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## **2. STUDY QUESTIONS FOR LOCKE, THE SECOND TREATISE ON CIVIL GOVERNMENT**

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**GOAL OF READING AND ANALYZING LOCKE:** TO SEE THE EXTENT TO WHICH ETHICALLY JUSTIFIED ACTIONS, AFFECTING OTHER PEOPLE, ARE THE PRODUCT OF CONSENT/SOCIAL CONTRACT/COMMUNITY AND TO INVESTIGATE THE NECESSARY AND SUFFICIENT CONDITIONS FOR LEGITIMATE USE OF TACIT CONSENT.

**CHAPTER I:** WHAT POSITION DOES LOCKE WISH TO REFUTE IN HIS BOOK?

### **CHAPTER II: OF THE STATE OF NATURE**

WHY DOES LOCKE BELIEVE HUMANS ARE EQUAL IN THE STATE OF NATURE? IS HE RIGHT? (SEE 54 FOR CAVEATS.)

WHAT IS THE "LAW OF NATURE" FOR LOCKE?

WHAT ARE THE ONLY TWO REASONS THAT ONE MAY HARM ANOTHER, ACCORDING TO LOCKE?

WHAT PUTS AN END TO THE STATE OF NATURE, FOR LOCKE?

### **CHAPTER III: OF THE STATE OF WAR**

WHAT IS A STATE OF WAR, FOR LOCKE?

WHY DOES ABSOLUTE POWER OVER ANOTHER GENERATE WAR?

WHAT IS THE RELATIONSHIP BETWEEN FREEDOM AND PRESERVATION, FOR LOCKE?

### **CHAPTER IV: OF SLAVERY**

WHAT IS THE ONLY SOURCE OF POWER OVER HUMAN LIBERTY, FOR LOCKE?

CAN A PERSON CONSENT TO ENSLAVE HERSELF TO ANOTHER, FOR LOCKE? WHY NOT?

## **CHAPTER V: OF PROPERTY**

WHY DOES LOCKE SAY (26) THAT A PERSON HAS A PROPERTY IN HER OWN PERSON, AND HOW DOES THIS PROPERTY LEAD TO THE LABOR THEORY OF VALUE?

HOW DOES LOCKE SAY A PERSON MAKES SOMETHING HER PROPERTY? DOES THIS "MAKING" OF PROPERTY REQUIRE THE CONSENT OF ALL THE COMMONERS? WHY NOT?

HOW MUCH PROPERTY DOES LOCKE SAY ONE CAN HAVE?

WHAT DOES LOCKE SAY PUTS THE DIFFERENT VALUES ON THINGS? IS HE RIGHT? WHAT IS HIS DISTINCTION BETWEEN "NATURAL INTRINSIC VALUE" (43) AND VALUE AS "BENEFIT"?

IS LOCKE CORRECT THAT " IT IS PLAIN THAT THE CONSENT OF MEN HAVE AGREED TO A DISPROPORTIONATE AND UNEQUAL POSSESSION OF THE EARTH" ? (SEC. 50)

WOULD LOCKE (SEE 50) AGREE THAT INVESTMENT BANKERS AND STOCK TRADERS HAVE EARNED THEIR PROPERTY OR MONEY THROUGH THEIR LABOR AND DESERVE IT?

EVEN DURING LOCKE'S TIME, WAS THERE "AS MUCH AND AS GOOD" LEFT FOR OTHERS AFTER PEOPLE TOOK PROPERTY OUT OF THE COMMONS?

## **CHAPTER VI: OF PATERNAL POWER**

WHAT IS THE ONLY WAY LAW (INCLUDING THE LW OF NATURE) IS KNOWN, ACCORDING TO LOCKE (57-59)?

ON WHAT IS FREEDOM GROUNDED, ACCORDING TO LOCKE (63)?

EXPLAIN THE CONTRACTUAL RELATIONSHIP BETWEEN PARENTS AND CHILDREN VIA REWARD AND GRATITUDE (67-68, 71-74).

EXPLAIN THE TACIT AND NATURAL CONSENT OF CHILDREN TO PARENTS, ACCORDING TO LOCKE, AND HOW THIS LAD THE FOUNDATIONS FOR HEREDITARY OR ELECTIVE KINGDOMS (75-6).

