

interpretation

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Volume 9 Numbers 2 & 3

- 141 Larry Arnhart The Rationality of Political Speech:
An Interpretation of Aristotle's *Rhetoric*
- 155 Jan H. Blits Manliness and Friendship
in Shakespeare's *Julius Caesar*
- 169 Mary Nichols *The Winter's Tale*:
The Triumph of Comedy over Tragedy
- 191 Jerry Weinberger On Bacon's *Advertisement Touching A Holy War*
- 207 John Parsons, Jr. On Sir William Temple's
Political and Philosophical Teaching
- 229 Susan Power John Locke:
Revolution, Resistance, or Opposition?
- 245 Barry Cooper The Politics of Performance: An Interpretation
of Bolingbroke's Political Theory
- 263 Philip J. Kain Labor, the State, and Aesthetic Theory in the
Writings of Schiller
- 279 Michael H. Mitias Law as the Basis of the State: Hegel
- 301 Stanley Corngold Dilthey's Essay *The Poetic Imagination*:
A Poetics of Force
- 339 Kent A. Kirwan Historicism and Statesmanship
in the Reform Argument of Woodrow Wilson
- 353 Richard Velkley Gadamer and Kant: The Critique of Modern
Aesthetic Consciousness in *Truth and Method*
- 365 Robert C. Grady Bertrand de Jouvenel:
Order, Legitimacy, and the Model of Rousseau
- 385 William R. Marty Rawls and the Harried Mother
- 397 Jürgen Gebhardt Ideology and Reality:
The Ideologue's Persuasion in Modern Politics
- 415 Kenneth W. Thompson Science, Morality, and Transnationalism
- Discussion*
- 427 Peter T. Manicas The Crisis of Contemporary Political Theory:
on Jacobson's *Pride and Solace*
- Book Reviews*
- 437 Patrick Coby *The Spirit of Liberalism*,
by Harvey C. Mansfield, Jr.
- 439 Will Morrisey *Political Parties in the Eighties*,
edited by Robert A. Goldwin

interpretation

Volume 9 numbers 2 & 3

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JOHN LOCKE: REVOLUTION, RESISTANCE, OR OPPOSITION?

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Summary

John Locke's theory of rebellion has been studied by numerous scholars, but few have paused to consider his newly-founded rights to resistance and opposition. Here the controversy surrounding Locke's contributions to the American political tradition is considered in relationship to Locke's theories of resistance, opposition, and rebellion. The author concludes that the disagreement over Locke's theory of rebellion has obscured and shrouded his more important ideas about resistance and opposition.

I. Introduction

John Locke's theory of rebellion has been most frequently viewed retrospectively in a scholarly effort to evaluate his influence on the Revolutions of 1688 and 1776. In the process, some of Locke's important contributions to political theory have been obscured and lost. Locke's theory of rebellion is neither novel nor interesting, but his advocacy of the important rights of a loyal opposition and the freedom to criticize governments has been neglected because of our reiterated efforts to connect Locke with Thomas Jefferson and the Declaration of Independence.¹ In addition, serious disagreements exist between commentators over the nature and extent of John Locke's influence upon the political thought of the American revolutionary era. After my analysis of Locke's theories of resistance and opposition, I will attempt to illuminate the extent and nature of the controversy surrounding Locke. The supporters of the view that Locke had extensive influence tend to interpret him as an advocate of natural law and individual rights and associate his philosophy with the Declaration of Independence. That document itself is said to be the foundation stone of our public philosophy. Other pro-Lockean writers support the thesis of his massive American influence largely because he is viewed as a Whig-Liberal.² Recently, some conservative libertarians

¹Carl Becker, *Declaration of Independence: A Study in the History of Political Ideas* (New York: Random House, 1942). Julian Boyd, *The Declaration of Independence: The Evolution of the Text as Shown in Facsimiles of Various Drafts by Thomas Jefferson* (Princeton, N.J.: Princeton University Press, 1945).

²Morton White, *The Philosophy of the American Revolution* (New York: Oxford University Press, 1978), pp. 5, 142, 161, 163, 192, 193, 287. White thinks the two most important writers influencing revolutionary thought were John Locke and Jean Jacques Burlamaqui. Locke's influence contributed the rationalistic theory of self-evident truths, whereas Burlamaqui's theories of natural law and natural rights were most important. White thinks the American framers did not contribute anything original to either moral or philosophical knowledge. White argues that the philosophy of rights presented in the *Declaration* is consistent with the exercise of extensive governmental power and asserts in his supplementary notes that government helps men to attain rights. To

have restored Locke to a position of great honor as an alleged intellectual leader of the American philosophical climate.³

Curiously, those who wish to associate a strong individualistic political philosophy with the American tradition view Locke as the founding father, whether conservative or liberal. The anti-Lockeans, on the other hand, tend to be persons who wish to base America upon either religious or communitarian philosophies.⁴ Among the anti-Lockean writers to be reviewed later are those who stress Locke's stand on majority rule, those who trace the historical development and logical implications of his social contract hypothesis, and those who look at Locke's religious attitudes. Some seek a more radical origin for the American political tradition and others associate his views with those of Thomas Hobbes.⁵

If Locke's influence and importance as a political philosopher are based upon the supposition that he is the revolutionary era's leading natural rights thinker, and the discovery is made that Locke was neither a natural law theorist nor a strong supporter of individual rights, then his position vis-à-vis the American political founding and the Declaration of Independence may have to be reconsidered. Three interesting possibilities arise: first, Locke may not have influenced the Declaration because it is a traditional natural law document; second, Locke did influence the Declaration, but its writers misunderstood Locke; or third, Locke had little influence on the authors of the document, and later commentators have misunderstood both Locke and his relationship to the Declaration.

