

Locke's Essays on Property and Natural Law

By FRANCIS NEILSON

STRANGE AS IT MAY SEEM to modern economists and sociologists, John Locke was not the first philosopher to consider the question of what property is, to whom it rightfully belongs, and what the care of it should be. In his two treatises, "Of Civil Government," he had the advantage of replying to Sir Robert Filmer's "Patriarcha," which expressed the Tory mind on government by divine right. This work aroused much controversy, for it expressed notions similar to those dealt with by Hobbes in "Leviathan."

In the discussion which ensued, Locke was driven, as he admits, to base his reply upon the order of natural law and the records of those in the long past who had agreed upon first principles in establishing conditions under which men were to enjoy the sources that were necessary for their sustenance, self-preservation, and the security of their successors.

Sir Robert Filmer relied on Holy Writ for maintaining his claim, as Locke puts it,

That all government is absolute monarchy; and the ground he builds on is this:

"That no man is born free."

However, in the Scriptures there is much that has been overlooked in these controversies, which indicates clearly that problems concerning property were deeply considered by the prophets. An instructive work on the political economy of the Bible could be written by an economist who had a grasp of fundamentals. Take, for example, the closing verses of the sixty-fifth chapter of Isaiah. Here the prophet goes to the root of the problem of poverty, which is, in its main aspects, a property problem. There we read:

And they shall build houses, and inhabit them; and they shall plant vineyards, and eat the fruit of them.

They shall not build, and another inhabit; they shall not plant, and another eat: for as the days of a tree are the days of my people, and mine elect shall long enjoy the work of their hands (65: 21-22).

In what respect does the economic condition of the mass of the people today differ from that which is referred to in these verses, written about 700 years before the birth of Jesus? Surely it differs only in degree.

From my window I see several houses in the course of construction, and it is obvious that the laborers who are building them will not enjoy the work of their hands; for they have no alternative but to enter the labor market, and whatever they earn must be shared with the government for maintaining the bureaucracy, with or without the consent of the governed. Government in the days of Isaiah penalized the producer of wealth, and government today carries on the same system of exploiting the energies of the worker.

Socrates on Justice

WHEN WE COME to Socrates and the search for justice, which is the main theme of Plato's "Republic," we find the fundamental upon which Locke established his thesis. Socrates told his friends that justice is "a thing more precious than many pieces of gold."

This unique philosophical anarchist of all time, when describing the beginnings of a State, found no place for the politician. His State was not political in theory; it was economic. Indeed, he said:

. . . Let us begin and create in idea a state; and yet the true creator is necessity, who is the mother of our invention. Now the first and greatest of necessities is food, which is the condition of life and existence. The second is a dwelling, and the third clothing and the like.

Then he deals with the essential activities of the community, and shows that the needs of mankind create the housekeeping State. In the preliminary exposition there is no such notion in the mind of Socrates as the divine right of kings, or of the economic and political power of other dictators over producers.

Then Socrates reasons thus:

And now let us see how our city (State) will be able to supply this great demand. We may suppose that one man is a husbandman, another a builder, someone else a weaver—shall we add to them a shoemaker, or perhaps some other purveyors to our daily wants?

In considering the treatises of Locke, it might be well for those who are wrestling with the economic problems that now confront every State in the world, to turn again to Plato's "Republic" and find the fundamentals that should guide them in their inquiries about justice and property.

However, it must be admitted that, owing to the contradictory notions of our instructors, it is extremely difficult today for the student to understand that there are fundamentals which do not change, and that these must be realized even in the complexities of the present system, if justice

is to be understood and the term property, as defined by Locke, is to have any true significance in our thought.

This, together with kindred questions, will be forced upon us before the youth of this generation are called upon to consider the proper relation of the State to those who produce wealth.

Clarifying the Contradictions

IN RECENT YEARS many books upon Locke's treatises have come from the pens of learned men. Surveying my reading for the past ten years, I think I may say that I have had some fifteen or twenty works about him brought to my notice. The latest one is "John Locke's Political Philosophy," written by J. W. Gough, a Fellow of Oriel College, Oxford. It is a most instructive essay and deals with the chief complaints of modern critics against the ideas of the philosopher of the Restoration. Surely this indicates a revival of interest, at our institutions of learning, in philosophical ideas that have been so abused since the work of Marx and Engels has become current in our thought.