## **CHAPTER VII: OF POLITICAL OR CIVIL SOCIETY**

EXPLAIN THE CONTRACTUAL/CONSENSUAL BASIS OF MARRIAGE (78).

WHAT IS PROPERTY, FOR LOCKE (87, 123)?

WHEN DOES LOCKE SAY CIVIL SOCIETY IS CREATED OUT OF THE STATE OF NATURE (87-89)?

EXPLAIN THE RELATIONSHIP AMONG ABSOLUTE POWER, CONTRACTS, CONSENT, THE LAW OF NATURE, AND REASON ( 92).

WHAT IS THE SOLE END OF GOVERNMENT, FOR LOCKE (94)?

### **CHAPTER VIII: OF THE BEGINNINGS OF POLITICAL SOCIETIES**

IS LOCKE RIGHT THAT HUMANS ARE BY NATURE INDEPENDENT (95)?

WHAT THREE/FOUR REASONS JUSTIFY THE MAJORITY'S MAKING DECISIONS FOR THE ENTIRE SOCIETY, FOR LOCKE (95-98)?

ARE THERE ANY ANY SAFEGUARDS, IN LOCKE'S THEORY, FOR PROTECTING PEOPLE AGAINST THE TYRANNY OF THE MAJORITY, ESPECIALLY WHEN THE MAJORITY IS WRONG? EXPLAIN.

WHAT IS THE ONLY THING THAT BEGINS AND CONSTITUTES POLITICAL SOCIETY (99), FOR LOCKE?

IS IT IMPORTANT, FOR LOCKE'S ARGUMENT, THAT HISTORICALLY GOVERNMENTS BEGAN WITH THE CONSENT OF THE PEOPLE (100-112)?

WHY DOES LOCKE THINK IT IS IMPORTANT TO EXAMINE THE RIGHTS OF GOVERNMENT (111)?

WHAT, FOR LOCKE, CONSTITUTES SUFFICIENT CONSENT, TACIT CONSENT (119-122)? IS THIS ACCOUNT OF TACIT CONSENT CONSISTENT WITH THE OBLIGATIONS GENERATED, ACCORDING TO LOCKE, IN CONJUGAL AND PARENTAL SOCIETIES?

### **CHAPTER IX: OF THE ENDS OF POLITICAL SOCIETY AND GOVERNMENT**

WHY MIGHT PEOPLE NOT KNOW THE LAW OF NATURE (124-127)?

WHAT T THREE DEFECTS MADE THE STATE OF NATURE UNSAFE AND UNEASY?

### **CHAPTER XI: OF THE EXTENT OF THE LEGISLATIVE POWER**

WHAT IS ABSOLUTELY NECESSARY FOR MAKING LAWS (134)?

WHY IS ABSOLUTE ARBITRARY POWER OF GOVERNMENT IMPOSSIBLE (137)?

WHY CAN ONE NOT TAKE PROPERTY WITHOUT THE CONSENT OF THE OWNER (138-140), ACCORDING TO LOCKE?

### **CHAPTER XIII: OF THE SUBORDINATION OF THE POWERS OF THE COMMONWEALTH**

WHY DO HUMANS ALWAYS HAVE THE RIGHT TO PRESERVE THEMSELVES (149)?

WHAT ARE THE CONSEQUENCES OF "SALUS POPULI SUPREMA LEX" FOR CONTEMPORARY ETHICS AND CONTEMPORARY SOCIETY (158)?

### **CHAPTER IV: OF PREROGATIVE**

WHAT IS PREROGATIVE, FOR LOCKE (160, 166)?

WHY IS PREROGATIVE, WITHOUT PRIOR CHOICE BY THE PEOPLE, NECESSARY?

WHEN IS PREROGATIVE MOST NECESSARY, ACCORDING TO LOCKE?

WHY DOES LOCKE BELIEVE IT IS ETHICALLY DEFENSIBLE OFTEN TO MAKE MATTERS OF PREROGATIVE MATTERS OF POSITIVE LAW (162-163)?