If one does not find any similarity among the Lockean views of majority rule, natural law and rights, and the American political tradition, the possibility remains of discovering a correspondence between his social contract device and the American constitutional tradition. However, several students of this problem have rejected the claim as unsound. John W. Gough examines the historical development of these theories in both Europe and America. He proves they began in the twelfth-century medieval investiture controversy and claims they became a pervasive intellectual influence in the seventeenth century.⁶ He says the American

secure rights is compatible with positive governmental actions to obtain rights conceived as ends. Cf. Kenneth M. Dolbeare, *Directions in American Political Thought* (New York: Wiley, 1969), pp. 19, 20, 12. Dolbeare thinks Locke most influential because he says his philosophy represents liberalism, individualism, and natural rights.

³Donald J. Devine, "John Locke: His Harmony between Liberty and Virtue," *Modern Age*. 22 (1978), p. 246. "John Locke is one of the few major philosophers who can be used to provide a theoretical and moral foundation for American and Western regimes organized around the concept of liberty. Yet, in recent years, revisionist interpreters from literally every perspective have maintained either that Locke is confused and, therefore, not able to provide a foundation for any culture; or, that Locke actually was a relativistic hedonist."

⁴Garry Wills, *Inventing America: Jefferson's Declaration of Independence* (Garden City, N.Y.: Doubleday, 1978).

⁵Bernard Bailyn, *The Ideological Origins of American Politics* (Cambridge: Belknap, 1967), p. 36. Cf. Francis Edward Devine, "Absolute Democracy for Indefeasible Right: Hobbes versus Locke," *Journal of Politics*. 37 (1975), 767, 765, 763.

⁶J. W. Gough, *The Social Contract* (Oxford: Clarendon Press, 1957). pp. 3, 81, 84, 83.

Puritan refugees utilized the social contract device as a means of legitimizing their conceptions of a church organization and that these theories were widely used throughout the early colonial period. Moreover, A. J. Beitzinger traces the origins of the contract theory to William Ames, William Perkins, John Preston, and Thomas Hooker.⁷ Adding up these historical studies of the social contract theory, one comes to the conclusion that any original or sole influence to be attributed to Locke because of his social contract symbol should be seriously doubted. If one concludes that the determinate intellectual influence during the American revolutionary period derived from a prior, indigenous development starting at least a hundred years before the Revolutionary outbreak, then one should begin a study of the tradition with an examination of seventeenth-century American Puritan religious ideas and not with John Locke.

There are certain key concepts in Locke's political theory that are alleged to have an isomorphic relationship to the Declaration of Independence, and, thereby, to the basic propositions of the American political tradition. But we have assembled substantial evidence from a variety of sources that Locke did not support traditional natural law, that his social contract theory was not original (rather only one of a multiplicity of contemporary contractarian theories), and that his views on majority rule and parliamentary supremacy may or may not resemble those in the Constitution. Proving a theoretical interrelationship between Locke's ideas and the American tradition via the Declaration, hinges upon the relevance of the right to rebellion. I, therefore, direct the argument of this essay to a detailed textual analysis of those portions of the *Two Treatises* in which Locke explicates his ideas about political change, and then compare these with key passages in the Declaration. I find the theoretical resemblances between the two texts to be insignificant and reach the conclusion that Lockean theories of change had very little influence upon the Declaration. A careful rereading of Locke's work led me to reconsider the importance of his theories of resistance and opposition and to conclude that they are vastly more important than his much-vaunted theory of rebellion.

II. Analysis of the Text

Locke's analysis of revolution is found in the last four chapters of the *Two Treatises*: "Of Paternal, Political, and Despotical Power, Considered Together"; "Of Conquest"; "Of Tyranny"; and "Of The Dissolution of Government." His position on rebellion is based essentially upon the following argument: when a government or governor so acts as to come into conflict with eternal law, as is the case with despots, absolute monarchs, conquerors, and usurpers, no obligation to obey remains. A state of war then exists, and a right to rebel, to resort to force comes into operation. However, Locke distinguishes between the right to rebellion and the right to resistance, and emphasizes their distinctive characteristics by

⁷A. J. Beitzinger, *A History of American Political Thought* (New York: Dodd, Mead, 1972), pp. 50, 116, 117.

treating them in different chapters. Tyranny is differentiated from despotism, and he carefully lists conditions for the exercise of the right to resist. Dissolution of governments and the right of opposition are discussed in the book's last chapter.

Locke's discussion of rebellion occurs within the context of a traditional discussion of despotism. The idea of a right to oppose tyranny did not originate with him. For example, St. Thomas Aquinas is no advocate of passive resistance:

If to provide itself with a king belongs to the right of a given multitude, it is not unjust that the king be deposed or have his power restricted by the same multitude if, becoming a tyrant, he abuses the royal power. It must not be thought that such a multitude is acting unfaithfully in deposing the tyrant, even though it had previously subjected itself to him in perpetuity, because he himself has deserved that the covenant with his subjects should not be kept, since, in ruling the multitude, he did not act faithfully as the office of a king demands.⁸

Locke's consideration of the same subject centers upon the definition and clarification of the rights of rebellion and resistance. The discussion is orthodox, brief, and vague. The topic is introduced with an analysis of despotism and a definition of tyranny in the book's concluding chapter.

