

John Locke on Liberal Democracy: A Critical Appraisal

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Abstract

This paper examines the nature of liberal democratic governance in John Locke's perspective. It adopts the method of textual analysis. It provides a basis for understanding democratic ideals in actual socio-political organizations. It concludes that Locke's conception of liberal democracy is indeed articulate and plausible. It recommends that policy makers in the Nigerian state should adopt Lockean perspective of liberal democratic governance with a view to enhancing good governance in contemporary Nigeria.

Keywords: John Locke, Liberal, Democracy, Critical, Appraisal.

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Introduction

The main aim of this paper is to attempt a philosophical appraisal of Locke's conception of democracy especially as it concerns representative government.

Locke's Concept of Liberal Democracy

Democracy denotes a set of ideals, institutions and processes of governance that allows the broad mass of the citizenry the opportunity for effective political participation. The practice of modern democracies appears to derive more from John Locke than from any other political philosopher. This, coupled with the popularity of the liberal form in its various variations both in Europe, America and the Third World in contemporary times, seems to rank Locke as one of the greatest political thinkers of all times. Central to Locke's analysis and understanding of democracy is the question of people right and people power. Both appear to have been most deeply conceived in Locke. Modern democratic culture places emphasis on civil and political rights of the citizenry. The highest embodiment of such right is the United Nations Declaration on Human Rights which have now become the basis of the constitution of modern democracies. Modern democracy in Locke's view in many cases assumes in principle, if not in practice, that representatives must be answerable to their constituents. There is no doubt that the principle of popular sovereignty has its highest conception in Locke. To him, political responsibility goes far beyond mere reporting to including the actual interest that is served. In Locke's estimation, the recognition of the basic rights of the citizenry is one of the hallmarks of democracy. It can be stated that popular sovereignty or popular participation is meaningful only to the extent that the people actually enjoy these fundamental rights. Democracy also requires a cultural milieu that permits freedom of thought, association and expression as well as a reasonable level of economic well-being among the people. Locke's conception of liberal democracy is made manifest in the following assertion:

For if anyone shall claim a power to lay and levy taxes on the people by his own authority, and without such consent of the people, he thereby invades the fundamental law of property and subvert the end of government (99)

The import of the above statement is that Locke was a liberal; in fact he is acclaimed to be the founder of philosophical liberalism even though the consensus seems that nothing is original about his political ideas and that most of his influence derives from Luck: the fact that his

publications occurred at a specific historical period when both the political climate and the regime in power in Britain were favorably disposed towards liberalism. Little wonder that democracy is by far the most popular form of government in the world today. There is hardly any leader who does not wish to be seen as a democrat or a regime that does not seek to be described as democratic. What is more, democracy also has a strong appeal among the ordinary people. Why is it so desirable and under what conditions can it be secured where the major burdens or preoccupations, that perplexed the mind of Locke. In what follows, liberal democracy or representative democracy has emerged as the dominant model of democracy. It is usually what people mean when they now speak of democracy. Having noted that democracy may be regarded as a form of government, a way of life, or an attitude of the mind, Francis Enemuo goes on to argue that democracy is essentially a method of organizing society politically. He further adds that:

There are, it is suggested, five basic elements without which no community can call itself truly democratic. These elements are equality, sovereignty of the people, respect for human life, the rule of law, and liberty of the individual (144).

