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序

政治哲学自上个世纪七十年代复兴之后,已成为当代哲学的主要领域。政治哲学的对象同时成为政治学、经济学、法律学和社会理论乃至一般文化与文学批评所关注的焦点。换言之,这些领域的一些基础问题原本就是政治哲学的问题。与此相应,各种政治哲学著作也如雨后春笋,应时而生。其中既有开创一个学派的大哲之作,提倡一个观点的雄辨之篇,相互非难的论战之章,亦有收罗各式篇章的文献选编性的初阶读物,而政治哲学史一类的著作也纷纷出版,其中不少就是先前已经付梓却不为人们重视的著作的再版,一时蔚为大观。《伟大的政治思想家》(威廉·爱本斯坦著,陈维汉译,商务印书馆,1992年)就是其中的一本。这是一本西方政治哲学文献的大型选编本,有一千多页,多次再版,而本书乃是这部大作的节略本。

此书的编者是威廉·爱本斯坦(William E. Eban, 1914-2002)和艾伦·爱本斯坦(Allen E. Eban, 1918-2002)的小儿子,经济学家)。威廉·爱本斯坦是一位卓有成就的政治哲学家和政治学者,出身于奥地利,在完成大学教育之后,前往英美,此后就一直在美国的大学里教书,他的擅业在于政治哲学和比较政府研究,而在极权主义(极权主义研究)研究领域里面,威廉·爱本斯坦则位居重镇。爱本斯坦的主要著作可举出如下几种,《法西斯意大利》(1944),《纳粹国家》(1950),《德国记录》(1951),《现代政治思想》(1954),《世界远景中的美国民主》(1957),《今天的诸主义》(1960)。其中的一些著作屡次再版,比如,《今天的诸主义》已经再版七次,《伟大的政治思想家》在1992年也出到了第六版。因此,我们可以说,摆在读者面前的这本《政治思想家导论》(威廉·爱本斯坦著,陈维汉译,商务印书馆,1992年)是在英语世界广受欢迎的上乘之作,亦将受到汉语圈内英语读者的欢迎。

本书总共选录十三位西方重要的政治哲学家,或者用编者的说法,十三位伟大的政治思想家的经典著作中的重要章节。如果读者能够将本书所选的文献从头至尾阅读一遍,那么整个西方二千多年政治哲学和政治思想的主流大致就可以把握了。美中不足的是,作者未收录康德的政治哲学的文献,从而使人们对这个主流的理解不免留下一些派势模糊的地方。作者看重英美的政治哲学家,尤其是英国的政治哲学家,这可能缘于他的政治倾向,然而,在政治哲学领域,自德国哲学在西方思想界崛起之后,德国的观点和理论始终保持举足轻重的影响,而其荦然大师绝不仅限于马克思一人。爱本斯坦出身于奥地利,却与英美思想十分合拍,类似维特根斯坦、哈耶克和波普等人的情形,这看起来是奥地利思想学术界的有趣现象。此外,在我们东方人的眼中,编者简单地将此书命名为《政治思想家导论》,而不收入西方以外的政治思想家的文献,则是一个比较明显的成见。

本书编者的工作是相当认真的,在所选的每位哲学家的篇章之前都有一篇详细的介绍

为引导 ,它介绍相关哲学家的时代和思想的背景 ,该哲学家的政治哲学的主要观点和原则 ,以及所选篇章的中心思想。这种精心撰就的导读对初学者来说是十分有用的 ,即使对有一定基础的读者来说 ,也是一册方便应用的资料 ,本书因此而兼具初阶读物和文献选编的双重作用。我想 ,喜欢政治哲学的读者 ,很可以将本书用作进入西方政治哲学的门径 ,深入之后 ,大有收获是可以期待的。

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INTRODUCTION TO POLITICAL THINKERS

SECOND EDITION

Introduction to Political Thinkers

William Ebenstein

(1910–1976)

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and University of California at Santa Barbara*

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LOCKE

Revolutionary Puritanism ruled England until 1660 but was unable to establish itself permanently. Cromwell died in 1658, and in less than two years Charles II was restored to the throne. After civil war and dictatorship the return to monarchy seemed the best prospect of peace. In bringing Charles II back to a throne, no clear delimitation between royal and parliamentary authority was made. It was hoped that a practical equilibrium could be obtained without formal constitutional charters, if the king would avoid the arbitrary government of his executed father, and if Parliament would be satisfied with less than absolute supremacy, such as it had exercised in the years 1642–1649, the period of civil war. Yet Charles II lacked the wisdom, or even desire, to contribute his share to the growth of a balanced constitution. His reign lasted from 1660–1685, during which years he increasingly antagonized his subjects on the two key issues of religion and Parliament. A crypto-Catholic, he sought to strengthen the influence of Catholics and fatally returned to the ways of his father by ruling without summoning Parliament for several years.