According to Locke, paternal, political, and despotic powers are different. Despotic power "is an Absolute, Arbitrary Power" exercised by one person over another to take his life. Since the basic right of nature is the individual right to self-preservation, no contract giving up or restricting this right can be valid. Therefore, despotic power cannot be granted by nature, compact, or conquest and can never be moral, good rule. If any political ruler attempts to act in such a "bestly," irrational fashion, he places himself into a state of war.⁹ No right to

⁸St. Thomas Aquinas, *The Political Ideas of St. Thomas Aquinas*, ed. Dino Gigongiari (New York: Hafner, 1953), pp. 190–91. Cf. Quentin Skinner, *The Foundations of Modern Political Thought: Volume Two: The Age of Reformation* (London: Cambridge University Press, 1978), pp. 347–48. Skinner writes a brilliant chapter on the right to resist as it was developed in the sixteenth century. At the end of that chapter he concludes that "It would be a mistake, however, to think of the development of this modern 'liberal' theory of constitutionalism essentially as an achievement of the seventeenth century. As will by now be clear, the concepts in terms of which Locke and his successors developed their views on popular sovereignty and the right of revolution had already been largely articulated and refined over a century earlier in the legal writings of such radical jurists as Salamonio, in the theological treatises of such Ockhamists as Almain and Mair, as well as in the more famous but derivative writings of the Calvinist revolutionaries. A generation before Locke produced his classic defense of the people's right to resist and remove a tyrannical government, Oliver Cromwell had already found it quite sufficient (according to Burnet's report) to reassure himself about the lawfulness of executing Charles I by engaging in 'a long discourse' about 'the nature of the regal power, according to the principles of Mariana and Buchanan' (Burnet, I, p. 76)."

⁹John Locke, *Two Treatises of Government*, ed. Peter Lasslet (Cambridge: Cambridge University Press, 1960; Mentor Books, 1965), p. 428. Cf. Stewart Edwards, "Political Philosophy Belimed: The Case of Locke," *Political Studies*, 17 (1969), 289. Edwards discusses Locke's stipulative definitions and reminds us that argumentation by assuming the points at dispute in a covering definition is merely postponing any discussion of those issues. In Edwards' interpretation "The Second Treatise" is yet another example, however imperfect, of the definitional mode of arguing about politics. Edwards claims Locke redefined rebellion, whereas I take a different position on that point.

exercise despotic power can be gained by conquest in an unjust war. The despot runs the risk of being destroyed in the future by persons who have had their rights invaded or destroyed. No matter that most governments are not based upon consent, and that conquest or usurpation frequently establishes de facto rulers, often despots; a community never loses its original right to a legislature approved by a majority.¹⁰ The basic ethical axiom involved is that promises or false consent extorted by force cannot create moral obligation or right.¹¹ Only free consent can obligate the individual's obedience. He continues by saying that if a conquered people are ever allowed to participate in decisions, this ends absolute power, and "as soon as any Compact enters, Slavery ceases."¹²

An aggressor who unjustly invades others' rights in an unjust war can never have a legitimate right to rule.¹³ The people who have been forced to live under a despotical government always retain the right to free themselves from it, and to resort to force until a form of government is established that meets with their consent.

For no Government can have a right to obedience from a people who have not freely consented to it; which they can never be supposed to do, till they are put in a full state of Liberty to choose their Government and Governors, or at least till they have such standing Laws, to which they have themselves or their Representatives, given their free consent, and also till they are allowed their due property. . . .¹⁴

Locke writes that whether rulers have always to act under the laws of their country or not, they can never be exempted from the obligations of eternal law, the laws of God and nature. Locke concludes the chapter on "Conquest" with the statement that shaking off a Power, which Force, and not Right hath set over anyone, though it hath the name of Rebellion, yet is no Offence before God, but is that, which he allows and countenances, though even Promises and Covenants, when obtained by Force, have intervened.¹⁵

When usurpation occurs, such as when a person assumes the exercise of any portion of power by ways other than those prescribed by the laws of the community, there is no obligation to obey. Even if the form of government is not changed, no obligation exists because the usurper is not the legally authorized ruler and, consequently, not the person the people had approved. Government by despots,

¹⁰Locke, *Two Treatises*, p. 433. Cf. Sterling Power Lamprecht, *The Moral and Political Philosophy of John Locke* (New York: Russell & Russell, 1962), p. 149. "In spite of his insistence on the right of revolution, Locke can hardly be spoken of as a revolutionist." Cf. Martin Seliger, "Locke's Theory of Revolutionary Action," *Western Political Quarterly*, 16 (1963), 550, 568. Seliger points to the property qualification upon voting as a limitation upon the majority that is to approve of rebellions. He concludes that the tenor of Locke's position is against supporting frequent revolutions.

¹¹Locke, *Two Treatises*, p. 440.

¹²Locke, *Two Treatises*, p. 430.

¹³Locke, *Two Treatises*, p. 432.

¹⁴Locke, *Two Treatises*, pp. 441-42.

¹⁵Locke, *Two Treatises*, pp. 443, 444. Cf. p. 446.

absolute monarchs, conquerors, and usurpers is not founded upon a social contract; therefore, no moral obligation to obedience is created. A rebellion against these governments is not wrong; hence, a right to rebellion consistent with eternal law exists. St. Thomas, arguing from altogether different premises, reaches the same conclusion.

In chapter eighteen, Locke defines tyranny as “the exercise of Power beyond Right, which nobody can have a Right to.”¹⁶ Tyrannical government happens when the ruler makes his will, not the law, the rule, when his actions do not preserve the citizen’s property, and when his actions are motivated by “irregular passions,” such as ambition, revenge, and covetousness. Locke says that the difference between a constitutional monarch and a tyrant is that “a king makes the laws the limit of his power and the good of the public the end of his government; the tyrant makes all give way to his own will and appetite.”¹⁷ Wherever the laws end, tyranny begins, whether it involves one man or many and even if it concerns a mere matter of exceeding legal limits. If a ruler uses the military forces of the community to compel a subject to do something that is not written in a law, then Locke says the ruler, acting without legal authority, may be opposed since he has placed himself into an aggressive state of war by using force to invade the rights of others. Here Locke writes of opposition and resistance, not of rebellion. He clearly notes the difference because he has just concluded his discussion of the right to rebellion in the preceding chapter. Importantly, Locke does not write that monarchy is an unacceptable system of government à la Thomas Paine. He clearly distinguishes between a constitutional monarch with extensive prerogative powers who acts according to laws passed by Parliament and a tyrant who makes his personal will the law.