It may be said that only a small segment of the people would be concerned with the profound analytical criticism contained in these books. I search in vain among those who labor in the various trades for an individual who is a studious reader. Even with men at the head of great industries, who are perplexed about industrial and fiscal problems, and extremely anxious about the future, I seldom find one who has time to devote to serious study of the problems that harass him. Still, it is an advantage for any victim of this system to know that these conditions need not be, and that they are perpetuated, generation after generation, because men will not reflect on fundamentals and learn why the problems exist and what direction should be taken to resolve them.

Therefore, now that there is a scholastic revival of interest in Locke's treatises, they should be reconsidered by our mentors and offered as a mind-cleansing process that will rid us of the encumbrances which have littered our thought these many years.

In the field of economics and government there is no more fascinating exercise than to clarify the seeming contradictions of Locke's thought. For over fifty years I have followed closely the writings of those who have attempted to do this, and in the latest work of this nature, mentioned above, the author has only partially succeeded in accomplishing it. Professor Gough fails to transmute the ore provided by Locke into the fine gold it contains.

Furthermore, there is a fuller history connected with the terms "justice" and "property" than Locke relied upon in his debate with Filmer. These two terms were better understood at the beginning of this era than they are now by many of our economists. There is a tradition in thought as sound as that to be found in the law and custom of the people themselves. Indeed, it might be said that the clearest minds of antiquity and the Christian Era have been devoted to an elucidation of what these terms really mean. Although the church might demur when the idea is advanced that the mission of Jesus was dedicated solely to fulfilling the law of God, yet we cannot ignore the fact that, when He presented Himself to the Baptist at Jordan, Jesus said, "It becometh us to fulfill all justice." Later, He told the people assembled on the Mount, "Unless your justice abound more than that of the Scribes and Pharisees, you shall not enter the kingdom of heaven."

With Him justice was God's law, and the key that would open the doors of peace and happiness for all to enter in. Moreover, the saying of Jesus that confounds the higher critics is concerned with justice. He said, "I will utter things which have been kept secret from the foundation of the world." This secret was divine justice.

Before him, Socrates was the only one of whom we have record who got anywhere near a solution of this secret. And he defined it as: "Justice is the institution of a natural order in which a man can produce food, buildings, and clothing for himself, removing not a neighbor's landmark, not taking what is another's, nor being deprived of what is his own."

The Difference Between Land and Property

THE THEORY OF NATURAL LAW springs from this comprehension of the term justice, as does the sacredness of all created things—all natural resources—from which man derives his sustenance by his labor. And so much was this the understanding of the terms justice and natural law that Jesus said, "Come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world."

What law could be more ancient than that? And what better authority could Locke have for the theories he advanced than that of Jesus interpreting the law of the Creator?

Humbly I tried to make a definition of justice for my friends, and I formulated it so: "Justice is the law of Providence inherent in Nature."

Locke is perfectly right in determining that the land can be held for *use* only. No one can justly own that which is created, for it was meant for the children of men forever and forever. It is the source of their

material well-being, and Nature itself is God's academy, in which the lessons of the conduct of life may be learned.

When we think of the great minds that have pondered this question, we are amazed at the benighted ignorance of some of our modern philosophers on this particular matter. For long years after Jesus passed away, the problem of the use of land, and the right of the laborer to his product, engaged much of the thought of the giants of reason. From the Early Fathers down to the time of Herbert Spencer and Henry George, it has been dealt with in a thousand volumes, and a few years before Locke set to work upon the treatises, Richard Hooker, in "Ecclesiastical Polity," wrote upon it.

But let us briefly consider some of the pronouncements of the Fathers of the Church. St. Cyprian said: "No man shall come into our commune who sayeth that the land may be sold. God's footstool is not property."

St. Chrysostom declared:

God gave the same earth to be cultivated by all. Since, therefore, His bounty is common, how comes it that you have so many fields and your neighbour not even a clod of earth?

Another Early Father, St. Ambrose, proclaimed: "The soil was given to the rich and poor in common. The pagans hold earth as property. They do blaspheme God."

St. Gregory the Great rebuked the Romans when he said: "They wrongfully think they are innocent who claim for themselves the common gift of God."