Charles II was succeeded by his brother, James II, who was an open Catholic and more authoritarian than Charles. James II sought to convert England to Catholicism by prerogative and force, and he methodically subverted the authority of Parliament either by exempting individuals from the law or by suspending laws altogether. He appointed and dismissed judges arbitrarily and built up a standing army to buttress his autocracy. By identifying despotism with Roman Catholicism he outraged not only his subjects' religion and liberty but their very patriotism.

France and Spain were England's chief opponents in the struggle for hegemony, and James II sealed his position as a traitor to the nation when it became known that he, like Charles II and many politicians, was secretly receiving money from Louis XIV of France. In 1688, Whig and Tory leaders invited Prince William of Orange to come to England and deliver it from Romanism and absolutism. William arrived in England in November, and there was great jubilation and almost no resistance. James II saw himself abandoned by Parliament, church, and army, and on December 22, 1688, stealthily sailed for France, never to return. Royal absolutism in England was dead.

Prince William summoned a "Convention Parliament" that met in January of 1689. The first business was to fill the vacant throne. James II was declared to have subverted the Constitution of the Kingdom by breaking the "original contract" between King and people and to have violated the fundamental laws "by the advice of Jesuits and other wicked persons," and to have, by his flight and misdeeds, abdicated the throne. Parliament then invited Prince William and his wife Mary to become King and Queen of

England. But the Crown was not given to them without condition. The "Declaration of Right" (passed later in the year as the Bill of Rights) was the instrument that conferred the Crown on William and Mary.

The Bill of Rights begins with a recital of the iniquities and illegalities of James II. The first of the twelve charges accuses him of having assumed and exercised the power to dispense with and suspend laws, and to execute laws, without consent of Parliament. This was the crux of the "Glorious" or "Bloodless" Revolution of 1688: who is to be supreme, king or Parliament? The clear and unmistakable words of the Bill of Rights settled the question once and for all. By denying the king the right to levy money without grant of Parliament, and by prohibiting the raising or keeping of a standing army in time of peace without the consent of Parliament, the Bill of Rights deprived the king of the fiscal and military means of governing without the active consent of Parliament.

Another important condition was attached by Parliament to the British monarchy: no person who professes the Roman Catholic religion or is married to a Roman Catholic may inherit or hold the throne. The work of the Glorious Revolution went further. Judges were made irremovable during good behavior; they could no longer be removed by the arbitrary will of the king, as James II had removed judges who interpreted the law contrary to his wishes. To make the change of the times even more marked, judges were henceforth to be removable only on the address of both Houses of Parliament. The abolition of censorship made for free expression of thought in religious and political matters, and toleration was legally granted to Protestant dissenters; thus the road was opened for the general principle of separating religious faith from political loyalty.

The Glorious Revolution established the first constitutional monarchy in a major European country, and its general character remained unchanged until the reform of parliamentary representation in 1832. The bloodless revolution of 1832, transferring political power from the gentry to the middle class, would have been impossible without the Bloodless Revolution of 1688. At that time the liberal foundations of British government were judiciously laid, and the British system of today is the direct descendant of the Revolution of 1688. The peaceful revolution of 1945, by which the British working class became one of the principal political elements in the state through the election of a Labour Party majority in Parliament, is the twentieth-century version of the Reform Act of 1832, and both go back to 1688–1689. *Revolution by consent* sounds like a contradiction in itself, yet the examples of 1688, 1832, and 1945 prove that it is possible to effect fundamental political and social change without bloodshed.