Having thus defined tyrannical government and asserted a right to resist such government, Locke pauses to consider the limitations and conditions to be placed upon the right of the subject to resist illegal exertions of executive power. When he is finished listing these conditions, Locke’s right of resistance is neither very radical nor revolutionary. For example, no prince may be resisted just because an individual subject may “imagine” that an injustice has been done to him personally. “This will unhinge and overturn all Politics and instead of Government and Order leave nothing but Anarchy and Confusion.”¹⁸ According to Locke, the first condition for morally justified resistance is that the acts should have been done in an unjust and unlawful way. Otherwise resistance to lawful government is to be condemned. Although the king may be above criticism, and Locke does argue in favor of exempting the king from such attacks, opposition may be made to acts

¹⁶Locke, *Two Treatises*, p. 446.

¹⁷Locke, *Two Treatises*, p. 448. Cf. M. Seliger, *The Liberal Politics of John Locke* (New York: Praeger, 1969), p. 317.

¹⁸Locke, *Two Treatises*, p. 449. Cf. John Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969), p. 50. “It is not a book about how to construct governments or about just when it is desirable to resist, but a book about why under some circumstances men have a right to resist.”

performed by “inferior officers.” The second condition for lawful resistance is that such should not be made against the king, but against his ministers who may be questioned, opposed, and resisted if they attempt to use unjust force. Since the king’s authority is based upon the law, he cannot grant to any of his ministers the power to act against the law.¹⁹ However, Locke extends to the monarch vast powers under the prerogative power to act in certain circumstances where there are no laws, in cases of emergency, and in some instances even against the specific working of statutes.

The third condition for the exercise of the right of resistance is that if legal recourse for the obtainment of redress for injuries or damages exists under the provisions of the law, then there can be no justification for using force to gain relief. Where an act of injustice does not do irreparable damage, where life is not in danger, then one should appeal to the law. The fourth condition involved widespread and repeated offenses.

... if the unlawful acts done by the Magistrate, be maintained (by the Power he has got) and the remedy which is due by Law, be by the same Power obstructed; yet the *Right of resisting*, even in such manifest Acts of Tyranny, *will not* suddenly, or on slight occasions, *disturb the Government*.²⁰

For Locke thinks that unless dissatisfaction with tyrannical acts is widespread and intense, that a few “heady malcontents” could not overthrow a government.

But if either these illegal Acts have extended to the Majority of the People; or if the Mischief and Oppression has light only on some few, but in such Cases, as the Precedent, and Consequences seem to threaten all, and they are persuaded in their Consciences, that their Laws, and with them their Estates, Liberties, and Lives are in danger, and perhaps their Religion too, how they will be hindered from resisting illegal force used against them, I cannot tell.²¹

A long train of abuses tending in the direction of the establishment of tyranny is not exactly the same thing as saying that X has not succeeded in placing a tyrannical government into operation; that X is not now, in fact, a tyranny. But if the people see several examples of actions tending to the establishment of arbitrary power, Locke thinks they will be persuaded that the ultimate objective of the king is the

¹⁹Locke, *Two Treatises*, pp. 450, 451. Cf. p. 452. Locke does defend the individual’s right to use violence against both unlawful private acts and also private acts of violence against the government. But his prudential advice is that individuals who seek to use violence against a tyrannical government “are sure to perish.” Therefore, the wise man waits until the use of force by the government puts him into a state of war and, hence, makes resistance against the established governors legitimate.

The use of force is justified when others’ use of violence threatens one’s life and leaves no time to appeal the case to the courts. “The loss was irreparable; which to prevent, the Law of Nature gave me a Right to *destroy* him, who had put himself into a state of war with me, and threatened my destruction.”

²⁰Locke, *Two Treatises*, p. 452.

²¹Locke, *Two Treatises*, pp. 452–53. Cf. Dunn, *Political Thought*, pp. 178, 181–82, 186.

establishment of tyranny. To summarize, the four conditions for the exercise of the right of resistance are:

- (1) Real acts by the executive-ministerial officials outside of the law;
- (2) Prolonged, frequent instances of abuse;
- (3) Extension of injustices to the majority or to such individuals as present a threat to all; and
- (4) No legal remedy available through the established system for injuries or damages.²²

Locke's right of resistance, in the American system, enables the majority to change persons in the presidential office, in Congress, and in the Supreme Court without resorting to revolution or force. Our Constitution provides authority for extraordinary majorities in Congress and state legislatures to issue calls for a new constitutional convention or to propose individual amendments. Hence, an American majority would have no right to rebel because these provisions exist. According to Locke's premises, the law already provides a peaceful means to seek redress for injuries. In addition, no individual or minority has, according to Locke, a right to resistance for this right belongs to the majority. He clearly thinks that scattered individual acts of corruption or violations of the law will not sufficiently arouse an apathetic majority to support resistance to a government. His right to resistance ends up being conservative in effect because it requires support by the majority.

Many modern radical or revolutionary movements attempt to build a case for the moral corruptness of a system based upon individual acts of injustice. Modern revolutions are, Locke to the contrary, many times led and organized by militant minorities. Nevertheless, Locke may have correctly estimated the need for injustices to be extensive before majorities are willing to act. Those revolutionaries who think they can move the masses because of injustices done to others or to isolated individuals may be constantly frustrated in their efforts to arouse the apathetic. On the other hand, Locke may have underestimated the capacity of one misguided individual to influence others and also the power of highly organized, militant minorities.