Clement of Alexandria held similar ideas. Perhaps it was Origen, the successor of Clement at the school of Alexandria, who gave us the most enlightening statement on the purpose for which man was created:

God, wishing Man's intelligence to be exercised everywhere, in order that it might not remain idle and without a conception of the arts, created Man with needs, in order that sheer need might force him to invent arts for providing himself with food and providing himself with shelter. It was better for those who would not have used their intelligence in seeking after a philosophic knowledge of God that they should be badly enough off to use it in the invention of arts, rather than that they should be well enough off to leave their intelligence altogether uncultivated.

There is also St. Molua's advice to his brethren:

Till the earth well and work hard, so that you may have a sufficiency of food and drink and clothing. For, where there is a sufficiency among the servants of God, then there will be stability, and when there is stability

in service, then there will be the religious life. And the end of religious life is life eternal.

I take this from "Religion and the Rise of Western Culture," the Gifford Lectures by Christopher Dawson, who says: "It was the disciplined and tireless labour of the monks which turned the tide of barbarism in Western Europe and brought back into cultivation the lands which had been deserted and depopulated in the age of the invasions" (London, Sheed & Ward, 1950, p. 57).

All these quotations have the same economic ring, and their soundness cannot be questioned. The Early Fathers and their associates knew the difference between land and property. They also understood that justice was not a law of man's making. Locke was on safe ground when he took issue with Sir Robert Filmer. Here is a quotation from Origen that Locke might have taken for a text: "All things were created by the word of God and by His wisdom, and were set in order by His justice."

We should remember what the conditions were in the early centuries of our era, which forced the leaders of Christian thought to study the Old and New Testaments. There were bitter controversies raging in many different schools, and the attacks upon the doctrine held by the Fathers were carried on incessantly. Through great sorrow and years of tribulation, they maintained an attitude of extraordinary heroism against their enemies. Conviction of the essentiality of the fundamental truths of Jesus was the rock upon which they stood firm, prepared for any sacrifice of body. They were inspired by the categorical imperative of the Nazarene: "Seek ye first the kingdom and its justice, and all these things shall be added unto you."

Owing to the persecutions, they thought more deeply on, and held far wider views of, the gospel of Jesus than most of the Christian writers who followed them. And, yet, the question of God's justice was the one that dominated the minds of many of the greatest of the medieval thinkers. Bernard of Clairvaux said:

. . . A just is better than an indulgent kindness; indeed, kindness without justice is not a virtue at all. Because thou art ungrateful for God's gracious goodness, by grace of which thou wast made, thou dost not fear the justice thou hast not learned to know, and so thou sinnest boldly, falsely promising thyself impunity. . . .

St. Thomas Aquinas, in "Disputed Questions," declares: "Justice is a constant and perpetual will to yield to each one his right."

One of the most startling statements on justice is to be found in the

Sermons of Meister Eckhart, the famous mystic: "The just man is so earnest for justice that, if God Himself were not just, he would not care in the least for God."

The reader will pardon so many quotations when he understands that there was a tradition of thought on the problems of divine justice and property which ran from pagan days all through the Christian Era, down to the time of Locke.

In reading the treatises "On Civil Government" it is well to remember that England had endured many innovations of legal duress under the Tudor and Stuart dynasties. For example, indirect taxation was a novelty in fiscal custom. Again, the first Enclosure Act of which we have record was sanctioned in 1606-7, and the practice of taking common land from the people—the Hebrew prophets called it adding field to field—was known only to those in the districts that suffered from this process. Very few of the early enclosure acts were made public. It may be doubted whether Locke knew anything about this iniquitous proceeding. Anyway, it is quite clear that he indulged in buoyant hopes of a restoration that would re-establish and re-affirm the law and custom of the land. In addition, the treatises are a reply to the attacks of Filmer in his book upon the principles that had been widely discussed at the time of the Puritan revolution.

Caution should be observed when reading the sections devoted to the fundamentals of government. This is not easy for us to follow, because there were not the cumbrous complexities and almost insurmountable impediments to be considered then in legislative affairs that handicap our efforts today to bring about reform. The phrase, "the consent of the governed," was used in a very different sense from that in vogue in a franchised democracy.

Whereas the desires of the people of our time are supposed to be expressed by their delegates to a legislature, only a comparatively small number of electors in Locke's day cast votes for their representatives. Many other peculiar differences must be taken into consideration when reading those sections in the treatises devoted to political government and its formation.

The Controversial Passages

LET US NOW EXAMINE some of the passages in the second treatise over which so much controversy has arisen. In Chapter V, "Of Property," we find the following statement:

Though the earth and all inferior creatures be common to all men, yet every man has a "property" in his own "person." This nobody 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 of Nature hath provided and left it in, he hath mixed his labour with it, 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.

