

# John Locke – Libertarian Anarchism

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## 1 Introduction

Political philosophers darkly joke that after a revolution they will be among the first to be thrown onto the bonfire. Both those who have political power and those who lack it can find political philosophy threatening, which occasionally makes being a political philosopher a risky affair. John Locke experienced the danger that can accompany the pursuit of political ideas. He engaged with these ideas not only at a philosophical remove, but also intimately, as someone who could be found at the center of volatile political activity. In fact, it seems fair to say that Locke's writings on political philosophy, characterized as they are by passion, courage, and maturity, reflect his first-hand experience with both the significance of political ideas to a society and their perilous nature.

Locke lived from 1632 until 1704. This was an extremely violent period in England's history, and included the English Civil War (1642–1651) which culminated in Charles I's execution for high treason. The unrest with which Locke was directly involved occurred some years after the Civil War ended. To make a long story short, a major cause of that particular unrest was the collision, within British corridors of power, of two different conceptions of what constitutes legitimate state authority. Over time, these two different conceptions organized into the so-called "Whig" and "Tory" movements of the British Parliament. To simplify further, the Whig movement worked for the establishment of a constitutional monarchy, maintaining that the parliament should be authorized to limit the monarch's use of power. Relatedly, the Whigs rejected the ideas that the monarch's power came directly from God, and was thus responsible only to God. The Tories defended the opposite view. They argued that the ruling royal family obtained its power directly from God,

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meaning that the monarch has rightful, absolute power over his or her subjects and is accountable only to God. A second, though lesser, cause of the unrest in which Locke was involved was a certain royal family's—the Stuarts'—possession of the throne. Many of the Stuarts were Catholic, while England was officially Protestant (and had the Church of England). Both the Whigs and the Tories supported the Church of England and were against transforming England into a Catholic country.

Locke became directly involved in these political upheavals due to his close affiliation with the Whig movement. The Whig movement was established and led in the British Parliament by Lord Anthony Ashley Cooper, later the Earl of Shaftesbury. Locke met the Earl of Shaftesbury while the latter was still Lord Cooper and Locke was a young scholar at Oxford. An immediate intellectual and affectionate connection arose between the two when they met, resulting in a lifelong, truly remarkable friendship. For significant periods of his life, Locke lived at the Shaftesbury estate; and in addition to being one of Shaftesbury's closest and dearest friends, Locke was his personal physician and most trusted political interlocutor. Their friendship also resulted in Locke holding various public offices, so the two of them worked together professionally.<sup>1</sup> Consequently, Locke was not only a terrific political philosopher with what were, at the time, relatively radical political ideas, but, due to his close connection with Shaftesbury and the Whig movement, he was positioned at the center of England's political drama.

As noted above, the main reason the political situation surrounding Locke was heating up related to the Whig movement's challenge of the English throne's use of power. Tension along party lines significantly increased when the question arose concerning who would inherit the throne after the childless Charles II (the son of Charles I) died. The Whigs tried to block the Tories' attempt to ensure that James, the Duke of York and the Catholic brother of Charles II, would inherit the throne. The Whigs feared that James would not only make an effort to push England in a Catholic direction, but also try to reinstitute an absolutist reign and demolish Parliament's recently gained political influence over the monarch. The Tories, in contrast, were confident that James would not try to steer England in a Catholic direction. In addition, the Tories held that making James the new king was important for re-establishing the royal family's rightful, absolute power over the people. The Whig movement's effort to prevent James from being crowned as regent failed; James became James II, and many of the Whigs were subsequently persecuted. Shaftesbury himself was jailed twice due to his political involvement in these events, and Locke ultimately had to flee abroad, where he continued to cooperate closely with the Whig movement.

The Whigs were quickly shown to be right in their suspicion that James, once king, would try to exert political power over religious matters. This development entailed that resistance to James II's rule grew stronger, including because many Tories, too, became increasingly critical of him. The Whig victory came with "The Glorious Revolution" of 1688, though Shaftesbury himself died in 1683 and did not get to experience it. The Glorious Revolution culminated in the abdication of James II

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<sup>1</sup> For Locke's involvement with various aspects of English colonialism, see Arneil, Barbara (1996) *John Locke and America: The Defense of English Colonialism*. Oxford: Clarendon Press.

and resulted from the cooperation between the Whig movement, important Tories, and William of Orange, among others. After the 1688 revolution, Locke returned to England. He arrived on the same ship as Mary, wife of William of Orange and daughter of James II. William of Orange and Mary, both Protestants, were appointed as the regents William III and Mary II. The “Bill of Rights” became law in 1689, which, among other things, specified limits on the monarch’s power, and thus the first important, permanent steps toward a constitutional monarchy in England were made.

After Locke returned to England, he published in quick succession the three works that compose his main, invaluable contribution to Western philosophy: one work on metaphysics and epistemology, *An Essay Concerning Human Understanding* (1689)<sup>2</sup>; and two works on political philosophy, *A Letter Concerning Toleration* (1689) and *Two Treatises of Government* (1690). Locke had been working on the philosophy contained in these three books more or less continuously since his first days as a student at Oxford, so more or less continuously for his entire adult life. As explained below, certain of Locke’s developed ideas on toleration were also anticipated in an earlier writing, *An Essay on Toleration*, completed in 1667. Locke chose to publish his political writings anonymously, which is not surprising in light of the drama surrounding his own life and involvement in politics, as well as the relatively radical nature of his ideas on freedom, tolerance, individual rights, and revolution.<sup>3</sup>

The influence of Locke’s political ideas can hardly be exaggerated. They continue to inspire political thought from extreme anarchic libertarianism to extreme Marxism. We shall see that Locke’s continual influence has been generated especially by three of his major ideas: on toleration; on the individual’s so-called natural executive power; and on private property. As I elaborate below, the latter two ideas markedly distinguish Locke’s theory from other prominent theories, of his day and ours, in the liberal contractarian tradition. In many ways, in fact, these two ideas account for the fact that his theory can usefully be called “libertarian anarchism.”<sup>4</sup>

<sup>2</sup>Locke, John (1979) *An Essay Concerning Human Understanding*. Oxford: Oxford University Press. For a work that focuses on the relation between Locke’s political philosophy and his main theoretical work, see Grant, Ruth W. (1991) *John Locke’s Liberalism*. Chicago: University of Chicago Press.