In the next chapter, Locke turns to the problem of how the majority is to provide for a new legislature. He also considers the issue of how changes are to be made in a cabinet, when and if the king refuses to make them. Locke clearly states that changing the government or dissolving the legislature for an election is not the same thing as the dissolution of society.²³ In the first sentence Locke maintains that the dissolution of government is to be clearly distinguished from the dissolution of society, the political community, and its union derived from the social contract. The destruction of a society following conquest is different from the dissolution of governments from within. Locke writes that a government is dissolved when the legislature is not able to carry out the functions assigned to it in the social contract. To dissolve the government is not the same thing as to overthrow it and does not

²²Locke, *Two Treatises*, p. 452.

²³Locke, *Two Treatises*, pp. 455, 456, 466.

constitute rebellion. Changing the government by calling for elections and altering the ministerial personnel would not produce a revolutionary change in the system. Locke lists the ways in which the legislature is dissolved and the consequences that follow from changes in the executive-legislative relationship. Most of his examples involve “undue” interference by the chief executive in the affairs of the legislature. This leads Locke to suggest remedial action on the part of the legislative opposition, or party factions. Locke’s supreme, sovereign legislature operates by majority rule. It exercises the power given in trust to the government for the promotion of common good and the preservation of property.²⁴ When anyone other than the legislature authorized by the majority makes a law, the people are not obligated to obey and may take steps (unspecified, but including force) to establish a new legislature.²⁵ The specific cases when the legislature is changed and the government dissolved are:

- (1) When a single person replaces the will of the legislature with his will, which happens when orders are executed that have no legislative authorization;
- (2) When the prince hinders the legislature from meeting at its appointed time;
- (3) When the prince alters election methods without the consent or contrary to the common interest of the people;
- (4) When the people are subjected to foreign domination; and
- (5) When the executive neglects to enforce the laws that have been passed by the legislature.²⁶

Locke concludes:

In these and like cases, *when the Government is dissolved*, the People are at liberty to provide for themselves, by erecting a new Legislative, differing from the other, by the change of Persons, or Form, or both as they shall find it most for their safety and good.²⁷

Locke clearly indicates that he has in mind resistance to the legislature prior to the establishment of tyranny, as a means of prevention, of warding off the necessity for revolution. It is altogether wrong to wait to urge resistance until tyranny has been achieved.

This is in effect no more than to bid them first be slaves, and then to take care of their Liberty, when their Chains are on, tell them they may act like freemen. . . . Men can never be secure from Tyranny, if there be no means to escape it, till they are perfectly under it. . . .²⁸

Men have a right to act to prevent tyranny.

The second category of governmental dissolution is when either the legislature or the prince acts contrary to its trust.²⁹ If a breach of trust should happen, such as an attempt to establish absolutism, the legislature forfeits its power, and then the

²⁴Locke, *Two Treatises*, pp. 375, 428.

²⁵Locke, *Two Treatises*, p. 456.

²⁶Locke, *Two Treatises*, pp. 456, 459.

²⁷Locke, *Two Treatises*, p. 459.

²⁸Locke, *Two Treatises*, p. 460.

²⁹Locke, *Two Treatises*, p. 460.

people have a right to resume their original liberty. They may establish a new legislature (presumably by holding a new election). The legislature abrogates its trust when it invades the property rights of individuals, or attempts to act in an arbitrary way with the lives, liberties, or fortunes of the people. The executive destroys trust when it

... employs the Force, Treasure, and Offices of the Society, to corrupt the *Representatives*, and gain them to his purposes; or openly pre-engages the *Electors*, and prescribes to their choice, such, whom he has by Solicitation, Threats, Promises or otherwise won to his designs; and imploys them to bring in such, who have promised before-hand, what to Vote, and what to Enact.³⁰

Locke objected to the king's efforts to construct a court party, to influence the outcome of elections, and to use electoral tactics to influence the legislature.

Thus to regulate Candidates and Electors, and new model the ways of Election, what is it but to cut up the Government by the Roots and poison the very fountain of publick Security.³¹

Locke opposed extensive participation by the crown in the incipient development of political parties and its effort to extend executive-monarchical control over the emerging power of Parliament. He claims these actions constituted a breach of trust because the king was replacing the will of elected representatives with his own will, and this he thought was subversive of government. However, he is vague about the precise remedies for this danger. For example, just what type of institutional mechanisms are to be provided to enable the people to obtain a new legislature or to conduct an election when this is necessitated by a "breach of trust"? Who is to determine, and how is it to be determined, that such a breach has happened?

Locke now proceeds to several arguments that defend his position against allegations that it would promote chronic instability. First, the right to resist must be used with caution. A sentence that clearly resembles the Declaration of Independence follows:

But if a long train of Abuses, Prevarications, and Artifices, all tending the same way, make the design visible to the People, and they cannot but feel, what they lie under, and see, whither they are going 'tis not to be wonder'd, that they would rouse themselves, and endeavor to put the rule into such hands, which may secure to them the ends for which Government was at first erected; and without which, ancient Names, and specious Forms, are so far from being better, that they are much worse, than the state of Nature, or pure Anarchy; the inconveniences being all as great and as near, but the remedy farther off and more difficult.³²

This sentence includes a second argument against the charge that Locke's right of resistance would frequently turn into a right of revolution, thus unhinging govern-

³⁰Locke, *Two Treatises*, p. 461.

³¹Locke, *Two Treatises*, p. 461.