It would be impossible to say how many times I have read and reflected upon this paragraph, and wondered why it has been so often misunderstood. Perhaps one of the chief difficulties is that the men of today who study Locke read him with minds clogged with notions of government and law that were absolutely foreign to the thought of philosophers of two hundred and fifty years ago. Rationalism, Comteism, Marxism, and several other political and social proposals have so confused the minds of many of our thinkers that they would translate Locke in the terms of current nostrums. This cannot be done. People who believe that a government should be a pawn shop in which they pledge their labor for a loaf are not capable of understanding this passage. Locke says: "Every man has a 'property' in his own 'person.'" Some of his critics find fault with the use, in this relation, of the term "property," and consider that Locke has blundered and is guilty of a contradiction in terms by placing it there.

Now the sense in which a man can be said to have a property in himself was quite clear to many thinkers of his day. Naturally, his opponents protested against it as a liberty taken to justify his declaration. But when we consider that a man has a property in himself because he is the proprietor of himself, Locke's statement is clear. If a man is not proprietor of himself, then he is a slave. Many leading words have taken on new meanings. When we look at the root of this word, we find that it means, according to the Latin dictionary, "not common with others; one's own, proper, belonging to one's self alone."

Locke was a Latinist and knew the roots of the words he used. But since the days of Proudhon and Marx, the term "property" has lost its own significance and meaning, for it has been employed to include many legal fictions, particularly land. If a man is not the proprietor of himself, who will dare say who is? Although today we hear so much talk of a free

democracy, who will deny that the landowner and the government have first claim upon the activities and the produce of labor?

We speak quite another language now, one so far removed from the thought of Locke that it is not surprising that the twentieth-century mind cannot grasp what Locke was driving at. The phrase "social justice" has completely supplanted that of economic justice in the understanding of the people.

Human Law and Natural Law

MANY OF THE CRITICS of Locke's economics are so far afield from a proper comprehension of his association of these two terms, "the law of nature" and "God's justice," that I often wonder why some of those who are of the Lockian school have failed to realize the importance of these fundamentals in the thesis. It is expressed clearly enough in Chapter II of the second treatise. There we read:

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

Even in the first treatise, he makes no mistake in associating justice with property, for he says: "Justice gives every man a title to the product of his honest industry and the fair acquisitions of his ancestors descended to him." In this there is no confusing of the term property with land, the source from which man produces the necessaries of life.

Moreover, he realizes that "Government has no other end but the preservation of property." This statement should make the reader realize how far along the road of legislative iniquity we have traveled since the days of Locke. How different it must have been even at the time when Hooker wrote!

Human laws are measures in respect of men whose actions they must direct, howbeit such measures they are as have also their higher rules to be measured by, which rules are two—the law of God and the law of Nature; so that laws human must be made according to the general laws of Nature, and without contradiction to any positive law of Scripture, otherwise they are ill made.

Both to the author of "Ecclesiastical Polity" and his famous pupil, there must have been a bright gleam of hope in the vision of many men that better days were coming for the English people than they had known since the reign of Richard II. And why not? Surely they had good reason to

dream of a restoration of the rights and customs which the English people once enjoyed. When Sir John Fortescue was Chancellor to Henry VI, he wrote a book called "In Praise of the Laws of England." It is hard for us to imagine that there was ever such a condition in any political State as the one that Fortescue describes:

Neither doth the King there, either by himself or by his servants and officers, levy upon his subjects tollages, subsidies, or any other burdens, or alter their laws or make new laws without the express consent and agreement of his whole realm in his Parliament. Wherefore every inhabitant of that realm useth and enjoyeth at his pleasure all the profits and commodities which by his own travail, or by the labour of others, he gaineth by land and water. . . . They have great store of all hustlements and implements of household. They are plentifully furnished with all other things that are requisite to the accomplishment of a quiet and wealthy life.

England has never recovered from the economic changes that were brought about by the depopulation of the countryside. It is all very well for the defenders of landlords' aggressions against the common rights of the people to make a case for the development of agriculture, and what was called the necessity of enclosing the land, so that greater crops might be produced than the common folk harvested; but to deprive them of their birthright and scatter them abroad until, as Autolycus says, "Gallows and knock are too powerful on the highway; beating and hanging are terrors to me" and that for the dispossessed there was left only "a thievish living on the common road," was a heinous crime. In "The Winter's Tale" and other plays, Shakespeare gives us a hint of the terrible conditions of the time.