In the Lockean perspective, democratic equality implies “one man one vote,” irrespective of differences in wealth, religion, intelligence, etc. It also connotes the equal right and opportunity of all citizens to hold political office. Based on the element of political equality of all is the principle of popular sovereignty, the notion that ultimate political power or sovereignty rests with the mass of the people. In practice, popular sovereignty is expressed through representation and majority rule. It is through their representatives that the people express their will. The representatives decide what, in their opinion, the people want, and if their judgment in this is faulty, the people can express their disapproval in the next election. According to Locke, respect for the dignity and worth of the human body and mind, is a basic ingredient and requirement for democracy to endure. It is also necessary, he notes, that government be based, as far as possible, on an impersonal law, rather than on the unpredictable whims of men. In other words, a democratic government should be based on the rule of law. A democratic regime should also respect certain basic freedoms for its citizens. Among these are: freedom of speech, freedom of the press, freedom of conscience, freedom of assembly and freedom from arbitrary arrest (144). Locke’s definition underlines the cardinal contents of liberal democracy. It may however be noted that he has provided what may be regarded as a summation of the varied conceptions of liberal democracy and an outline of its major elements. In Locke’s observation, it has been noted that democracy is a remarkably difficult form of government to create and sustain, that it is not only a form of government but also a way of life, and that the ideals of democracy are yet to be fully realized in any real state (146). Consequently, the work of democratization must be viewed as an ongoing process and democrats everywhere are to be involved in struggles to consolidate and extend the realization of democratic principles. In this regard, several conditions are thought to be conducive to the germination, growth and sustenance of the democratic system. First, it has to be desired by the people who must also be prepared to strive and sacrifice to attain it. The citizens must be willing to tolerate opposing views and show respect for the lives of other people. While the majority must act in a tolerant way, the minority must learn to accept the decisions of the majority. In effect, for democracy to thrive, it is necessary that the people be broad-minded and have a liberal disposition.

In addition to desiring freedom, citizens of a democracy are expected to possess ‘an educated sense of political responsibility’ (146). This character, according to Locke, entails a positive interest in public affairs, a sense of responsibility to use one’s political rights for the public good, a certain minimum of education in order to be capable of making a responsible and independent political judgment, and finally, the existence of political debate to stimulate thought. All the same, democracy also requires a cultural milieu that permits freedom of

thought, association and expression as well as a reasonable level of economic well-being among the people.

Rights and Duties of Liberal Democratic Government

In Locke's understanding, a liberal democratic government has some well defined rights as well as duties which it owes its citizenry in the civil order. It may interest you to note that there were fundamental questions that perplexed the mind of Locke regarding the rights and duties of democratic governance: Why do people form governments? What role does the social contract play in the formation and justification of government? What is Locke's view on the role of government and the limits of its powers? These and many more were the striking questions that baffled and troubled the mind of Locke. In what follows, both government and society exist to preserve the individual's rights, and the indefeasibility of such rights is a limitation on the authority of both. In one part of the Locke's theory, the individual and his rights figure as ultimate principles; in another society itself plays this part. In Locke's estimation, there is nothing which adequately explains how both can be absolute. Sabine and Thorson confirmed that the expression which Locke most commonly used to emphasize the rights and duties of a liberal democratic governance is the preservation of the "life, liberty, and estate (of citizens)" (487). The concept of limited government is embedded in the very nature of the contract.

In effect, the overall right of a liberal democratic government is to frame laws and formulate policies that will promote the freedom and liberty of the citizens. While its duty is to preserve all such rights of the individuals.

Rights and Duties of the Citizens in a Democracy

To Locke, social contract entails a surrender of only the right to self defense and the right to adjudicate and punish. All other rights are the preserve of the citizen. They are inalienable and we may list as many as we care and lay claim to them. Such would cover all the social and political rights, as well as the fundamental rights of property and security of the life and person of the citizen. These are sacrosanct; and none of his contemporaries, except Rousseau, can lay claim to have gone further than Locke. This, of course, is consistent with his position as an apostle of western liberalism and as a 'worshipper' of property (cited in Jaja 107), as he is fondly called. In order to preserve these rights Locke goes on to advocate the principle of separation of powers which today forms one major contribution in the area of political philosophy. Locke asserted categorically that supreme power resides in the people, and the people as a community had the inalienable right to institute and dismiss a government. It is against this backdrop that Stephen Law informs that:

Locke's political philosophy has been immensely significant. As a social contract theorist, he defended the right of citizens to revolt against a government that rules without their consent (74).