³²Locke, *Two Treatises*, p. 463.

ment. Not so Locke says. Revolutions will not happen just because of mismanagement. It is much more dangerous to expose the people to the possibility of tyranny, than it is to run the risk of instability derived from a right in the people to criticize and to oppose rulers bent on tyrannical acts.³³ In addition, Locke says any man who tries to use force to destroy a just government is guilty of the greatest crime, is a common enemy, and a pest.³⁴ On the other hand, "it is lawful for the people, in some cases, to *resist* their King."³⁵ And finally, all resistance is not rebellion; indeed, it may either forestall or prevent rebellion from taking place. The context of the passage from which the famous quote is taken is an argument for distinguishing resistance from rebellion and revolution.³⁶

The third condition for dissolution of the government and the calling of new elections turns out not to be a new third category, but rather a series of arguments justifying the general need to give the people the power to change the composition of the legislature, and presumably also to alter the cabinet. According to Locke, his "doctrine of a power in the people to provide for a new legislature" will provide against rebellions because the real rebels are those who use force to break and oppose laws.³⁷ Lawless rebels against the enforcement of the laws, who create a state of war, are most likely to be persons in places of authority.

... those who set up force again in opposition to the Laws, do *Rebellare*, that is, bring back again the state of War, and are properly Rebels: Which they who are in Power (by the pretence they have to Authority, the temptation of force they have in their hands, and the Flattery of those about them) being likeliest to do; the properest way to prevent the evil, is to shew them the danger and injustice of it, who are under the greatest temptation to run into it.³⁸

Moreover, resistance to tyranny is also justified in the case of a conspiracy or "design" to establish tyrannical government.

... the neglect of the publick good is to be taken as evidence of such a *design*, or at least a sufficient cause of *resistance*. . . because he betrayed or forced his People whose liberty he ought carefully to have preserved.³⁹

The statement provides a wide scope for definitions of actions that could be violations of an unspecified public good.

In the last paragraph of the book, Locke writes that so long as the governors act within the terms of the social contract, the legislative or sovereign power cannot return to the people. By signing the contract, the people transfer all political power to the sovereign. But if definite limits for legislative sessions were mentioned in the original contract, if the sovereign power had been made only

³³Locke, *Two Treatises*, pp. 463, 465.

³⁴Locke, *Two Treatises*, p. 467.

³⁵Locke, *Two Treatises*, p. 468.

³⁶Locke, *Two Treatises*, p. 468. Cf. p. 453. Locke also mentions "long trains" in this discussion of tyranny.

³⁷Locke, *Two Treatises*, p. 463.

³⁸Locke, *Two Treatises*, p. 464.

³⁹Locke, *Two Treatises*, p. 467.

temporary, or if the legislature forfeited its power, then supreme power returns to the people. Acting as supreme power, the people have the right to either continue the legislative power in themselves, erect a new form of government, or retain the old form under the direction of new persons.⁴⁰

III. Conclusions

John Locke's theory of political change and the right to revolution has been variously viewed as justifying or provoking the English and American revolutions. However, serious disagreements exist among commentators concerning the nature and extent of his influence upon revolutionary thought. This dispute has obscured the study of Locke's theory of revolution by placing it in a context of events that happened after the work was written. In addition, just what Locke's theory might mean has become involved in the argument over whether the major premises of American political culture are liberal or conservative.⁴¹ In this conclusion I will briefly review several interpreters of Locke and then assert that Locke's theory of rebellion was neither very novel nor theoretically interesting. All of the disputes between various schools of intellectual historians about "influence" has led students of Locke to pay too much attention to his theory of rebellion. Too little attention has been paid to his defense of opposition political parties and the right to be a critic of a government without being confused with a disloyal rebel. Paradoxically, many readers of Locke would like to view him as an advocate of wide-reaching, violent revolutions, whereas Locke himself painstakingly attempted to avoid that label.

According to one author who was impressed with Locke's influence upon the American Revolution, his political philosophy determined the "party line," especially Locke's sanctioning of rebellion.⁴² Locke is said to be the most influential European thinker in America during the revolutionary period because of his association with the right to revolution that was supposedly literally included in the Declaration by Thomas Jefferson.⁴³ Carl Becker, another pro-Lockean, concludes that many Americans revered Locke's works as gospel.⁴⁴ Becker also connects Locke's views with the right to revolt. In an article on the concept of equality, Martin Diamond writes that the Declaration was simply following Locke.⁴⁵

⁴⁰Locke, *Two Treatises*, p. 477. Cf. Seliger, *Liberal Politics*, pp. 118, 175. Seliger writes that Locke did not recognize a right to revolt in the residents of British colonial territories and that Locke specifically denied the colonists the right to break away from Britain in his *Constitution*.

⁴¹Louis Hartz, *The Liberal Tradition in America* (New York: Harcourt, Brace, and World, 1955).

⁴²John C. Miller, *Origins of the American Revolution* (Stanford, Calif.: Stanford University Press, 1943), pp. 170, 171, 492.

⁴³Dolbeare, *Directions in American Political Thought* (New York: John Wiley, 1969), pp. 19, 20, 12.

⁴⁴Carl Becker, *Declaration of Independence: A Study in the History of Political Ideas* (New York: Random House, 1942), pp. 26, 27–28.

⁴⁵Martin Diamond, "The American Ideas of Equality: The View from the Founding," *Review*

Donald J. Devine utilizes empirical survey data to substantiate his hypothesis that Locke's ideas provided the basis for a consensus formulated around the time of the Revolution.⁴⁶

There are several critics who do not agree with these views of Locke's theory. Both Willmoore Kendall and Leo Strauss have studied Locke's political ideas. Kendall sees a similarity between Locke and Article V of the Constitution.⁴⁷ But in *Basic Symbols* Kendall claims that the "official literature" cannot answer the question: What is the American political tradition?

