

# Thomas hobbes, john locke and samuel rutherford

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In 1642 England was starting to seek for changes in the way their government was set up. John Locke and Samuel Rutherford were the leaders of this change, calling for the removal of an absolute monarch. Their works would be opposed by the ideas of Thomas Hobbes, during this eighteen-year civil war in England. The ideas represented in this period would heavily influence the way England's government would be set up in the eighteenth century. In 1644 Bishop Ross, also known as John Maxwell, published *Sacro-Sancta Regum Majestas*. The article's ideas centered on Calvinist resistance theory and the political theory of Spanish neo-scholastics.

In response Samuel Rutherford came out with his publication, *Lex Rex*, which translates to "Law is King". This was the first document proposing rule by law and consisted of 44 questions. In Rutherford's opinion, power was immediately from God in root. With that being his focus he concluded that not only should the king not be above the law but should also be subject to it. *Lex Rex* is the "Greatest work on the foundation, nature and constitutional government, the Civil Magistrate, and the separate but mutual relationship of Church and State" (Ford).

The contents of *Lex Rex* develop the idea of a separation of powers between legislative, executive and judicial functions. They are to balance one another in no particular order to combine the best features of monarchic, aristocratic and democratic forms of government. He believes that the real sovereign is the people and that all government officials, including the monarch, should be subject to the rule of law and the rule of men as well. A monarch is contrary to God's will because it requires subjects to surrender total control to a fallible ruler.

The position of an absolute ruler is an intoxicating and corruptive force that would potentially lead to negative outcomes. The implementation of laws and government serving as a check upon the ruler would be in the best interest of the people (Auchter). In his preferred government the King's power would be lost when he violates the law because it is a right and even more a duty for the people to resist such an infraction. The ideas contributed in *Lex Rex* provided a bridge between early natural law philosophers and those who would further develop these ideas. The publication planted the seeds to the type of government that would be laid not only in England but in America as well. Shortly into his reign as king, Charles II made it illegal to own a copy of the publication and had them all burned. There are only four confirmed copies left today. John Locke was a philosopher and political theorist from England. He is greatly known for his contributions to liberalism and empiricism. His faith relied in that of human reasoning and believed that just societies were those, which infringed minimally on natural rights and freedoms of its subjects.

He claimed that a legitimate government depended on the consent of those being governed. This philosophy was taken greatly into consideration when the founding fathers were drawing up the United States' Declaration of Independence. Locke was known to preach private property and limited government. Locke's association with Anthony Cooper (First Earl of Shaftesbury) led him to become successively a government official charged with collecting information about trade and colonies, economic writer, opposition political activist, and finally a revolutionary whose cause ultimately triumphed in the Glorious Revolution of 1688 (Uzgalis).

Locke's two major contributing pieces of work are Two Treatises of Government and Essay Concerning Human Understanding. In Two Treatises of Government, Locke claims that the sovereignty resides in the people and he explains that humans naturally lived in a state of absolute freedom and equality with no government of any sorts. The earliest form of humans only had to follow the law of Nature. During this time individuals allowed themselves to follow their own rights to life, liberty and property. It was soon realized that the contrary outweighed the productive.

From this, a civil society was established based on absolute equality and set up a government to settle disputes that would arise in their type of society. The government's power, however, was not made to be absolute. The power of the government was meant to be surrendered to the people themselves and its authority was contractual with applied conditions. If these conditions were overstepped or abused society has the right to rid of it and create another. With Essay Concerning Human Understanding, Locke offered the first great defense to empiricism.

The publication has to do with determining the limits of human understanding in respect to a wide variety of topics. The main focus, however, is sensation and reflection. With sensation our senses focus toward the world and subconsciously receive information. Within reflection the focus is on our mind itself and how it passively receives ideas. This all originates back to our sense of perception. He felt as if our minds were a black tablet, tabula rasa, and that only when we, as infants, start to experience things do our senses to perceive the external world register in our minds.

This focus reflected upon the goodness and perfectibility of humanity. His theory had radical implications that, if all humans were capable of reason, education may be able to spread to level of hierarchies of status, race or sex. Much of Locke's other works had to do with opposition to authority, while his main focus was to use reason to search after truth rather than simply accept the opinion of authority or be subject to suspicion. Thomas Hobbes was the young contemporary of Jean Bodin, though he had contrasting views than him.

He was in support of absolute monarchy as he heavily thought that a king was absolutely necessary to protect the subjects of his land. He, like Locke and Rutherford, wrote many great pieces during his life. The two that relate are Elements of Law Natural and Political and Leviathan, his most major piece. Hobbes' Elements of Law Natural and Political was a direct product of the intellectual and political conflict going on during the seventeenth century.

During the time it was written, Parliament was fighting for power against King Charles I. In this writing he claims that society could only function if it is submitted to the governance of an absolute sovereign. His work was accepted with hostility causing him to flee to Paris where he would use this work as the basis to Leviathan. After the execution of Charles I, Hobbes started writing Leviathan. It is composed into four books; "Of Man", "Of Common-wealth", "Of a Christian Common-wealth" and "Of the Kingdome of Darkness".

No differently than Elements of Law Natural and Political, his work was received with hostility as it offended both Loyalists and Parliamentarians.

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Even the exiled Prince Charles, who Hobbes had tutored, refused to read the document after seeing how the general public reacted to it. The method in Leviathan is modeled after a geometric proof, founded up principles of; each step of argument makes conclusions based upon the previous step. Conclusions derived by Geometry are indisputable because each step itself is indisputable.

In Leviathan he wanted to base his philosophy off of irrefutable evidence [, therefore, making it fact] (Sparknotes). Hobbes believed that any form of government capable of protecting its subjects' lives and property might act as an all-powerful sovereign. The state exists to rule over individuals and is thus licensed to trample over both liberty and property if the government's survival was at stake. The people must surrender their liberties to a sovereign ruler in exchange for his obligations to keep the peace since man naturally " behaves like a wolf".

Now, having traded away their liberties, subjects have no right to win them back and the sovereign could rule as he pleased, free to oppress his subjects in any way except to kill them. The sovereign's main purpose would be to preserve the people of their rights. He felt that if the king could not protect his subjects they were to be free from obedience. While Locke and Rutherford's ideas are centered toward a limited monarchy contrasts with Hobbes' beliefs of an absolute monarchy is the way to go, there is one thing they all agree upon.

None of them believes that the King should be in one hundred percent control. Rutherford suggests that the executive's (the king's) decision have to go through a system of checks and balances with a judicial and legislative

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branch before it can be made permanent. Locke did not believe in a king at all, but rather than total control of a government. He did, however, agree that if the government were to overstep its boundaries the people could rid of it in order to create another.

While Hobbes' case is a stretch, due to his strong belief in an absolute sovereign, he believed that if a king could not protect his subjects they were to be free from his obedience. Shortly after these documents were presented King Charles I was beheaded. Cromwell became in control as a monarch until his death when his generals seized power, calling for election of a new parliament. Charles II was soon restored to the throne but did not take on absolute authority. He agreed to follow the Petition of Right, agreeing that Parliament would meet at least once every three years.

England had thus emerged from this great civil war as a limited monarch which were the ideas suggested by Locke and Rutherford. The works of these three men had a great effect on England's government. After King Charles I was executed, Hobbes came out with Leviathan pleading for an absolute sovereign, which was immediately taken up by Oliver Cromwell. However, it was the words of John Locke and Samuel Rutherford that prevailed in setting up the limited monarchy that came after and still exists in England and also ended up being the bases to the ideas that the United States constitution was based on.