The spirit of this rational liberalism is best reflected in the work of John Locke (1632–1704), specifically, in his *Two Treatises of Government* (1690). Locke was born of a middle-class Puritan family; his father had fought in the civil war on the side of the Parliamentary party. He went to Oxford in 1652, and stayed on after graduation as a senior student and tutor. His connection with the university lasted until 1684, when he was deprived of his appointment for political reasons. His interests were at first concentrated on philosophy, then on science, and he became a fellow of the Royal Society, England's first scientific society, shortly after its incorporation. Locke also studied and, on many occasions, practiced medicine. In 1667, he met Thomas Sydenham, the leading English medical figure in both clinical work and research. The two men became life-long close friends, and Locke worked with Sydenham both in his clinical practice and in his research. Sydenham believed that medical experience was the only "true teacher" and there is no doubt that Sydenham's medical views, then strongly rejected by the more conservative "establishment" of the medical profession, influenced and reinforced Locke's general sympathies toward experience as the source of knowledge.

Locke's knowledge of medicine led to a chance meeting with Lord Ashley in 1666. Lord Ashley was the leader of the Whig party and one of the central figures in public

life. Locke, who saved the statesman's life by a skillful operation, became attached to his career and household for the next fifteen years. He assisted him in political and commercial affairs, and helped him draw up the *Fundamental Constitutions of Carolina* (1669), of which colony Lord Ashley was one of the founders and chief owners. The Carolina constitution guaranteed religious toleration but accepted Negro slavery as a form of rightful property. In 1672 Lord Ashley was raised to the peerage as Earl of Shaftesbury, and shortly thereafter he was appointed Lord High Chancellor of England. Locke followed Shaftesbury into the government and retained his position until 1675, when Shaftesbury fell in disgrace.

Locke then went to France, where he spent four years, mostly in Montpellier and Paris. On his return to England in 1679 he found political unrest growing. Shaftesbury became the principal leader of the opposition against the court, and he was finally forced to flee to Holland, where he died in 1683. Later in the same year Locke himself, fearful for his safety in England, fled to Holland, where he stayed until early in 1689. He left Holland on the same boat that carried Princess Mary of Orange to England.

Locke's exile in Holland was not free from harassment and uncertainty; yet he always looked back on it with nostalgia. He was captivated by the spirit of freedom and manliness he saw in Holland, and he envied the country that had become the center of political and religious refugees from all Europe, including the British Isles. Locke's liberalism was formed in its fundamentals before he set foot on Dutch soil, but his experience there showed him that liberalism in religion and politics could work, and it reinforced his determination to help rid England of the illiberal government of Charles II, and—later—the despotic obscurantism of James II. The first of Locke's four *Letters Concerning Toleration* was composed and first published in Holland, and an abstract of Locke's chief philosophical work, the *Essay Concerning Human Understanding*, the foundation of modern empiricism, was also first published there.

On his arrival in England the new government offered Locke an ambassadorship in Vienna or Berlin, but, as he preferred to remain in England, he accepted instead an appointment as Commissioner of Appeals, which enabled him to stay away from London much of the time, his health having begun to fail him. In 1696 he was made Commissioner of Trade and Plantations, the forerunner of the later Board of Trade and Colonial Office. Whereas Hobbes had little or no practical acquaintance with government, Locke had wide administrative and political experience both before and after his exile. Hobbes had spent his years of exile in absolutist France, Locke in liberal Holland.

Locke's *Two Treatises of Government* is often dismissed as a mere apology for the victorious Whigs in the Revolution of 1688–1689. Such dismissal is clearly not borne out by the facts relating to the history and publication of the book. The *Two Treatises* was begun in 1679 and substantially finished in 1681. Its purpose was to provide the intellectual armory for the planned revolutionary overthrow of Charles II by the Earl of Shaftesbury and his Whig friends. After Locke returned to England in February, 1689, he revised the *Two Treatises* to take into account the fact that the revolution had already occurred. Although the first edition of the *Two Treatises* carries the year 1690 as the date of publication, the book was actually on sale in October of 1689, since publishers then—as now—had the habit of putting a later date on publications than the actual date on which they appeared. In the Preface to the *Two Treatises* Locke implies that the text presented to the public is only part of a larger work, written at an earlier date.

Yet Locke seems to lend some weight to the idea of looking at the *Two Treatises* as an apology for the victorious Whigs in the Revolution of 1688–1689, for in the Preface to the *Two Treatises*, obviously written after his return in 1689, he expresses the hope that the pages of the *Two Treatises* as published "are sufficient to establish the throne of our great restorer, our present King William," and "to justify to the world the people of

England whose love of their just and natural rights, with their resolution to preserve them, saved the nation when it was on the very brink of slavery and ruin." Locke nowhere says or implies that he wrote the *Two Treatises* for the purpose of justifying the Revolution of 1688–1689. He was confident that the book which he composed in 1679–1681 and in which he, in principle, both attacked despotism and justified its overthrow by revolution would also hold good in 1689, although the specific circumstances of English politics had changed in the meantime. The specific issue was no longer a revolution to be carried out by the Liberal political leaders, but a Liberal revolution which had actually taken place.