Now, according to our official literature, America had, in the course of the eighteenth century, come under the influence of Locke—as we see at once, so exponents of the official literature would tell us, from the Virginians' use of the term "by nature," of the term "inherent rights," of the term "enter into a state of society," and of the term "compact." We conclude at once this much: If the Americans did indeed become Lockeans in the course of the decades preceding 1776, then there did indeed occur a shift in self-understanding, not a mere shift in rhetoric. . . . While we cannot prove that the Virginians were not Lockeans, we can say, and say with profound conviction, that the change cannot be proved out of the document before us.⁴⁸

Kendall also points out that all of the rights included in the Virginia Bill of Rights were well known prior to Locke's ever taking up pen to write. One, he thinks, could as well attribute the formative philosophical influence to Thomas Hooker or St. Thomas Aquinas as to John Locke. Leo Strauss, a profound student of natural law, writes that if one carefully reads the *Two Treatises* and other related Lockean texts, one will become convinced that Locke did not support traditional natural law.⁴⁹ According to Strauss, Locke almost totally failed to support individual rights.⁵⁰

Several other scholars question the assumption that Locke's views influenced American ideas about contracts. Ewart Lewis, Carl Bridenbough, and T. H. Breen have explored the possible influence of massive, indigenous religious factors on the intellectual climate.⁵¹ According to Carl Bridenbough, "It is indeed high time that we reposes the important truth that religion was a fundamental cause of the

Of Politics, 38 (1976), pp. 313–31. Cf. Martin Diamond, Winston Mills Fisk, and Herbert Garfinkel, *The Democratic Republic: An Introduction to American Government*, 2nd ed. (Chicago: Rand McNally, 1966).

⁴⁶Donald J. Devine, *The Political Culture of the United States: The Influence of Member Values on Regime Maintenance* (Boston: Little, Brown, 1972), pp. 3, 7, 47, 52, 58.

⁴⁷Willmoore Kendall, *Contra Mundum*, ed. Nellie Kendall (New Rochelle, N.Y.: Arlington House, 1971), p. 425.

⁴⁸Willmoore Kendall and George W. Carey, *The Basic Symbols of the American Political Tradition* (Baton Rouge: Louisiana State University Press, 1970), p. 63.

⁴⁹Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), p. 232.

⁵⁰Leo Strauss, "Locke's Doctrine of Natural Law," *American Political Science Review*, 52 (1958), p. 490. Cf. Francis Edward Devine, "Absolute Democracy or Indefensible Right: Hobbes versus Locke," *Journal of Politics*, 37 (1975), pp. 767, 759, 763.

⁵¹Ewart Lewis, "The Contributions of Medieval Thought to the American Political Tradition," *American Political Science Review*, 50 (1956).

American Revolution.”⁵² T. H. Breen concludes that there is a long-neglected historical development of political rights within the American tradition beginning with Nathaniel Ward’s *Body of Liberties* (1641).⁵³

An English scholar, John Dunn, takes a strong anti-Lockean stance. His argument rests on historical evidence, and he notes Lockean influence upon the founding fathers is one of the “enduring clichés of American historiography.”⁵⁴ He claims that there is no evidence that any copies of the book were even transported to this country prior to 1724. Dunn thinks that Locke’s books did not greatly influence educated Americans prior to the Revolution.

It cannot have been Locke’s *Two Treatises* which taught them this tradition of behavior because there is no reason to suppose that many people had read it with care in the colonies by 1750.⁵⁵

Gary Wills in *Inventing America: Jefferson’s Declaration of Independence*, approaches the problem by analyzing the historical background of Jefferson’s political philosophy. In numerous places through the volume, Wills concludes that Locke’s political philosophy had little or no influence upon the Declaration’s author. He asserts that interpretations of it have become shrouded in mythology, hence his intriguing title, *Inventing America*.⁵⁶ According to Wills, there is no indication Jefferson read the *Second Treatise*. There are no reasons to assume that a Lockean orthodoxy underlies his thought.⁵⁷

Those who think Jefferson had to derive his natural right of revolution from Locke have no direct textual parallels to draw on, but the parallels within the Scottish school are everywhere.⁵⁸

Wills thinks the Scottish moral sense political philosophy of David Hume and Francis Hutcheson had the greatest influence upon Jefferson at the time he wrote the Declaration. Jefferson understood rights in Hutcheson’s sense, not Locke’s.⁵⁹

Despite a general similarity frequently noted between the right to rebellion in the *Two Treatises* and the *Declaration of Independence*, my analysis of Locke’s text leads me to emphasize the differences between the Lockean right of resistance and the American case for revolution. The disparities emerge as increasingly significant when one considers the emerging differences between the British cabinet system and the American executive. Several students of Locke’s philosophy have

⁵²Carl Bridenbough, *Mitre and Sceptre* (New York: Oxford University Press, 1962). p. xx.

⁵³T. H. Breen, *The Character of the Good Ruler: Puritan Political Ideas in New England* (New Haven: Oxford University Press, 1962), pp. 137, 160, 165.

⁵⁴John W. Yolton, *John Locke: Problems and Perspectives: A Collection of New Essays* (Cambridge: Cambridge University Press, 1969), pp. 46, 50, 59.

⁵⁵Yolton, *John Locke*, p. 79.

⁵⁶Wills, *Inventing America*, pp. xix, xxiv.

⁵⁷Wills, *Inventing America*, pp. 174–75.

⁵⁸Wills, *Inventing America*, p. 238.

