of using and benefitting from their property and creating plenty produce, is giving back to the common property. He goes as far as justifying enclosing land by demonstrating that the "enough-and-as-good" proviso ensures that the appropriator "does as good as take nothing at all" (Locke, 1689, 33; Widerquist, 2010, p. 9).

Happiness/Plenty produced/value of labour

In section 37 (Locke, 1689) he claims that owning and cultivating land increases human happiness. He makes a comparison between the quality of life that Native Americans had and people in Britain; redressing this argument in defence of capitalism (Locke, 1689, 37, 41, 43, 46).

Future

Locke begins his theory of property in the state of nature.

Money/invalidation of provisos

Civil society/government

When the Civil society is established these property rights can either become subject to social agreement or be carried over in their entirety and create a class-based social interaction where some have property and others don't (Widerquist, 2010, p. 20). Moreover, his provisos maybe be changed or used to justify government intervention (Widerquist, 2010, p. 20).

Critique

Contextual, Christianity

Like any other theory, Locke's theory of property is not without problems.

The first and most important of them is the reasons behind its creation.

Locke was trying to reconcile Christianity with capitalism, two very different philosophies.

Reconciling Christianity and capitalism

Capitalism increases poverty, artificial wants, waste, and private property

Locke argues, Utilitarianism is most important and most Christian

Acknowledges and supports inequality and class system

Argues common good is more important than common property

Religious v secular

Locke's theory of property is based on 17th century requirements of reconciling the church with the new ideas of capitalism. The first critique that comes to mind is whether a reasonable argument for the religious society of almost 400 years ago still holds for more-or-less secular society of 21st century. It certainly makes a difference that the extent of the powers of the religious authority is far reduced since. Some scholars argue that more secular ideas like socialism or justice as fairness fit better with the requirements of our age.

Unfairness

Whether an argument based on religion is still valid or not, it is safe to assume that humankind has always been concerned with fairness. Locke (1689, 46-51) sees this fairness in the initial acquisition, when there was more than enough in nature for all to appropriate as they could. Locke supports inheritance of rights as fair but in the inherent inequality that ensues finds many on the wrong side of his argument. There are many incompatible definitions of fairness, but in considering the merits of Locke's theory, some scholars find the nullification of limits ...

Conclusion