Every piece of significant political writing is a fragment of the autobiography of its age; yet it becomes great only if, in addition to its vital connection with the period from which it springs, it possesses a universal appeal because of its general human interest. A political treatise that is wholly submerged in the issues of its own age can never rise above the level of a partisan pamphlet. On the other hand, a political work that is isolated from its own age is bound to be and is abstract. The *Two Treatises* could not have been written by someone without the practical experience and interest of Locke; yet without Locke's philosophical rationalism, luminous common sense, and liberality of spirit it could never have become the Bible of modern liberalism.

Like Hobbes, Locke starts out with the concept of the *state of nature*. Yet from this starting point on, Locke travels a different road and arrives at a different destination. Unlike Hobbes, whose state of nature is little different from the jungle in which force and fraud reign supreme, Locke takes an optimistic view. In Hobbes' state of nature there is no natural law, only natural right, each individual doing as he sees fit for his preservation and enhancement of power. By contrast, Locke's conception of man in the state of nature is not noticeably different from man in organized society. Locke cannot conceive of human beings living together without some sort of law and order, and in the state of nature it is the *law of nature* that rules: "The state of nature has a law of nature to govern it, which obliges every one; and reason, which is that law, teaches all mankind who will but consult it, that, being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions."

The law of nature, through the instrument of reason, defines what is right and wrong; if a violation of the law occurs, the execution of the penalty is, in the state of nature, "put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation." Locke penetratingly notes that without some agency of enforcement there can be no law, and that in the law of nature the injured party is authorized to be judge in his own case and to execute the judgment against the culprit.

In actuality, the legal situation that Locke describes as the state of nature still exists (as it did in Locke's time) in two areas. First, within the so-called primitive community there is a body of law that is generally known to its members. In the event of transgression, the injured party (or his family) pursues the malefactor, punishes him, or takes reparation from him. The kin of the murdered victim, who slays the assassin, does not commit murder in the eyes of the primitive community, but reestablishes thereby the sanctity of the law: he is the authorized agent of the law to defend it against the assassin, because as yet there are no third-party judges and specialized law-enforcement agencies. Second, the state of nature still exists between so-called advanced nations. To be sure, there is a body of law, international law, that is binding and recognized as such; yet, when a violation of international law occurs and there is no international judicature and enforcement agency, the injured state is authorized to punish the transgressor. Such penalties or reprisals are not considered contrary to international law but are viewed as acts in behalf of its defense and reestablishment.

The law of the state of nature is thus deficient in three important points. First, it is not sufficiently clear. If all men were guided by pure reason, they would all see the same law. But men are biased by their interests and mistake their interest for general rules of law. Second, there is no third-party judge who has no personal stake in disputes. Men who judge their own conflicts are apt to be carried away by passion and revenge. Third, in the state of nature the injured party is not always strong enough to execute the just sentence of the law: "Thus mankind, notwithstanding all the privileges of the state of nature, but being in an ill condition while they remain in it, are quickly driven into society." The purpose of the social contract is to establish organized law and order so that the uncertainties of the state of nature will be replaced by the predictability of known laws and impartial institutions.

Within a group, men quickly form society, because the advantages of the state of nature seem to them to be outweighed by its disadvantages. After society is set up by contract, government is established, not by a contract, but by a *fiduciary trust*. The legislature is "the supreme power" to which all other powers, particularly the executive, "must be subordinate." Yet the legislature is only relatively supreme among organs of government. Above the legislature there is still something higher: the people. Locke conceives of the institution of the legislature as a "fiduciary power." Ordinarily there are three parties to a trust: the trustor, who creates the trust; the trustee, who is charged with the administration of the trust; and the beneficiary, in whose interest the trust is created. According to Locke's view of government, there are only two parties to the trust: the people, who are both trustor and beneficiary, and the legislature, who is trustee.