⁵⁹Wills, *Inventing America*, pp. 215, 217.

discovered that he was not a traditional, natural law philosopher.⁶⁰ But the authors of the Declaration base their case for the right of revolution upon the self-evident truths of eternal and natural law. Locke, in an instance of a major dissimilarity, concludes that so long as the procedural and constitutional rules consented to by the majority of the people in the governmental contract are followed, the government is authorized to act, and the citizens are morally obligated to obey. Resistance against despots, absolute monarchs, and usurpers is morally justified because no social contract exists in these cases. But only resistance and opposition are justified if a valid contract has been formulated.

In governments where a contract exists, acts that mark a tyrant involve, according to Locke, efforts by the executive to govern outside of laws passed by the legislature, acts contrary to the established laws, and violations of enacted statutes. On the other hand, the commission of acts or passage of laws in conflict with the laws of nature, or natural, civil, or political rights of individuals, with the single possible exception of the right to own property, are not included as grounds for rebellion. The laws of Nature's God are not on this list. Locke's views on political change are essentially different from the American revolutionary experience because they are not derived from natural law and because they sanction only limited resistance to government.

It is probable that the central teaching on this subject in Locke's book has little to do with a further extension of the previously well-established, even traditional, doctrine of rebellion.⁶¹ From a different perspective, Locke's most significant

⁶⁰Cf. Dunn, *Political Thought*, pp. 51, 121, 207, 213. Dunn's analysis of Locke stresses the theological, normative aspects of his philosophy. He wrote, according to Dunn, a "theological proclamation" of rights that was a logical deduction from premises resting upon the acceptance of God's existence and natural theology. Locke's position was, therefore, that of a moderate-to-conservative liberal. Locke was not a supporter of capitalistic property rights or bourgeois order. Dunn thinks Locke's theory can best be explained from within the framework of Puritan religious assumptions. However, he does note that by no means can Locke be called an advocate of egalitarian social democracy because he accepted the social, economic class distinctions of his era. There are no arguments against slavery in the book. Locke can not be read as a forerunner of modern ideologically based movements advocating social-economic revolution.

⁶¹Locke, *Two Treatises*, p. 460. Cf. Julian H. Franklin, *John Locke and the Theory of Sovereignty* (Cambridge: Cambridge University Press, 1978), pp. xi, 97, 105, 113. According to Franklin, Locke's theory of resistance entails the right of the people to change the form of government following its dissolution. However, Franklin traces this theory of sovereignty to George Lawson's *Politica sacra et civilis*, published in 1657. The important and radical point of these theories, according to Franklin, was the assertion that the people (the community) was sovereign and could set up any form of government it desired. But the larger problem of this theory was its portent for future and frequent disruptions of stability. My argument is that although Locke does in passing mention this theory of revolution, he was more concerned with the rights of resistance and opposition within an established government. The whole tenor of Locke's argument here is to defend his theory of resistance against its allegedly radical defects.

For, according to the judicious Locke, "To Tell *People* They may provide for themselves by erecting a new Legislative, when by Oppression, Artifice, or being delivered over to a Foreign Power, their old one is gone, is only to tell them they may expect Relief, when it is too late, and the evil is past Cure. This is in effect no more than to bid them first be Slaves, and then to take care of their Liberty; and when their Chains are on, tell them, they may act like Freemen.

achievement becomes his elaborate defense of the right to organize opposition factions or parties.⁶² He also hopes for the development of the right of a party's leaders, if the majority in Parliament, to control the policy-making function. In addition, Locke thinks that the crown's ministers should be criticized because they did not come within the scope of the monarch's special privileges. Locke mentions no changes he would like to see accomplished in England's governmental system in the *Two Treatises*, and there is no discussion of different constitutional forms in the book. It becomes obvious that advocacy of revolutionary changes in governmental systems was not his major concern. But Locke did contribute to the effort to construct a concept of a loyal opposition. His book clearly presupposes the constitutional forms of seventeenth-century England that did not include a power in the majority of the legislature to call for elections or dismiss the executive. However, his rights of resistance and opposition would make such systemic changes necessary should they come to be adopted as important privileges of parliamentary politicians.

Curiously Locke makes no comment in the book about bills of rights. He does not advocate the right of a majority to conduct a violent revolution against any established government if the administration acts according to the law. Locke places the power to determine political right and wrong in the majority of the supreme legislature. Within the American constitutional tradition we treasure the self-evident truths of natural law and define political right and wrong in a fundamental constitution not to be changed by a legislative majority. Locke's theory of revolution and his right to resist are qualified. He is careful to hedge, to list conditions, to make specifications about extensive numbers of supporters and successive examples of abuse before he supports any effort even to resist tyrannical governments. He clearly differentiates between the right to revolution and the rights to resist, oppose, and criticize. Locke takes care to argue that the right to resist is not the same as the right to rebel. His point is precisely that critics are neither disloyal, nor rebellious.

This, if fairly so, is rather Mockery than Relief; and men can never be secure from Tyranny, if there be no means to escape it, till they are perfectly under it; And therefore it is, that they have not only a Right to get out of it, but to prevent it." It is the prevention of tyranny that concerns Locke here, not the right to construct a new government given the failure to prevent absolutism.

⁶²Cf. C. B. MacPherson, *The Political Theory of Possessive Individualism* (Oxford: Clarendon Press, 1962), pp. 195, 252, 256, 257. MacPherson thinks Locke's right to property is the key to a proper interpretation of his political philosophy. His consent of the majority was in reality consent of the majority of property holders. The social contract involved transferring all individual right to a majority of property owners in order to protect their rights. "No individual rights are directly protected in Locke's State. The only protection the individual has against arbitrary government is placed in the right of the majority in civil society to say when a government has broken its trust to act always in the public good and never arbitrarily."