<sup>3</sup>For more thorough descriptions of Locke’s life, see, for example, Ashcraft, Richard (1986) *Revolutionary Politics and Locke’s Two Treatises of Government*. Princeton: Princeton University Press; Laslett, Peter (1988) “Introduction” and “Addendum to Introduction,” in John Locke’s *Two Treatises of Government*, ed. P. Laslett. Cambridge: Cambridge University Press, pp. 1–133; Marshall, John (2006) *John Locke, Toleration, and Early Enlightenment Culture*. Cambridge: Cambridge University Press; Woolhouse, Roger S. (2007) *John Locke: A Biography*. Cambridge: Cambridge University Press. I refer to Locke’s *Two Treatises of Government* in this chapter with the abbreviation “TT;” I use “I” and “II” to signal which treatise I refer to, and a simple number to indicate which paragraph in the text I cite. I have used John Locke’s *Political Essays*. Cambridge: Cambridge University Press, 1997 for “An Essay on Toleration,” and *The Political Writings of John Locke*, ed. by D. Wootton. Signet, 1993, for “A Letter Concerning Toleration.” I have used Peter Laslett’s 1988 edition of Locke’s *Two Treatises of Government*.

<sup>4</sup>For an introduction to the contrast between Locke’s libertarianism and other historical libertarian conceptions, see Vallentyne, Peter & Steiner, Hillel (2007) *The Origins of Left-Libertarianism: An Anthology of Historical Writings*. New York: Palgrave Macmillan.

Moreover, though controversial as they are, these two ideas have proven tremendously important for liberal legal-political thought and practice. One reason they've been so important for political practice is that Locke justifies both constitutional limitations on the exercise of public power and the value of citizens' actual consent for a legitimate political power by means of these ideas. In other words, these two ideas—on the individual's natural executive right and on private property—serve as the core of Locke's argument in rejection of political absolutism. Therefore, these ideas became significant not only in the Whig movement (which, over time, considered Locke its great philosopher), but in the French and American Revolutions, and in the history of all constitutional, liberal democracies.

This introductory text focuses on the development and core ideas of Locke's political philosophy and outlines a few relevant, current controversies among Locke scholars. After an introduction to Locke's writings on tolerance and their development over time, I shift to his theory of justice as presented in *Two Treatises of Government*. Of particular importance in the latter work are Locke's defense of a so-called "voluntarist understanding" of political legitimacy and the right to revolution, which centrally involves the claim that political power originally belongs to each individual (the individual's natural executive right). To justify this claim, Locke provides us with a theory of laws of nature and individual rights, where he emphasizes private property, which is why special priority is given to understanding these aspects of his theory and contemporary developments of them.

## 2 Locke's Tolerance Writings<sup>5</sup>

As is the case for most philosophers, it took time for Locke to arrive at his mature political philosophy. In his younger days, he was deeply drawn to more absolutist thoughts concerning justice; he even wrote (though never published) a text that defended the state's right to partially limit persons' freedom of speech, exercise of religion, and other aspects of their personal lives. Locke never believed, however, that the coercive power of the state can reach our convictions or "hearts"—an idea that has been central to all liberal thought since (though it has been developed and defended in different ways). But at this early stage Locke did think that the state could regulate not only our interactions with each other, but also our self-regarding actions, by making laws concerning such issues as whether one must kneel when receiving the sacrament in church. Laws regulating this sort of self-regarding action are clearly illiberal and irreconcilable with any liberal notion of each individual's right to freedom. The reason Locke held such illiberal views in his younger days was due in part, it seems, to his experience with the English Civil War. From this civil war—and its terrifying, destructive, and irrational violence—he initially concluded that harmonious coexistence between different religions was

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<sup>5</sup>For an extensive introduction to Locke's writings on tolerance, see Marshall, John (2006): *John Locke, Toleration, and Early Enlightenment Culture*. Cambridge: Cambridge University Press.

impossible, and that the state had a right to make laws that protect us from our own stupidity, thereby enabling a better, more peaceful society. Locke was also skeptical of the Catholics, in light of their regard for the Pope as the foremost leader on earth. More generally, it seems clear that at this time Locke had little faith in religious leaders' and individuals' own abilities to act wisely and virtuously, and that he judged states' leaders better equipped to regulate both religious and personal lives than religious leaders and persons themselves. These convictions led him to conclude that having an absolutist state with a state church was necessary for a harmonious and just society.

Two later events appear to have been especially transformative for Locke, leading him to abandon his pessimistic view of human beings and his related, paternalistic view of the state's authority. First, at a relatively young age (in his early thirties) Locke participated in a diplomatic mission to Germany, acting as a secretary. There he experienced peaceful coexistence between different religious groups, including Catholics. From this he drew the (rather obvious) conclusion that his view of Catholics was, in all likelihood, deeply influenced by his own prejudices and the unfortunate politics of his day—what he had seen of powerful authorities handling religious institutions and questions. Second, not long after he returned from this trip to Germany, Locke met the Earl of Shaftesbury (then Lord Cooper), and their lifelong friendship began. At the time, Locke was considered one of the most promising philosophers in Oxford, and Shaftesbury was not only one of the richest and most powerful people around, but he could match Locke intellectually. Within a year of their first meeting, Locke had accepted Shaftesbury's invitation to come and live with him at his estate in London.

One of the first things Locke did after arriving at the Shaftesbury residence was to write *An Essay on Toleration*. This essay marks a clear maturing of Locke's political thoughts, and points toward his later, liberal political philosophy where the ideas of individuals' rights and freedom take center stage. Part of Locke's motivation in writing this essay was the fact that the establishment of the Anglican Church of England had not led to harmonious religious uniformity, as Locke had earlier thought it would, but instead led to discord and religious persecution, including through the use of state power. Another, and perhaps more important reason for the shift in Locke's thought, were his many discussions with Shaftesbury. In this vein, it is also likely that Shaftesbury's close ties with the current king, Charles II (to whom Shaftesbury was an advisor), had a significant effect on Locke. Like Shaftesbury, Charles II opposed many of the intolerant laws regarding religion that were in place. According to these laws, for example, only Anglicans could fill many public positions, and non-Anglican religious gatherings comprising more than five persons were banned. Locke's "Essay" was a philosophical reflection on the issue of tolerance, and it seems likely that it was written with the thought that the king himself might read it. Whether Shaftesbury merely encouraged or directly asked Locke to write the essay is unclear.

