

Lockes effect on
liberal
constitutionalism and
democracy politics
essay



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“ As a political thinker Locke may be regarded as a precursor of liberal constitutionalism and even, to a limited extent, of liberal democracy”

Discuss this statement.”

John Locke, an English philosopher was born in Somerset on the 29th of August, 1632 and died on the 28th of October, 1704. Locke is considered as one of the great British political philosopher's, his ideas had enormous influences on the development of epistemology. Locke is widely regarded as one of the most influential Enlightenment thinkers of the modern century and hence contributors to liberal theory of democracy. His writings influenced Montesquieu, Voltaire and Rousseau and many other thinkers including the American revolutionaries. This influence is reflected in the American Declaration of independence.

John Locke's Two Treatises were published in 1689 despite that the work celebrity has rested to a considerable degree on its supposed relationship to the Glorious Revolution of 1688. It is apparent that the Two Treatises did eventually become very successful and influential achievements. They came to be regarded as containing the Principles of 1688 and, as David Hume indicated, they provided the Whig party of the mid-eighteenth century with its philosophical or speculative system of principles. Yet the immediate reaction to the works is rather startling to the twentieth century observer. Locke's work did not immediately become the principal authority of the Whigs. In fact, Locke did not introduce any strikingly new ideas into political debate. Locke was so far from occupying the front place among Whig authorities in the House of Commons. The Two Treatises seems to indicate the elevated modern view of Locke and importance as a political writer

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during the late seventeenth and early eighteenth centuries (Dyson, 2003: 63-5).

The aim of this essay is to reassess the historical writings of John Locke into the discourse of political theory and his religious views. It is apparent that Locke is continually relevant for current politics. For instance, I would like to set some tasks in which Locke based his account in writing. The first is to provide an account of Locke's thought that is historically accurate and why Locke wrote it. The second is to establish that Locke's thought is relevant to politics in modern society, thirdly to assess these ideas and their influence in the late liberal thought. Despite Locke's political thought, he was later recognised as one of the British intellectual's of his time due to his epistemology, ethical theory, philosophy of religion and his political philosophy.

Locke established a considerable work on his Essay and the Letter Concerning Toleration and the Two Treatises on Government. The theory contained in these works has a consistent architecture of the late liberal philosophy, it constitutes a major theory of thought that could be recognised as a set of mutually consistent arguments that fit together to form a Liberal constitutionalism. Richard Ashcraft stated that Locke's masterworks were 'the political manifesto of this moment' (Jones, 2002: 68). During the time he was writing these works Locke had an overriding political project, which was to unite members of different religious groups into a single political community.' Locke believed the only way to do this was by establishing a moral consensus, a set of shared normative convictions and commitments which will justify the coercive rules that are seemingly the only hope of

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keeping a multi-religious society from falling apart. Locke attempted in his works to construct a moral theory that can accomplish his goal (Thomas, 2005: 37). It is true that Locke is regarded as a precursor of liberal democracy, thereby he made a major and lasting contribution to liberal thought, and this contribution was mainly on his work of the two treatises of Government, especially through the second treatise.

By means of this work, Locke defended the proposition that government rests on popular consent and rebellion is permissible when government subverts the ends 'the protection of life, liberty, and property' for which it is established. For many years, it was argued that the treatises were written in defence of the Glorious Revolution of 1688. Hence the first treatise was written in response to the version of the divine right of king theory developed by the Royalist author Sir Robert Filmer. This was seen as a systematic and more or less laboured attack in detail on Sir Robert Filmer, and particularly on Patriarcha, a work published in 1680. Patriarcha was a sustained attack in protection of divine monarchy. Locke seemingly was not interested in Filmer, rather he was using him as a crossing bridge to attack the monarchy (Ibid: 41).

Locke clearly presented his main ideas in the second treatise, which presented his belief that individuals are born into society and they learn the laws of society. Each person is by birth a sovereign, but nature inclines man toward seeking happiness, it is a law of nature and presents his assertion that political institutions should protect and preserve what the law of nature implies for human community. Thereby, he started by pointing out his first reason to establish the first treatise that no one by nature or by the divine

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will subject to anyone else. All men are born equal; each individual is, as it were, the sovereign ruler of his own person. From this it follows that no one can become subject to anyone else, or to any law save by his own consent (Adams, 2003: 63). Locke's 'Second Treatise' is his most influential work; he set forth his theory of natural law and natural right; in it, he shows that there does exist a rational purpose to government and one need not rely on myth, mysticism, and mystery. Against anarchy, Locke saw his job as one who must defend government as an institution. Locke's objective was to insist not only that the public welfare was the test of good government and the basis for properly imposing obligations on the citizens of a country but also that the public welfare made government necessary.

Locke argued 'the liberty of man in society is to be under no other legislative power but that established by consent in the commonwealth, nor under the dominion of any will or restraint of any law, but what the legislative shall enact, according to the trust in it' (Ibid: 67). It is possible that Locke's writing is viewed as one of the influential works that contributed in the foundation of liberal constitutionalism, especially on his Second Treatise of Government which was effectively excellent and had outlined some of the familiar features of our current government. This includes the foundations of the United States, the Declaration of Independence and the Constitution claims for human liberty, for the separation of powers and for the sanctity of private property. Thus, the influence of others is also marked in the liberal states constitution, for example writers such as Languet and Bodin, Hooker and Grotius but the fundamental influence is Locke's Treatise, the very quarry of liberal doctrines (Ibid: 69).