The principal characteristic of a trust is the fact that the trustee assumes primarily obligations rather than rights. The purpose of the trust is determined by the interest of the beneficiary and not by the will of the trustee. The trustee is little more than a servant of both trustor and beneficiary, and he may be recalled by the trustor in the event of neglect of duty. Because the legislature is no more than a trustee, "there remains still in the people a supreme power to remove or alter the legislative when they find the legislative act contrary to the trust reposed in them; for all power given with trust for the attaining an end, being limited by that end, whenever that end is manifestly neglected or opposed, the trust must necessarily be forfeited, and the power devolve to the hands of those that gave it, who may place it anew where they shall think best for their safety and security."

Locke thus goes further than the makers of the Glorious Revolution who accused James II of having violated the "original contract between King and people." The contractual conception of kingship was a tremendous attack on the theory of kingship by divine right, according to which the king—and the king only—received his right to govern from God. In the doctrine of contract, people and king were put on the same plane as equals. Locke completes this progression by his conception of government as trust: only the people as trustor (and beneficiary) have rights; the government as trustee has only duties, which are defined by the interests of the trustor and beneficiary, and not by those of the trustee. In the theory of divine right, only the ruler has rights; in the theory of contract, both people and government have rights; in Locke's conception of *government as trust*, only the people have rights.

When Hobbes described the establishment of society and government, he carefully confined the act of covenant to the subjects; they set up the sovereign, transferring to him all power. There was no contract between subjects and sovereign, only between subjects and subjects, because Hobbes was anxious to avoid a conception of government that had duties, under a contract, toward the governed. Similarly, Locke confines the act of covenant to the setting up of society but not of government; yet his aim is exactly the opposite of Hobbes'. Locke's government is not a party to any contract with

the people, because he does not wish to give the state any rights against the people. Locke's state never becomes the Hobbesian sovereign but always remains an instrument of the purposes that society sets for it. As a strong believer in natural law, Locke assigned to government the task of *finding the law* rather than of making it in the Hobbesian manner. *Law precedes the state* in Locke, but follows it in Hobbes.

Among the rights which precede government Locke stresses that of *property*. The principal purpose of government, the reason why men give up the state of nature for civil society, is "for the mutual preservation of their lives, liberties, and estates, which I call by the general name, property." This broad Lockean concept of property exceeds man's purely economic needs and interests and encompasses almost the whole orbit of his "life, liberty, and pursuit of happiness." When Locke speaks of property, he thinks of a wider range of action and opportunity that is implied in ordinary language. By linking property with life and liberty, Locke undoubtedly showed how important it seemed to him. Yet by the same token, the link of property with life and liberty also shows that Locke thought of property as liberating its owner rather than as enslaving others. To Locke, property meant, not the exercise of power over others, but the protection against power of others—particularly the power of government or of custom or privilege.

Locke's theory of property starts with the inquiry of how private property can be justified at all. Because every man has a property in his own person, the "labor of his body and the work of his hands we may say are properly his." *Labor creates property*: the human effort that is "mixed" with natural resources is the determining criterion which alone justifies private property. Thus Locke avoids justifying property on the ground that "the law" protects it, and instead goes back to the law behind the law, the law of nature, according to which man's property in his own body also extends to its labor.

But labor does more than create property. It also *determines the value of property*. "It is labor indeed," Locke says, "that puts the difference of value on everything." In fact, he stresses the proportion of labor in value highly enough to say that "of the products of the earth useful to the life of man nine-tenths are the effects of labor."

The Lockean theory of property was later used in defense of capitalism; but in the hands of pre-Marxian socialists it became a powerful weapon of attacking capitalism. When Locke defended property on the ground of individual effort and initiative, he protected the productive capacities of a new system of commercial and industrial capitalism against the restrictive traditions of a repressive state. By making labor the title to property and the source of value, Locke translated the rise of a new class to power into terms of a new political economy. Although himself a mercantilist, Locke's economic philosophy helped to liberate the ingenious and industrious entrepreneur from paralyzing force and custom. The socialists used—a century and a half after Locke—his labor theory of property to demand communal control or ownership of the basic means of production; they did not thereby prove that they were more progressive than Locke, but that economic facts had changed since 1690, resulting in the concentration of property and control in industry and finance.

Locke did not work out a consistently clear theory as to *how much property* a person may fairly claim for himself. In general, he acknowledges that the right to property is limited: "As much as anyone can make use of to any advantage of life before it spoils, so much he may by his labor fix a property in; whatever is beyond this, is more than his share, and belongs to others. Nothing was made by God for man to spoil or destroy." This relative equality of property, based on man's limited capacity to consume, would have lasted forever, "had not the invention of money, and by tacit agreement of men to put a value on it, introduced (by consent) larger possessions and a right to them."