As mentioned above, Locke argued in his earliest, unpublished text that the state's legitimate power could and ought to limit both citizens' actions and interactions. In this newer essay, in contrast, Locke argues that the state should only

regulate the citizens' *interactions*; the state should be the judge of interactions between the citizens and not their actions as such (Locke 1997: 137). In addition, Locke argues that the state should only regulate those interactions that threaten peaceful coexistence, including those that threaten to harm others. Consequently, Locke now treats issues like whether one should kneel or stand when receiving the sacrament in church as not among the issues the state should concern itself with. Establishing a church (or temple or mosque) is of course an interaction (religious institutions are societal institutions established by several people together), but Locke now maintains that one's religious actions in the church have as little effect on societal peace as whether one sits or stands when eating at one's kitchen table (Locke 1997: 138–139).

In the "Essay," Locke still maintains that the state cannot control our convictions or our "hearts"—and he takes the argument one step further. He argues that religion must be a relationship between God and the individual, and that only the individual can be an expert on or assume responsibility for this relationship. Everyone, Locke reiterates, must find one's own way to heaven. In this piece, religion has become a deeply personal affair, and the power of the state is envisioned as secular in nature. Consequently, the state authority should not be mixed into the citizens' religious lives. Correspondingly, the religious authority is limited to the personal or private sphere, because, though it is not secular, it does not have coercive power. Locke concludes, therefore, that the area for religious speculation and worship is the only area where each citizen has unlimited freedom and where absolute and universal toleration must rule (Locke 1997: 136, 140, 150).

Also in the "Essay," Locke raises, yet again, what he takes to be the current "problem" with the Catholics. Liberal thinkers are unconvinced by his description of the phenomenon and proposed solution to the "problem"—and Locke has rightfully received much criticism on this front—but his approach here has become somewhat more reasonable than it was earlier. The problem with the Catholics, Locke now asserts, is that they mix their religious views together with intolerant views concerning interaction among citizens, and consequently Catholics do not have a right to be tolerated (Locke 1997: 146, 151–152). This mixing of religion and politics shows, Locke argues, that the leaders of the Catholic Church have managed to corrupt their own religious institution (Locke 1997: 153, 158). The right to tolerance is not a right to intolerance, and if a group's intolerance takes a practical form that can threaten the state, then the state can and should suppress this group. This means that the state can and should relate to an intolerant group as threatening only if that group becomes powerful enough that it realistically can aspire to treat other people in intolerant and disrespectful ways (Locke 1997: 147–148). In other words, in contrast with other fanatical groups of his day, the problem with the Catholics was that they also composed a powerful social group. The other fanatical groups were split into many factions, and Locke believed that the best way to secure their law-abidingness was to be tolerant toward them, since the use of power would not only fail to convince them of their mistakes (force cannot convince), but it could also lead the various fanatical groups to unite into one actually dangerous group (Locke 1997: 154–157). Finally, in the "Essay," Locke encourages everyone to take

seriously the consequences of maintaining (as he himself used to) that having a stable, good state requires one uniform religion. Since the use of force cannot convince our reason or reach our “hearts,” anyone seeking religious uniformity must realize that the only means by which to create it involves the massacre of one’s own citizens (the killing of everyone with different religious beliefs). And, so, that person must explain how in the world such a massacre could bring about a state characterized by safety and peace (Locke 1997: 157).

Locke published, as noted above, his last and most influential piece on tolerance—*A Letter Concerning Toleration*—after he returned from exile. He published this text anonymously out of concern for his safety. In the “Letter,” Locke develops many of the ideas from the earlier “Essay,” and the result is a beautifully written, liberal defense of tolerance. Here Locke presents mature versions of the arguments sketched above: he defends both the claims that a just state has religious freedom (since the relationship between God and human is fundamentally private), and that only *interactions* that threaten to destroy the justice and peace of a society can be regulated by coercive state law.

### 3 Two Treatises of Government

Along with the “Essay” and the “Letter,” Locke’s *Two Treatises of Government* is another terrific text in the history of political philosophy. It is divided into two parts: the first treatise largely discusses and rejects various religious arguments in support of absolutism; whereas the second treatise presents Locke’s alternative conception of government, and most of the arguments take a secular form (though he sometimes includes religious arguments).<sup>6</sup> The first treatise mainly focuses on the argument that God selects monarchs as our political leaders, hence we must regard the monarch’s political authority as inherited and absolute and ourselves as the monarch’s proper subjects. In dealing with this argument, Locke’s primary opponent is Robert Filmer, who was an influential contemporary thinker of Locke’s, and defended the idea of monarchy as divinely authorized patriarchy.<sup>7</sup> Much of the argumentation in this first treatise has, therefore, a theological nature and appeals to close readings of the Bible. It is often explicitly directed at Filmer’s contrary position and at his interpretation of the religious text.<sup>8</sup>

<sup>6</sup>For Locke, whether one interprets the Bible or uses one’s reason, if done well one will end up at the same conclusions regarding justice. After all, the Bible is supposed to capture God’s will and God created human beings along with their rationality. There is no good reason, therefore, to think that the two are ultimately in conflict.

<sup>7</sup>Filmer, Robert (1991) *Patriarcha and Other Writings*, red. Johann P. Sommerville (ed.). Cambridge: Cambridge University Press.

<sup>8</sup>For two works that are especially useful with regard to the religious aspects of Locke’s works, see Dunn, John (1969) *The Political Thought of John Locke*. Cambridge: Cambridge University Press, and Waldron, Jeremy (2002) *God, Locke, and Equality: Christian Foundations of Locke’s Political Thought*. Cambridge: Cambridge University Press.

The second part of the *Treatise* mainly contains Locke's presentation of and predominantly secular or reason-based argument for his alternative, libertarian theory of justice. Among the ideas he sets out to explain and defend are that all individuals are born free and equal, that the legitimacy of the power of the state depends on citizens' actual (explicit or tacit) consent, and that the social contract (the constitution) citizens agree to, with which all posited laws of the state must be in line, comprises the natural laws concerning individuals' rights. The arguments of the second treatise are often directed against Thomas Hobbes, according to whom (on the standard reading) the political leader ("the leviathan") has absolute political power over his subjects, and everyone else can be forced to enter the civil condition (become subjects of the leviathan).<sup>9</sup> As with the "Essay" and "Letter" on tolerance, it is nearly impossible to read this text without becoming fascinated by the theory presented and Locke as a political philosopher. Locke writes with an inspiring passion, he focuses on many of the absolutely most important questions in political philosophy, and he presents a truly impressive number of arguments worth taking seriously.

