

Locke, to Locke,
government holds
power on condition



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Locke, accordingly, makes a clear distinction between the State and government and introduces the theory of consent, which, in the words of Laski, now occupies a permanent place in English politics. According to Locke, government holds power on condition of, and derives its authority from, the consent of the people whom he ultimately holds sovereign. He emphasizes that “ the sovereignty of the State is not the sovereignty of a ruler,” and “ the will of the State may limit the will and actions of a ruler.

” Government, for Locke is a trust and the authority of government must be exercised for fulfilling the needs which necessitated the donation of the civil society. If the government fails to function properly and in accordance with the wishes of the people, then, the community has the power to dissolve it and substitute another government in its place. “ The happiness and the security of the individual figure, not as essential to the perpetuity of a government, but as the end for which alone government is ever called into existence.” The main defect in Locke’s theory is that he altogether ignores the concept of legal sovereignty. In the words of Gilchrist, “ To use our terminology, Hobbes gives a theory of legal sovereignty without recognising the existence and power of political sovereignty; Locke recognises the force of political sovereignty, but does not give adequate recognition to legal sovereignty.

“ Nor is he sure where sovereignty really resides. He speaks of the supreme power of the people at one time and at another he talks of the supreme power of the legislative assembly. Similarly, his views on the state of nature, and that the people inhabiting it made two contracts are incredible. Locke’s contribution to the theory of natural rights has also been subjected to severe

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criticism. For example, Bentham remarks that the concept of natural rights prevailing in the state of nature “ is simple nonsense, rhetorical nonsense and nonsense on stilts.” All the same, Locke is considered the ideological father of the American Revolution.