The criterion which Locke here applies is that of waste. Before money was invented, man had no moral right to hoard the products of the earth and allow them to rot and spoil. His ability to use perishable goods determined the amount of property he could rightfully own. In a later phase, man would exchange perishable fruit (like plums) for durable ones (like nuts). By disposing of the plums he had done his duty toward society, for he had prevented them from wasting in his possession. From durable nuts to even more durable gold, or "a sparkling pebble or diamond," was only a small and logical step. And if he kept on hoarding these durable goods (like gold and diamonds and money) "all his life, he invaded not the right of others."

Thus Locke arrives at defining money "as some lasting thing that men might keep without spoiling, and that, by mutual consent, men would take in exchange for the truly useful but perishable supports of life." In his doctrine of property Locke makes no serious attempt to reconcile the teaching of natural law, which postulates a reasonable equality of property, with the inequality of property that stems, by consent among men, from the use of money.

Property precedes government and is the "great and chief end" for which men unite into political society. It follows that the state "cannot take from any man any part of his property without his own consent." Even if a commonwealth is based on freely elected representative institutions, it cannot "dispose of the estates of the subjects arbitrarily." The Fourteenth Amendment to the Constitution of the United States embodies this Lockean idea, that no State shall "deprive any person of life, liberty, or property, without due process of law."

Locke felt—understandably enough in the light of Stuart despotism—a profound distrust of executive power; he had more confidence in the legislature, as representing the will of the people or at least the majority of the electorate. The executive power "is visibly subordinate and accountable" to the legislature, "and may be at pleasure changed and displaced." The legislature is supreme, but not absolutely; it is supreme only in relation to other organs of government, and the limitations of the legislature are the end of government, that is, the protection of life, liberty, and property of men.

Specifically, Locke lists four major limitations on the powers of the legislature: first, the law must apply equally to all, rich and poor, favorite at court and countryman at plough; second, the law must not be arbitrary and oppressive, but must be designed for the good of the people; third, the legislature must not raise taxes without the consent of the people or their representatives; fourth, the legislature must not transfer its law-making power to anybody else. In this fourth limitation Locke expresses his opposition to government by administrative decree instead of by legislative assembly. Executive power always harbors the peril of uncertainty and arbitrariness, whereas government by legislature means certainty and the Rule of Law.

This part of Locke's political philosophy has retained more vitality in the United States than in England. There the development of cabinet government since the eighteenth century has controverted some of Locke's misgivings about the inherent evil of a strong and effective executive. Despite Locke's fears, England has not become a despotism, although her legislature has been overshadowed by the executive (itself, however, a committee of the legislature). In the United States, on the other hand, the Lockean sanctification of the legislature as contrasted with the devil theory of the executive has not lost its vote-getting magic.

Hobbes was so strongly impressed with the need for compulsion to maintain social cohesion that he could not envisage society without government. The dissolution of government meant for him the end of all order and restraint, the cessation of civilized living, and the return to the barbarous state of nature. Locke enunciates one of the principal

doctrines of classical liberalism by drawing a *sharp distinction between state and society*. Of the two, society is by far the more important and enduring. The dissolution of government does not entail that of society, whereas if society "is dissolved, it is certain that the government of that society cannot remain." Locke mentions that the destruction of society usually occurs by external force, by conquerors' swords that "mangle society to pieces." But when government is dissolved from within, Locke does not anticipate chaos—as did Hobbes—but trusts that society will set up a new government to serve its ends and purposes. In general, government dissolves from within if it violates the trust given to it by the people, who then set up a new government.

Absolute monarchy is, according to Locke, *no form of civil government* at all, and, in fact, worse than the state of nature. In the latter, everybody is judge in his own case, whereas in absolute monarchy there is only one person who has that liberty: the king. In civil society, government approaches dissolution whenever the legislators "endeavor to take away and destroy the property of the people, or to reduce them to slavery under arbitrary power." Similarly, government may be destroyed from within by the chief executive if he overrides the laws of the legislature by his own arbitrary will, hinders the legislative assembly from meeting or acting freely, prevents free elections, or delivers the people into the subjection of a foreign power: "In these, and the like cases, when the government is dissolved, the people are at liberty to provide for themselves by erecting a new legislature differing from the other by the change of persons, or form, or both, as they shall find it most for their safety and good."