Since Locke presents his theory of justice in the second treatise on government, the following discussion attends to that part of his work. The first treatise and the shorter political texts are only mentioned when they can assist in showing the complexity of Locke's argument. Additionally, the second treatise contains Locke's major reflections on the topic of when people have a right to revolution, which, as noted above, was a central question for Locke and his contemporaries. On this subject, the main assumption informing much of Locke's argument is that if there is a right to revolution at all, then it must be the case that political authority (the right to specify, apply, and enforce the laws of nature) originally lies with each individual. Only if political authority originally belongs to each individual can it be the case that the establishment of a legitimate state occurs through each subject's actual consent. To show that we have a right to revolution, Locke maintains, we must demonstrate that every individual has an original, natural political authority, while the state only has a derivative, artificial political authority. This view—that individuals' actual consent is necessary for the state's legitimacy—is often referred to in political philosophy as a "strong voluntarist" conception of political obligations.<sup>10</sup>

How can one show that the individual is the one who possesses original or natural political authority? According to Locke, such a proof requires demonstrating that individuals can, in principle, realize justice in the absence of a state, that is, in

<sup>9</sup>Hobbes, Thomas (1994) *Leviathan*. Indianapolis: Hackett Publishing Company.

<sup>10</sup>A strong voluntarist conception of political obligations maintains, as we have seen, that the legitimacy of the state depends on each subject's *actual* (explicit or implicit/tacit) consent. In contrast, according to a weak voluntarist conception of political obligations, only *hypothetical* consent is necessary for legitimacy. For two excellent discussions of various forms of consent-based accounts of political obligations, see Onora O'Neill's "Kant and the Social Contract Tradition," in *Kant's Political Theory: Interpretations and Applications*, ed. Elizabeth Ellis. University Park, Pennsylvania: The Pennsylvania State University Press, 2012, pp. 25–41, and A. John Simmons' "Justification and Legitimacy," in *Justification and Legitimacy: Essays on Rights and Obligations*. New York: Cambridge University Press, 2001.



a pre-state condition—or what is often called “the state of nature.” Establishing this requires arguing for which laws of nature (or principles of justice) the individuals would use, and how they would apply them, to realize justice and regulate their interactions in the state of nature. By revealing which principles individuals would use to realize justice in the state of nature and how they would apply them, Locke argues, one shows not only that such an activity is possible, but also that we have a right to use force to enforce them and to punish those who don’t respect these principles of interaction. In this way, exposing the relevant principles and their application justify the claim that every individual has original political authority, that is, that every individual has a natural right to be the legislative, judicial, and executive power or has a so-called “natural executive right.” And finally, if this is true, then it is correct to infer that only through each individual’s actual consent can a public authority obtain the right to exercise political power on behalf of individuals. On this argument our political obligations to obey the state have a fundamentally strong voluntarist nature; we cannot be forced to become subjects (or citizens) of a state—we cannot be forced to enter the civil condition—we must actually, each and every one of us, consent to enter it. Moreover, if our political obligations to a particular state depend on our actual consent to its authority over us, then the individual has a right to forcibly reclaim from the state her or his political authority if the state abuses the individual’s trust by not respecting the laws of nature (the fundamental principles of justice that are constitutive of the social contract) in its use of coercion. This is a defense of the individual’s right to revolution.

In what follows, I sketch each of the arguments mentioned above. I begin by discussing Locke’s proposal for what the fundamental principle of justice is as well as his theories concerning private property and children’s rights, because understanding these elements of his philosophy is necessary for understanding his argument concerning just interaction in the state of nature. After having clarified these aspects of Locke’s ideas (through appeal to both his own work and contemporary Lockean developments of it), I return to the questions of political legitimacy and revolution.

#### 4 Locke’s Theory of Freedom

Freedom is not, Locke argues, being able to do whatever one wants. Rather, freedom is acting within the framework set by the laws of nature, including when this framework of law is enabled by a legislative power one has consented to (and so entrusted with enforcing these laws on one’s behalf):

*The Natural Liberty of Man is to be free from any Superior Power on Earth, and not to be under the Will or Legislative Authority of Man, but to have only the Law of Nature for his Rule. The Liberty of Man, in Society, is to be under no other Legislative Power, but that established, by consent, in the Common-wealth, nor under the Domination of any Will, or Restrain of any Law, but what the Legislative shall enact, according to the Trust put in it... Freedom... is... A Liberty to follow my own Will in all things, where the Rule prescribes*

not; and not to be subject to the inconstant, uncertain, unknown, Arbitrary Will of another Man. As *Freedom of Nature* is to be under no other restraint but the Law of Nature (TT, II: 22).

To understand natural political authority correctly, we must, according to Locke, start from the fundamental assumption that all individuals are free and equal; there is, he argues, no good reason to think that we are not all born free and equal. To be free is to act within the limits set by one's own reason (which are the limits of the laws of nature). As long as one acts within those limits, one can use oneself and one's means to set and pursue ends of one's own without having to ask anyone for permission; to be free and equal is to be independent of subjection to another person's will or power and instead, like everyone else, to be subjected to the laws of nature that limit everyone in the same way (TT II: 4).

Locke continues, claiming that the fundamental moral principle is the individual's right to self-preservation and the preservation of humankind:

Every one as he is *bound to preserve himself*, and not to quit his Station willfully; so by the like reason when his own Preservation comes not in competition, ought he, as much as he can, to *preserve the rest of Mankind*, and may not unless it be to do Justice on an Offender, take away, or impair the life, or what tends to the Preservation of the Life, the Liberty, Health, Limb or Goods of another (TT, II: 6).

Self-preservation—being able to keep one's life and pursue an existence one finds meaningful (or, exercise liberty)—is only possible if we have the right to possess and use things in the world. It cannot be the case that we must ask others for permission to have and use things, as that would be to live as enslaved and not free. Moreover, since we are equal, no one should buy into the idea that any one person can have or own everything in the world, or has an innate right to have more than others; originally, all the natural resources in the world must be considered common goods (TT, II: 25–30). So how do I make some of the natural resources my own in a way that respects the fact that the resources are originally common goods, and treats everyone in the world as free and equal, and does not require me to ask anyone for permission to acquire some of these resources? Locke's answer to this question yields his account of private property right.

## 5 Locke's Account of Private Property Acquisition

Locke answers the question of how I can make things in the world my own by claiming that every person has an original right to acquire through one's labor a fair share of the world's natural resources, namely a share that is compatible with everyone else being able to do the same:

Though the Earth, and all inferior Creatures be common to all Men, yet every Man has a *Property* in his own *Person*. This no Body has any Right to but himself. The *Labour* of his Body, and the *Work* of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his *Labour*

with, and joined to it something that is his own, and thereby makes it his *Property*. It being by him removed from the common state Nature placed it in, it hath by this *labour* something annexed to it, that excludes the common right of other Men. For this *Labour* being the unquestionable Property of the Labourer, no Man but he can have a right to what that is once joined to, at least where there is enough, and as good left in common for others” (TT, II: 27).

