

Locke's *Two Treatises* II

- Governors as Trustees
- Tyranny & what to do about it
- Women's place in Locke's argument
- Social glue
- Reflections

I. Review: What is civil society?

Civil society requires an authority who can adjudicate differences.

#2

II. Governors as Trustees

A. Preview: What is the social compact?

“ . . . 'tis not every Compact that puts an end to the state of Nature. . .” (§14, pp. 276-77). See also § 99, p. 333 and § 97, p. 332.

B. Preview: What is consent? See IV, §22, p. 283; VIII, §119-20, pp. 347-8; see also 332 & 333. And see index, p. 453.

#3

III. Governors as Trustees (cont.)

A. Locke's use of the term fiduciary: Ch. XIII, §. 149, pp. 366-7 & § 156, p.371.

B. Locke's argument for government as a form of trusteeship opposes the family /inheritance model.

#4

IV. Tyranny & what to do about it

See Bk. II, Ch. XVIII & XIX, p. 398 ff

- Tyranny “*is the exercise of Power beyond Right*” (p. 398).
- “*Wher-ever Law ends, Tyranny begins*” (p. 400).

#5

V. Tyranny & what to do about it (cont.)

A. What can be done? Can a tyrant be resisted?

B. And how does Locke defend himself from the charge that his “hypothesis” in Ch. XIX “lays a *ferment* for frequent *Rebellion*” (§224 ff, pp. 414 ff.)?

#6

VI. Women's place in Locke's argument: working toward a claim

A. In Locke's argument, women gain an equal or near-equal status with men.

1. Begetting and Joint dominion (Lec. I)
2. Eve's punishment in Eden is no argument for Adam's prerogatives (I, V, §44 ff; p. 171 ff).
3. The family is not a commonwealth (II, VII, § 86, p. 323).

#7

VI. Women's place in Locke's argument: working toward a claim

B. Given that they have joint parental power, what accounts for the inequality of husband and wife? (See Bk. II, Ch. VII, §82, p. 321)

- The "Rule" has to be "placed somewhere," so "it naturally falls to the Man's share."

#8

VII. Women's place in Locke's argument: working toward a claim

C. Do women own their own bodies? Their own labor? Do women leave the state of nature and enter civil society? Do generalizations about "all men" include women?

#9

VIII. Women's place in Locke's argument: Claim

Women's importance is mainly rhetorical, but that rhetorical importance has implications of its own.

Locke needs women (wives & mothers) to make his argument.

Their centrality in the association called the family helps Locke to displace the position of the father in the state

Nevertheless, women's rhetorical importance has a substantive residue—quite beyond Locke's purposes.

#10

IX. Social cement

Uses of social “cement” before and after Locke:

1872 BAGEHOT *Physics & Pol.* (1876) 184 Custom was in early days the cement of society.

1607 CHAPMAN *Bussy D'Amb.* (1613) Kijjb, But Friendship is the Sement of two mindes.

**What, in Locke’s view, is social cement?
What bonds members of a society together?**

(§. 219, pp. 410-11)

#11

X. Question - Reflection

- Given Locke’s acceptance of chattel slavery and his view of women as located in the family outside civil society . . .
- . . . can Locke be useful to our thinking?
- Does Locke’s kind of social cement necessarily require a society to accept slavery and the exclusion of women from civil society?

#12