A veritable quarry of liberal doctrines is *The Second Treatise of Government*. Through this Locke outlines the cause of human liberty, the principle of separation of powers, and the inviolability of private property, thus, all three are the major doctrines of American constitution. John Locke was a politician as well as a thinker that made him capable in creating the philosophical foundations of liberalism. Locke tried to draft a pre-emptive constitution of the state; the state makes the law which is binding to its citizens, such a contract between citizens and the state, this will act on the behalf of the citizens living in that territory, however Locke maintained that the original state of nature was happy and characterised by reason and tolerance. He further maintained that all human beings, in their natural state, were equal and free to pursue life, health, liberty, and possessions, and that these were unchallengeable rights (Jones, W, 1947: 188).

Locke thought pre-social man as a moral being and as an individual contracted out "into civil society by surrendering personal power to the ruler and magistrates," and did so as "a method of securing natural morality more efficiently..." According to Locke, natural justice exists and this is so whether the state exists or not, it is just that the state might better guard natural justice. The rights of individuals will continue to exist even within absence of the state or government, for example in many failed state countries the human rights organisations still monitor the behaviour of each group so that human rights can not be abused, such as in Iraq or Somalia. And also the Human rights will continue to exist even within absence of the state government because in democratic states the government changes while the people remain the same (Ibid: 189). Locke

finds the state with a significant monopoly scope authority and gives to it a legitimate right to use the force when needed, a state can maintain peace and order, provide common defence, protect property rights of individuals, and establish jurisdiction systems. The state like society is a hope of an extent evolutionary process and not the work of the one generation. The state does a positive role in preserving culture and order and is upholding the interest of the community above individuals.

Locke's views on democracy were such as precursor of liberal constitutionalism, hence did not mention a word ' democracy', but he stated ' civil limited Government' in which the power of government was bound by a set of laws or constitution. By doing so he gave rise to the liberal constitutional themes such as laws and the distinction of powers between legislative and executive. He pointed out the superiority of the legislative over executive. By doing so he developed the idea of a strong parliament where the majority consent would prevail in the key decisions and directions of the civil government. Democracy according to Locke is supposed theoretically to be the rule of majority. It seems to be implied, therefore that in a democracy every citizen shall consent to, and approve of, the acts which the community as a whole does, but if a democracy has to wait upon the free consent of every one of its members, it is no democracy or indeed any government at all; it simply lapses into anarchy. On the other hand, if democracy be the of a majority, many men no longer rule themselves and this kind of government is quite compatible with the most brutal and cruel of tyrannies, but consent to the will of the majority. Therefore, if they really wanted to leave the state of nature and to enter a political society we may

assume that they must have meant to give up their liberty to do whatever tacitly implied in their original contract unless the whole community abides by the decision of the majority, even when it disapproves of that decision, the state will disintegrate. Since, in a word we can never or only very rarely achieve unanimity, if the state is to act at all, it must conform to the will of the majority. Neither of these arguments is very satisfactory, it is because he thinks no society is a political society unless it is founded upon the consent of its members. Democratic societies are founded upon consent, just as much as in other societies, minorities are compelled. Locke definitely affirms that states have been founded by contract. By contract Locke meant the constitution of the civil government(Adams, 2003: p141).

The traditional liberal views regarding democracy derived from Locke, they wanted more freedom from the state, demanding that some individual freedoms, or rights, should be protected from the state and the majority decisions. Such as John Locke said that the government is established to protect individual rights and the consent of the governed is required to legitimize government and limit its powers. Locke is also the first major thinker to give a prominent place to the right of private property as an extension of individual rights and liberty (Thomas, 1995 p: 53). As the image of the individual in liberal thought has shifted from that of the state authority, that rise up they believe with the ideology of liberal democracy, which was found to be the best way to defend freedom. Many see Locke as the first thinker to defend the image of the individual in liberal thought from that of state authority, that rise up they believe with ideology of liberal democracy, which was found to be the best way to defend freedom. The

modern state has been designed within the context of liberal democracy which started in western world spreading throughout the world. The concept of democracy meant the rule of the citizen body as opposed to rule of the aristocracy of the monarchy (Ibid, p: 166).

Locke's religious beliefs seems to be ultimately in his acceptance of the existence of God, Locke was a dualist and while only barely he did not consider man to be a divine creature fixed with ideas on coming into this world. Locke was an empiricist; all knowledge comes to us through experience. "No man's knowledge here can go beyond his experience." There is no such thing as innate ideas; there is no such thing as moral precepts, we are born with an empty mind, with a soft tablet (tabula rasa) ready to be writ upon by experimental impressions. Beginning blank, the human mind acquires knowledge through the use of the five senses and a process of reflection. Not only has Locke's empiricism been a dominant tradition in British philosophy but it has been a doctrine which with its method, experimental science, has brought on scientific discoveries ever since, scientific discoveries on which our modern world now depends. John Locke argued that land should be owned by the people who live on it and/or work it. Locke's ideas were applied in Ireland in the 1870s today much or rural Britain is in the hands of aristocratic landlords. We have only really had land reform in urban Britain. So Locke speaks to the modern condition. Perhaps we can call Locke the "primeval Liberal" (Gray, 1995. p: 268).

Finally, the value and importance of Locke's theory rests on how it has been translated to the societies, if rights do not exist than treatise should obviously be ignored as meaningless nonsense. However, if there are rights we have to <https://assignbuster.com/lockes-effect-on-liberal-constitutionalism-and-democracy-politics-essay/>

take Locke's work into high consideration whether Locke has covered all particulars about list of rights which he assigns to men. The importance of his work is that he recognises that human is a moral being and that the state, hence should be an institution for moral. Through this he expressed some kind of ambiguous notion of a contract between free men to form a political society for their convenience and mutual advantage, is simple the acknowledgment that the individual man and his well-being are the end of the state that not merely desirable.