Later, Locke continues: “The *labour* that was mine, removing them out of that common state they were in, hath *fixed my Property* in them” (TT, II: 28). There are, in other words, at least two conditions I must meet in order to acquire something as my own. First, I must labor on the natural resources to make them my own; by mixing my labor with them I add something to them and thereby transform them into *mine*. Second, I must not take too much of the natural resources, but only a fair share, that is, a share that is, in principle, at most as large as and of as good a quality as the share everybody else can make their own. This second point is commonly referred to in the secondary literature as Locke’s “proviso,” or his “enough-and-as-good proviso,” on private property acquisition. This proviso only concerns how we can make natural resources into private property through labor, and it can be understood in terms of the general formula that each of us has a right to appropriate  $1/n$ -th of all the natural resources in the world, where  $n$  = the number of human beings in the world.<sup>11</sup>

To illustrate Locke’s account of private property acquisition, imagine that you suddenly find yourself on a deserted island with nine other shipwrecked persons. Together, you stand on the beach and try to figure out who will get which of the natural resources on the island. Applying Locke’s “enough-and-as-good” proviso, each of you has a right to  $1/10$ th of all the natural resources on the island. For example, if there are a total of 10 coconuts on the island, you each have a right to 1 coconut and you make a coconut yours by climbing up a coconut tree and picking one. Moreover, if someone takes the coconut you have picked, then they steal from you; they steal your rightful share of the coconuts and the labor you invested in it.

The “enough-and-as-good” proviso has received a lot of attention in the secondary literature that accompanies Locke’s *Two Treatises on Government*. And for good reason: after all, Locke’s argument concerning private property is essential to his claim that justice is possible in the state of nature. Justice can only be possible in the state of nature, and it can only be true that individuals have original or natural political authority, if it is possible for us to make something ours on our own and without having to obtain anyone’s permission to take it (so, unilaterally or without anyone’s consent to it and without establishing states that have laws concerning private property appropriation). And only if the individual has original political authority can our political obligations to particular states fundamentally rest on

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<sup>11</sup> For a critical discussion of the presumption that the notion of a “natural resource” is unproblematic, see my “Lockean Freedom and the Proviso’s Appeal to Scientific Knowledge,” *Social Theory and Practice*, 2010, 36(1), pp. 1–20.

individuals' actual consent to their establishment (strong voluntarism), and only if this is the case can there be a *right* to revolution.

Despite the clearly attractive qualities of Locke's account of private property, a closer look at the arguments reveals a number of puzzles. For example, we may ask with Robert Nozick<sup>12</sup> why would it be the case that if I climb up a coconut tree and pick a coconut, then I have worked and made the coconut mine, whereas if I pour tomato juice into the ocean, I haven't worked and made the ocean mine? In other words, what is "work" really, and what does it mean to say that we "mix" our work (or labor) with natural resources? Nozick also reformulates a question many others have had, which is, what happens as soon as natural resources become scarce? What happens, for example, if an 11th ship-wrecked person suddenly swims onto the island after the first 10 have divided all the natural resources among themselves?

In response to the issue of scarcity, C. B. Macpherson<sup>13</sup> argues that Locke ultimately defends unlimited, capitalist accumulation, or what Macpherson calls "possessive individualism." On this interpretation, Locke was, regrettably, unmoved by genuine concerns of poverty and quite content to provide a theory that reinforces and further develops the class-based capitalist system (with its distinction between property-owners and laborers). Nozick, who has a more positive response to this aspect of capitalism than Macpherson, presents another take on the issue of scarcity. Applying Nozick's take to the island scenario, he would argue that upon the arrival of the 11th person, it is clear that the last person to take a coconut (number 10), hadn't, after all, left "enough and as good" for the next person. But if this is the case, then it looks like number 9 also didn't leave enough behind for number 10—and so the justness of the appropriations seems to "unzip," as Nozick puts it, all the way back to the first person who appropriated a coconut. In other words, it looks as if the arrival of the newcomer entails that everything that had already been appropriated as private property suddenly isn't private property any longer; the labor employed in accordance with the proviso at the time didn't, as it turns out, "fix" as private property what was appropriated.

Nozick suggests a solution to the "unzipping" problem he articulates. He proposes that the newcomer doesn't have a direct right to land or natural resources, but instead obtains a right to be employed by the owners of the land and natural resources. In this way (through wages and labor markets), the newcomer is secured her or his right to 1/n-th of the total, original value of the natural resources. A. John Simmons<sup>14</sup> challenges this proposal, claiming it cannot be the correct Lockean solution since it entails that those who accidentally arrive earlier have much more (at least for a period of time) with which to create value than those who accidentally arrive later. Such a result, he argues, cannot be in line with the principle expressed by Locke's proviso. It is much more plausible, Simmons continues, to maintain that

<sup>12</sup>Nozick, Robert (1974) *Anarchy, State, and Utopia*. New York: Basic Books.

<sup>13</sup>Macpherson, C. B. (1962) *The Political Theory of Possessive Individualism: Hobbes to Locke*. Oxford: Clarendon Press.

<sup>14</sup>Simmons, A. John (1992) *The Lockean Theory of Rights*. Princeton: Princeton University Press.

as soon as there is a scarcity of resources, everyone has a right to a sufficient amount of resources (or means) with which to sustain themselves and enjoy some conveniences (if the latter is possible, given the total amount of resources and people in the world).

Gopal Sreenivasan,<sup>15</sup> in turn, challenges both Nozick and Simmons, arguing that people do not have to accept that their bad luck (accidentally arriving later than others) means that they do not have a right to land while others (those who accidentally came earlier) enjoy such a right. Sreenivasan argues that if the laws of nature bind all as equals, then one cannot justify the claim that some, but not others, can obtain land for such an arbitrary reason. G. A. Cohen,<sup>16</sup> (a neo-Marxist—Marxists have always been drawn to Locke's labor arguments) and James Tully<sup>17</sup> go further, and argue that when such scarcity arises, the type of private property Locke envisions ceases to exist, and our right to natural resources transforms into a right to *use* them, not "own" them in the strict, liberal sense of the word. Additionally, the secondary literature hosts a continual, on-going debate concerning how the fact that we now live in money economies affects Locke's arguments about private property—a discussion Locke himself started (TT, II: 47–50). Finally, Michael Otsuka<sup>18</sup> asks why only those who can work should be able to obtain private property. What about those unable to work due to physical or psychological conditions beyond their control? Why should they not be able to appropriate private property, also?