According to Locke, if a government is not for the people's good, or it does not depend on their consent or if it exceeds its authority, such a government can legitimately be overthrown. Locke was not an anarchist, distrusting political authority but he was conscious of the dangers that it posed. Thus, political authority was a trust, and if the terms of the trust were violated, the community has the right to take remedial measures in order to preserve itself. Little wonder that "The compulsion to constitute a civil society was to protect and preserve freedom and to enlarge it" (200). Locke defended personal independence and freedom as fundamental human rights. Everyone has an equal right to one's natural freedom, without being subjected to the will or authority of any other man. Locke clarified that the laws of nature were those that reason dictated. In Locke's understanding, "absolute political power (is) illegitimate" (199). Liberty,

for Locke, is not the freedom to do what one chooses, but to act within the bounds of the laws of nature. Hence, freedom presupposed order and was possible only within a framework of law. Locke had obsession for the establishment of a common wealth or civil state. The right to defend himself and the power to punish the crimes committed against the law of nature. All the other innumerable rights are not divorced to the state, but retained by the citizen. Because the individual still retains much of his rights and powers, those who govern are merely exercising delegated authority, as it were and so must govern with the consent of the people. Similarly, the very end of government is the good of the people, legislative supremacy becomes limited to the extent that all such acts reflect the very well-being of the people. Thus, the people perpetually reserve the right of saving themselves from any arbitrary rule or imposition that tends to deprive them of either their liberty or property. For Locke the political rights are indeed very extensive. In sum, they are the fundamental rights of the citizen. In the final analysis, Locke believe that people have natural rights that are not given to them by the government.

Liberal Democratic State

Locke insists that all true democratic states are established by consent in conceiving government as a trust and locating ultimate sovereignty in the people, Locke helped to refute the case for absolute government and the divine right of kings to rule. This implies that it must derive from the people, hold power in trust for them, and promote their welfare. It must remain limited and not absolute. It is on the strength of the foregoing that Enemu has this to say:

Having formed a (state) through the social contract, a government is there after instituted as a “fiduciary power to act for certain ends”. The community is both the creator and beneficiary of the trust. As Locke repeatedly insists, “the end of government”, is “the good of the community”. It is also the people who retain the supreme power (72).

In light of the above background, the contract established both the state and the organs of the state. Thus, government must serve and protect the interest of the people in a liberal democratic state. By logical implication, Locke makes provision for impeachment and recall which are now major features of the presidential system of government. Also note that the nascent philosophical ideas of Lock regarding a liberal democratic state are opposed to the concept of divine rights of kings, monarchical sovereignty, absolutism and all c-ms of arbitrariness in the state. Government, as an institution of liberal democratic state, must be based on the principle of rule of law. It must remain limited not absolute. Locke ruled out anarchy and insisted on the need for a just civilized life. Locke stipulates clearly the extent of the legislative and executive powers and insists on the adoption of the principle of separation of powers in the operation of government. The reason he adduced is that:

...because it may be too great a temptation on human frailty apt to grasp at power for the same persons who have the power of making laws to have also in their hands the power to execute them, whereby they may exempt themselves from obedience to the laws they make, and suit the law both in its making and execution to heft own private advantage (*Civil Government*104).

Locke accepts the supremacy of the legislature but insists that its powers must be limited in four fundamental ways. Firstly, it is limited to the public good of the society, since its end is the preservation of life and property, it can never have a right to destroy, enslave or impoverish its subjects. Secondly, it cannot assume the power to rule by extemporary arbitrary decrees; government must be in accordance with the law. Thirdly, government cannot take away from anybody any part of his property without his consent. Locke cautions that, “it is a mistake to think that the supreme or legislative power of any common wealth can do what it will” (105).

The legislative power is not transferable to other because it is but a delegated power from the people. In contrast to Hobbes, Locke is emphatic that the supreme power belongs to the people, and they reserve the right to withdraw that power, if it is abused consequently, they have the power to remove or alter the legislative when they act contrary to the trust reposed in them.

Conclusion

In conclusion, the major themes that constitute the liberal world-view are: individualism, freedom, consensual limited government, minimal state, constitutional authority, the rule of law, the majority rule principle, separation of powers, sovereignty of the people, representative democracy, property rights, civil society, pluralism tolerance and the right to judge state power and authority. To this end, Locke is, indeed, the founding father of liberal political theory.

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