Before Locke, theories of disobedience usually contained an element of apology when it came to justifying resistance to authority. Locke reversed the position by declaring the arbitrary ruler an outcast and rebel against the law, whereas the people defined the law by revolting against such despots: "In all states and conditions the true remedy of force without authority is to oppose force to it," and the ruler who uses force without authority should be treated like an aggressor in war. Locke qualifies his theory of resistance in two ways; first, force is to be used by the people only against unjust and unlawful force; second, the right of disobedience may not be exercised by one man or a small group of citizens who feel themselves oppressed, but only by the majority of the people when they have suffered from mischief and oppression.

Locke's insistence that there is a higher law above the law of the state has led to the conception, so deeply ingrained in the traditions of democratic nations, that obedience to the law is a high, but not the highest, civic virtue. Opponents of democratic government have charged that making political rule dependent on consent of the ruled "lays a ferment for frequent rebellion," as Locke puts it. Locke does not deny the charge, but asserts that his hypothesis invites *anarchy and rebellion* no more than any other. First, when the people are made miserable, they will rebel under any form of government, let the governors be "sacred and divine, descended or authorized from heaven, give them out for whom or what you please, the same will happen." Second, Locke emphasizes that men do not revolt "upon every little mismanagement in public affairs" (or "for light and transient causes," as the Declaration of Independence puts it). Third, and here Locke moves from the defensive to the offensive, government by consent coupled with the right of the people to rebel is "the best fence against rebellion." The more the channels of free communication and consent are maintained in a society, the less the need for revolution.

What was an argument in 1690 has since become a matter of experience. The most effective reply to the charge that democracy contains within itself the seeds of anarchy and rebellion is to be found in the political history of the last three centuries. The British and American systems of government, based on the Lockean recognition of the

right to rebel, have proved themselves the strongest and most enduring political societies the world has seen, and the same could be said of smaller countries like Holland, Switzerland, and the Scandinavian nations. By contrast, where the right to revolution has been rejected in the name of order and stability, the political results have been *coups d'état*, blood purges, plots and counterplots, conspiracies, and violent swings from one extreme to another—the political record, specifically, of militaristic dictatorships and totalitarian regimes.

By committing themselves to Locke's theories of government, the British supplied the case for the American Revolution and the later peaceful attainment of independence by other colonies, culminating in the virtually complete liquidation of the British Empire in the two decades following World War II. The text of the Declaration is pure Locke, and the main elements of the American constitutional system—limited government, inalienable individual rights, inviolability of property—are all directly traceable to Locke. Writing in the expanding commercial society of his own, his ideas fitted even more the needs of a dynamic pioneering society on the American continent.

Above all, Locke's defense of the right to rebel seemed to the makers of the American Revolution eminently reasonable. Thomas Jefferson, in many respects a Lockean rationalist and lover of freedom and toleration, expressed the American version of Locke's theory of rebellion in the classical phrase that the "tree of liberty must be refreshed from time to time with the blood of patriots and tyrants." Whatever the social or economic system that may exist at a particular time, the right to rebel remains the great, perhaps the greatest, tradition of British and American politics. Rebelliousness too, can, paradoxically, grow into tradition: the tradition of the dignity of man and of his unbreakable spirit.

LOCKE

*Two Treatises of Government**

THE STATE OF NATURE

To understand political power aright, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

This equality of men by nature, the judicious Hooker looks upon as so evident in itself, and beyond all question, that he makes it the foundation of that obligation to mutual love amongst men, on which he builds the duties they owe one another, and from whence he derives the great maxims of justice and charity. His words are:

The like natural inducement hath brought men to know that it is no less their duty, to love others than themselves; for seeing

those things which are equal, must needs all have one measure; if I cannot but wish to receive good, even as much at every man's hands, as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men. We all being of one and the same nature; to have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me; so that if I do harm, I must look to suffer, there being no reason that others should shew greater measure of love to me, than they have by me shewed unto them; my desire therefore to be loved of my equals in nature, as much as possible may be, imposeth upon me a natural duty of bearing to themward fully the like affection; from which relation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason hath drawn, for direction of life, no man is ignorant.

—*Eccl. Pol.*, lib.i.

But though this be a state of liberty, yet it is not a state of licence: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one, and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise

*From John Locke, *Two Treatises of Government* (1690).