## 6 Private Property and Charity

The question Otsuka raises concerning how the unemployable can appropriate private property is closely connected with another, broader question which many, including Locke, have asked in regard to this theory, namely, the question of how the unemployable are supposed to get their fundamental needs met. What about those who are starving, for example, but whose condition is a result of accident or their own stupidity (perhaps they used up their fair share of the natural resources without creating any further value from their share)? Do they no longer have a right to life? Is their access to the resources they need to survive fundamentally subject to other people's charity? And how can the right that those who labor have to their private property—their right to exclude others from access to their means and to use their means to set and pursue their own ends—be reconcilable with the right, if any, those who are unemployable have to self-preservation? Nozick, in his

<sup>15</sup> Sreenivasan, Gopal (1995) *The Limits of Lockean Rights in Property*. Oxford: Oxford University Press.

<sup>16</sup> Cohen, G. A. (1995) *Self-Ownership, Freedom, and Equality*. Cambridge: Cambridge University Press.

<sup>17</sup> Tully, James (1980) *A Discourse on Property, John Locke and His Adversaries*. Cambridge: Cambridge University Press.

<sup>18</sup> Otsuka, Michael (2003) *Libertarianism without Inequality*. Oxford: Oxford University Press.

characteristically provocative manner, maintains that if the right to charity is enforceable, then there is no right to freedom, since individuals would not then have a right to exclude others from access to their private property (as acquired in ways consistent with the proviso). In other words, if people have a right to access another's private property every time they find themselves in serious distress (have unmet needs), then those whose private property they have access to do not have a right to set and pursue their own ends with their means; that is to say, they are not free.

It is worth noting that Locke's own texts do not clarify this issue. He does not address the issue in the second treatise, and in the texts where he does address it, he seems to hold both that the right to charity is and is not enforceable. More specifically, in the first treatise, Locke argues that *justice* gives everyone a right "... to the product of his honest Industry, and the fair Acquisitions of his Ancestors descended to him; so *Charity* gives every Man a Title to so much out of another's Plenty, as will keep him from extream want, where he has no means to subsist otherwise..." (TT, I: 42). The problem with this argument is, as we have seen, that if the right to charity is enforceable, then it would seem that justice doesn't, after all, give everyone a right to the "product of his honest Industry" (private property); charity can override our right to private property. And Locke seems to endorse precisely this objection to the idea that charity is enforceable in *A Letter Concerning Tolerance*. There Locke argues that charity is the type of moral right or duty that we cannot enforce, since such coercion is irreconcilable with our natural right to the values we have created by honestly laboring on our fair share of the natural resources (Locke 1993: 417, 422).

The concept of an enforceable right to charity therefore seems to give some (poor persons) a right to others' (rich persons') labor and fair share of the resources (their property), which seems to undermine the idea that we have a natural right to our own labor and what we produce by laboring as the proviso instructs. The rich persons' private property rights seem subjected to luck and the poor persons' choices; whether or not her or his property remains untouched depends on which particular rich person's property the poor coincidentally happen to take in order to meet his or her basic needs, which, again, in some cases are unmet because of the poor persons' bad choices. On the other hand, however, without such a right to charity it seems that the poor (including those who are poor because they cannot work) do not have a right to life, since their sustenance would then depend on whether someone wants to take care of them; the poor person's survival would be subject to the rich person's choices (or will). Also on this option, then, choices and luck would determine whether or not someone has rights, here to survive, and this seems inconsistent with Locke's general position that we are free and equal and have a fundamental right to preservation. To solve this problem, we might try to figure out exactly what Locke means when he says that "Every one as he is *bound to preserve himself*... so by the like reason when his own Preservation comes not in competition, ought he, as much as he can, *to preserve the rest of Mankind*..." (TT, II: 6) Perhaps the first part, about preserving oneself, is the principle of *justice* (the enforceable principle), whereas the second part, concerning the preservation of mankind, is merely an *ethical* principle or a principle of *virtue* (an unenforceable principle). But if only the first part is

a principle of justice and the second part is an ethical principle—then Locke cannot secure rights for many persons who are poor, sick, or disabled, since their inability to engage in self-preservation through labor means that their right to life is not secured (as they cannot enforce it on their own). Alternatively, perhaps both statements should be understood as two aspects of one (enforceable) principle of justice. Yet if so, then, as we have seen, the principle as a whole becomes inconsistent.

The topic of whether the poor, sick, and disabled have a right to be helped remains a controversial topic in political philosophy, and responses to it mark a distinction between so-called “right-wing” and “left-wing” libertarians, including Lockean libertarians. On the far right, we find Nozick, for example, who argues that charity is only an ethical duty (a duty of virtue), and not a duty of justice. On views like this, being unwilling to engage in charity if one is able reveals a selfish and bad human character, but it is not an unjust act that should be made illegal and for which one should be legally punished. On these views, no one (not even the state) has a right to force anyone to assist the poor, sick, and disabled with their struggle to survive. Rather, this kind of work must result from individuals’ virtue and charity (unless some of it can be shown to be required of parents). On the far left, the other side of the spectrum, we find positions like that of Simmons, who argues that charity is a duty of justice in emergency conditions (i.e., extreme poverty) but is otherwise an ethical duty, and Otsuka, who contends that the unemployable have enforceable rights by arguing that their sickness or disability means that they begin with less than their fair share of resources (since they cannot labor) and they should be compensated for this. This is roughly where the discussion between “right-wing” and “left-wing” libertarians stands today.<sup>19</sup>

## 7 Private Property and Waste

The “enough-and-as-good” proviso is not the only limit Locke places on the just accumulation of natural resources in *Two Treatises on Government*. In addition, he defends what sometimes gets referred to as “the waste restriction.” (TT, II: 31–34) This restriction demands that when someone appropriates natural resources in accordance with the “enough-and-as-good” proviso, that person can only take as much as she needs and can productively utilize. If, instead, she takes such a large share that the acquired natural resources go to waste, then these resources automatically transform back into common goods. In other words, if I don’t pick the apples off my apple tree, but let them fall to the ground where they will quickly rot, others can take these apples without having thereby stolen from me. In addition, Locke argues, I must use the resources prudently or constructively, as means of realizing

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<sup>19</sup>For an argument that none of these proposed solutions to the problem that the issue poses to the Lockean theory work, see Varden, Helga (2012) “The Lockean ‘Enough-and-as-Good’ Proviso—An Internal Critique,” *Journal of Moral Philosophy* 9, pp. 410–422.

my own pursuits or helping others realize theirs; I cannot acquire resources in order simply to destroy them.