WHY DOES LOCKE SAY THAT THE REIGNS OF GOOD PRINCES HAVE BEEN ALWAYS MOST DANGEROUS TO THE LIBERTIES OF THEIR PEOPLE (166)?

HOW, FOR LOCKE, DOES ONE DECIDE THAT PREROGATIVE HAS BEEN USED WRONGLY (168)?

ON LOCKE'S CRITERIA, WAS THERE AN ETHICAL USE OF PREROGATIVE IN THE CASE OF US MILITARY PERSONNEL AND DOWNWINDERS REGARDING DISCLOSURE/COMPENSATION/CONSENT? IN THE CASE OF VICTIMS OF THE FERNALD NUCLEAR FEED MATERIALS PLANT? IN THE CASE OF THE PRICE-ANDERSON ACT? IN THE CASE OF EXPERIMENTATION ON US CITIZENS(ZINC CADMIUM SULFIDE, FOR EXAMPLE)?

### **CHAPTER XV: OF PATERNAL, POLITICAL, AND DESPOTICAL POWER, CONSIDERED TOGETHER**

WHAT IS PATERNAL POWER, FOR LOCKE ?

WHAT IS THE RELATIONSHIP BETWEEN TACIT CONSENT AND PATERNALISM (170-171, FOR LOCKE)?

WHY CAN SOMEONE NOT GIVE ANOTHER ARBITRARY POWER (WITHOUT CONSENT) OVER HER LIFE, ACCORDING TO LOCKE (172)?

WHY DO PEOPLE HAVE RIGHTS TO FIGHT PREROGATIVES EXERCISED IN THE NAME OF PATERNALISM (172-174)?

## **CHAPTER XVI: OF CONQUEST**

HOW AND WHY DOES LOCKE COMPARE PETTY VILLAINS TO WEARERS OF CROWNS (176)?

DOES LOCKE (179) BELIEVE THAT THE PEOPLE ARE GUILTY OF THE UNJUST ACTS OF THEIR RULERS? WHY OR WHY NOT? IS HE CORRECT?

WHAT DOES LOCKE BELIEVE ABOUT THE ETHICAL PRACTICES OF THE STRONG AND THE POWERFUL (180)?

HOW DOES LOCKE HANDLE RIGHTS CONFLICTS IN SECTION 183?

IS THERE EVER CONSENT, FOR LOCKE, WHEN FORCE IS INVOLVED (186)?

WHAT ARE THE TWO RIGHTS WITH WHICH LOCKE SAYS PEOPLE ARE BORN (190)? IS HE CORRECT IN HIS CLAIM ABOUT THESE RIGHTS?

DOES LOCKE BELIEVE IN SOVEREIGN IMMUNITY (195)?

IS REBELLION AN ETHICAL OFFENSE FOR LOCKE (196)?

## **CHAPTER XVII: OF USURPATION**

WHAT IS USURPATION AND TYRANNY, FOR LOCKE (197)?

## **CHAPTER XVIII: OF TYRANNY**

WHAT IS USURPATION AND TYRANNY, FOR LOCKE (197, 199)?

WHEN IS ONE ETHICALLY JUSTIFIED IN USING FORCE, FOR LOCKE (204-207)

## **CHAPTER XIX: OF THE DISSOLUTION OF GOVERNMENT**

WHAT IS THE ESSENCE OF SOCIETY, FOR LOCKE (212)? IS HE RIGHT?

WHY DO PEOPLE HAVE A RIGHT TO PREVENT TYRANNY (220-230)?

WHEN OUGHT GOVERNMENTS BE DISSOLVED, FOR LOCKE (220-230)?

DOES LOCKE SANCTION CIVIL DISOBEDIENCE (222-230)?

ARE SOME PEOPLE LEGITIMATELY AT WAR AGAINST GOVERNMENT, ACCORDING TO LOCKE'S CRITERIA (232)?

WHAT ARE LOCKE'S ARGUMENTS AGAINST BARCLAY (232-239)? WHAT DOES BARCLAY'S PHILOSOPHY OMIT, ACCORDING TO LOCKE (239)?

WHO, ACCORDING TO LOCKE, HAS THE RIGHT TO JUDGE WHEN A LEADER HAS VIOLATED THE TRUST AND CONSENT OF THE PEOPLE (240-243)?