Some of the secondary literature, especially from the left-wing, considers this waste argument particularly fruitful for explaining why and how we ought to protect the environment and stop the depletion of the natural resources. More right-wing scholars are unconvinced by the waste argument, and typically contend that it is fundamentally inconsistent with Locke's theory of freedom. If we have a right to freedom—to use our own means to set our ends—then we cannot, they argue, be forced to set only “prudent” or “useful” ends. A right to freedom means a right also to destroy or waste our resources if that is the kind of life we want to live. Here, again, the right-wing libertarians typically maintain that it is entirely possible that such a wasteful life is ethically deplorable, but this is not a type of wrongdoing that should be coercively stopped or punished (including by being made illegal).<sup>20</sup>

## 8 Locke on Children's Rights

The last set of rights that Locke discusses is children's rights. Children, Locke argues, do not have sufficiently developed reason, so they cannot be free (specify, apply, and enforce the laws of nature on their own) and so they are also not the equals of adults or fully responsible persons (TT, II: 55–58). Instead, children have a right to be taken care of by their parents and a duty to obey them, a right and a duty that corresponds to parents' duties and rights in relation to their children. These sets of rights and duties aim to ensure that children can develop into fully responsible persons. Generally speaking, parents cannot opt to ignore their children's claims on them (the parents) or transfer those claims to others, but if the parents fail to take care of their own children, their rights to their children are forfeited to foster parents. Parents can also demand that children, as they grown older, take on more work in return for their parents' care (TT, II: 64). On Locke's view, the rights and duties that exist between parents and children end once children reach the age of consent (legal responsibility), (TT, II: 55), unless the children are mentally ill or disabled, in which case the rights and duties continue in perpetuity (TT, II: 60). When the children grow up, they owe their parents “respect, reverence, support and compliance” for the care they received when they were children (TT, II: 67).

Among interpreters of Locke, Simmons has discussed the theory of children's rights and duties the most extensively. He argues that on Locke's account, the relationship between parents and children must essentially remain in the state of nature, because children cannot give their actual consent to enter the civil condition (and become citizens) before they reach the age of consent or legal responsibility. Simmons also asserts that Locke's theory does not have the resources to answer many of the difficult questions it raises. For example, Simmons wonders (as did

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<sup>20</sup>For a critical engagement with the waste restriction, see Varden, Helga (2006) “Locke's Waste Restriction and His Strong Voluntarism,” *Locke Studies* 6, pp. 127–141.



Kant), how children who asked neither to be born nor taken care of can become responsible for showing their parents “respect, reverence, support and compliance” when they grow old. It seems more plausible to maintain, Simmons holds, that children ought to do this if they had good parents, but that would be an ethical duty, not an enforceable duty of justice. In addition, Simmons asks how children, who by definition cannot be morally responsible, can be said to have rights and duties to their parents. Exercising rights and duties appears to presuppose the ability to be morally responsible, but if children were capable of moral responsibility, then there would no need for special rights and duties with regard to them in the first place. In other words, how can it make sense to say that children have rights and duties given the Lockean understanding of rights and duties, when children, due to their immaturity, cannot exercise rights and duties? At the same time, of course, if children cannot be said to have rights and duties, then it is difficult to attribute to them the right to life, which is a problem for Locke’s ultimate ambition of capturing every individual’s rights.

## 9 Locke’s Strong Voluntarist Conception of Political Obligations and the Right to Revolution

If the Lockean can solve the problems Locke’s various principles of justice, including their application, appear to give us—the problems discussed above—then justice is indeed possible in the state of nature. And if the problems are solvable, the Lockean theory can show us that and how we justly interact in relation to each other and in relation to natural resources, which means interacting in such a way that justice for everyone is realized in the state of nature. But if justice is possible in the state of nature, then the question becomes, why establish states at all, instead of staying in the state of nature? To this, Locke responds that we establish states or enter civil society because various “inconveniences” that characterize the state of nature make it irrational or strategically unwise—“...very unsafe, very unsecure...”—to stay in it (TT, II: 123).

According to Locke, there are three sources of the inconveniences of the state of nature: stupidity (imprudence), bias, and unequal power. And these, in turn, correspond to the fact that in the state of nature the individual is the political authority or the lawgiver, the judge, and the executive power (TT, II, 136). To have a natural executive right is to have the right to specify, apply, and enforce the laws of nature. The main problem in the state of nature, then, issues from the fact that everyone is exercising their natural executive right: everyone is interpreting the laws of nature (the principles of justice), applying them in particular instances, and enforcing them as necessary. Yet because we all have a tendency to think unclearly about the laws of nature, to judge partially and in our own favor, and to use power when we can rather than when it’s right, the state of nature is a dangerous place. Hence it is strategically much wiser to leave the state of nature and establish the legal-political

institution of a state that specifies, applies, and enforces the laws of nature (the principles of justice). Rather than staying in the unstable state of nature, it is more rational to create the institutional system of a liberal state, whereby the laws of nature are specified by lawgivers, applied by impartial judges when disagreements arise, and upheld by police without regard for the relative weakness or strength of the individuals involved in a dispute. In other words, staying in the state of nature is fundamentally stupid or irrational, as it is a condition where the possibility of justice relies on the virtue and strength of each individual, and, so, the wise choice is to enter the civil condition. But, crucially for Locke's account, being stupid, imprudent, or strategically irrational is not a punishable offense since it does not involve wronging anyone. Consequently, it is unjust to force anyone to leave the state of nature. The state's legal-political institutions are therefore legitimate only if each individual actually agrees—gives her or his actual consent—to leave the state of nature and enter civil society (TT, II: 119). In this way, Locke defends his strong voluntarist conception of political obligations.

Since, on Locke's account, individuals can realize justice in the state of nature by regulating their interactions in accordance with the fundamental principles of justice, each individual's actual consent is necessary for a state's legitimacy. A state's existence and its monopoly on coercion are therefore only justifiable and legitimate if the state both respects the fundamental principles of justice and has the citizens' actual consent.<sup>21</sup> It also follows that the rights of the state are substantially the same as the rights of the individual. The only differences are that the individual originally has political authority whereas the state does not, and certain new laws are needed in order for the state to establish the rule of law (that is, the administrative law constitutive of public legal-political institutions). Moreover, as we have seen, the state becomes authorized to act on behalf of its citizens through individuals' actual consent, which means that by consenting to enter civil society, each citizen entrusts the state authority to uphold the laws of nature on her or his behalf. From this, it follows that if a state doesn't respect the fundamental principles of justice in its use of power, then the citizens have a right to reassert their political authority through a revolution. So, if those in power abuse the citizens' trust by setting aside or misapplying the principles of justice, then the subjects can justly take back their natural political authority. At such a point, they can opt to return to the state of nature, establish a new political authority, or revamp the current political authority.

As discussed, Locke's understanding of a just and legitimate state is bound up with his understanding of the state of nature, the laws of nature, and individual rights.

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<sup>21</sup>Locke distinguishes between two types of actual consent, namely "explicit" and "implicit" or "tacit" consent. Explicit consent involves clearly stating "yes, I agree" in response to a question posed (here the question of entering civil society), whereas implicit or tacit consent typically involves expressing one's agreement by doing nothing rather than something in certain situations. The argument concerning implicit or tacit consent is important for Locke's account of political obligations in existing states. For a good introduction into this aspect of Locke's theory, see Simmons (1981) *Moral Principles and Political Obligations*. Princeton, New Jersey: Princeton University Press.

This connection is also apparent in his suggestion for the construction of a legal-political authority. His suggestions are roughly in line with Montesquieu's recommendations for the tripartite division of power in a state: the distinction between legislative, judicial, and executive powers. Locke, however, often does not strictly distinguish between the judicial and executive powers, since the executive power frequently applies the law in specific cases. Also for Locke, the laws of nature and the citizens themselves are the highest authority. As a result, he contends that the legislative power has the most authority among the three state powers, that the people must choose the lawgivers, and that where there is disagreement, the majority should decide (there should be democratic majority rule). Nevertheless, Locke's democracy leaves room for the legislative power to be divided among chosen representatives, aristocrats, and a monarch—as it was in England during his lifetime.

The secondary literature contains, of course, many discussions surrounding this account of political obligations and legitimacy. For example, Nozick and Simmons both engage Locke's arguments for the actual consent requirement, and both offer modifications of the arguments. Nozick (1974) has tried to show that the state can force non-citizens to participate in its legal system when interacting with its citizens, and that the state can tax its citizens to enable this use of its legal institutions. Simmons has focused much attention on the implications of the extent to which the planet is now inhabited and of the fact that most of us are born within the jurisdiction of existing states (and, so, Locke's account of so-called "tacit" consent to the political authority). Simmons maintains that the Lockean account must be developed to explain how states can provide the people living within their territory a real option to choose against citizenship, and he has explored some possible directions for this development.<sup>22</sup>

## 10 Concluding Remarks

Many of Locke's arguments concerning tolerance, citizens' consent, private property, charity, children's rights, state vs. individual rights, the state's institutional structure, etc., are still actively discussed by libertarians generally and Lockeans more specifically. In addition, representatives from other political traditions continuously engage with these arguments, revealing their deep regard for the Lockean tradition as a major voice in legal and political philosophy. For example, Kantian, Rawlsian, Hobbesian, and Marxist theorists frequently challenge Locke's idea of actual consent as necessary for legitimate political power, his argument and conclusion concerning the rights of the state vs. the rights of individuals, and his private property argument. In addition to its presence in ongoing philosophical discussions, Locke's theory is very much

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<sup>22</sup> See, for example, Simmons (1981) and his *On The Edge of Anarchy: Locke, Consent, and the Limits of Society*. Princeton: Princeton University Press, 1993.

alive in actual politics. For instance, one need only briefly pay attention to politics in liberal countries before Locke's influence becomes obvious.<sup>23</sup>

Perhaps one of the more surprising spheres of Locke's influence is in a different area of philosophy, namely global justice. His influence there is somewhat peculiar, since Locke himself didn't apply his theory to global justice in any significant way. He quickly notes that a state's executive power is responsible for international relations and must follow the laws of nature in such interactions, but he doesn't expound on this argument. Despite this, many contemporary arguments of the so-called "cosmopolitan" theories of global justice are clearly Lockean in structure. Broadly speaking, these cosmopolitan theories maintain that global justice, like all forms of justice, requires that everyone respect the individuals' human rights. Hence, if a particular state does not respect its citizens' rights or the rights of non-citizens with which it interacts, then no one (neither other states nor any individual) has a duty to respect this state's borders or its use of force. Consequently, in the case of a civil war or a state's oppression of a set of its own citizens, for example, other states, individuals, or international organizations are entitled to intervene, especially if those being subjected to the abuse of power want such intervention (granting that often it is obviously unwise for others to involve themselves in the conflict). Like Locke, these positions maintain that no state has a right to use violence against its citizens that conflicts with individual human rights. If states use illegitimate force—force inconsistent with individuals' human rights—then citizens can reassume their natural political power and exercise it as individuals or in groups (of private individuals, states, or international organizations). Ultimately, the state only justly uses power if it occurs within the framework established by the rights of individuals, and justice demands that everyone, everywhere and at all times, respects individual rights. Various prominent arguments concerning the global (re)distribution of natural resources also take such a basically Lockean form. The most influential account of this kind is found in Thomas Pogge's proposal of a "global resource dividend."<sup>24</sup> Simply put, Pogge argues that all states and individuals must ensure that the amount of resources within their territory is compatible with the right all individuals on the planet have to a fair share of the earth's natural resources. The global resource dividend proposes a way of globally enacting this principle, now that all resources are possessed within the boundaries of de facto states. Locke's influence, in other words, is far from over.

**Acknowledgement** Thanks to Ingrid Albrecht, Catherine Champniers, Grace Frank, Tone Monkerud, and Jørgen Pedersen for invaluable help with the presentation of ideas in this chapter.

<sup>23</sup> For an exploration of feminist interpretations of Locke, see: Hirschmann, Nancy J. & McClure, Kirstie Morna (eds) (2007) *Feminist Interpretations of John Locke*. University Park, PA: Penn State University Press. For a good introduction to some of the related debates in the libertarian tradition, see Vallentyne, Peter & Steiner, Hillel (2001) *Left-Libertarianism and Its Critics: The Contemporary Debate*. New York: Palgrave Macmillan.

<sup>24</sup> Pogge, Thomas (2008) *World Poverty and Human Rights*. 2nd ed., Malden: Polity Press.