All these factors should be kept in mind when the reader studies Locke's treatises. As for the desire to found the principles of government upon justice, man's right to use the earth, and enjoy the goods he produces from it, the time had come at the end of the Stuart dynasty when it was necessary to revive an interest in the fundamentals of government, and many of the finest minds of that period received the work of Locke as the old gospel restated by a philosophical genius.

It is not an anachronism to be reminded, in this connection, of the words written by Queen Anne's great statesman, the Duke of Shrewsbury, to Lord Somers. When "the finest gentleman we have" (as Jonathan Swift described him) was pressed to return to public life, he declared that if he had a son, he "would sooner bind him to a cobbler than a courtier and a hangman than a statesman." The conditions in England in which Locke

passed most of his life were so iniquitous that the wonder is, in writing his treatises, he has abstained from describing them and seemingly preferred to devote his powers to the elucidation of establishing a correct form of government.

The Use-purpose of Land

HOW SO MUCH MISUNDERSTANDING has arisen about the way Locke has employed the terms "land" and "property" can be explained only by the confused thought of our day, tinctured so deeply by socialistic notions. To me the passages are clear enough and the distinct difference between land and property is plain. I do not think there is one in the whole of the essay in which he is not careful to employ the term "use" when he considers a producer's proprietorship in that parcel. Nowhere does he sanction the ownership of land for the purpose of exploiting the labor of others.

A tiller is proprietor of the use-purpose of the land that he occupies. And Locke has good Biblical authority for that, for Moses laid it down on the settlement of Canaan that, when the sections were distributed to the people and their lots circumscribed, boundary stones should be placed to mark off each one. The edict went forth, "Thou shalt not remove thy neighbor's landmark." This signified that the man using that plot was "proprietor" of it so long as he tilled it. Indeed, Locke was so firm in his belief of this that he wrote:

... As much land as a man tills, plants, improves, cultivates, and can use the produce of, so much is his property. He by his labour does, *as it were*, enclose it from the common. Nor will it invalidate his right to say everybody else has an equal title to it, and therefore he cannot appropriate, he cannot enclose, without the consent of all his fellow-commoners, all mankind. . . .

There should be no difficulty in understanding this, even now, under a system of landlordism that has reduced man to wage serfdom by depriving him of an alternative to entering the labor market. Locke was on safe ground in laying that basis for a just form of government. The following passage clinches firmly the idea he held of the purpose for which land was provided:

... God, when He gave the world in common to all mankind, commanded man also to labour, and the penury of his condition required it of him. God and his reason commanded him to subdue the earth—*i.e.*, improve it for the benefit of life and therein lay out something upon it that was his own, his labour. He that, in obedience to this command of God, subdued, tilled, and sowed any part of it, thereby annexed to it something that was

his property, which another had no title to, nor could without injury take from him.

All this explanation, however, is far too simple for some of our modern economists to grasp. But Locke is not to be blamed for not seeing what enclosure by landowners would do to subject the dispossessed people to enter the labor market or starve. The objections that have been made to the way Locke has employed the term "appropriate" in connection with land are somewhat paltry, because in no part of the treatises does he countenance appropriation for ownership of a single yard of territory. The term "appropriate" is always concerned with the parcel required by man to satisfy his needs.

It is true that Locke did not clearly specify the conditions under the private ownership of land. Nevertheless, the principle that he laid down that land could be appropriated for use was not vitiated by the fact that many men had enclosed the land of England in great estates and forced others to cultivate it, or otherwise improve it, for the chief benefit of the owner. All this was quite contrary to the principles of appropriation for personal use upon which Locke based his system.

Why should Locke be criticized for realizing that man-made law is not according to the will of God? When he points out the exceptions to his fundamental principle of the use of land, he realizes that he has entered into another sphere of controversy, namely: the political power to deprive men of the right to use that which is necessary for their life. Still, in this respect he holds firmly to the basic principle he has laid down in regard to appropriating a piece of land for use. And he says:

... For as a man had a right to all he could employ his labour upon, so he had no temptation to labour for more than he could make use of. This left no room for controversy about the title, nor for encroachment on the right of others. What portion a man carved to himself was easily seen; and it was useless, as well as dishonest, to carve himself too much, or take more than he needed.

Redress of Grievance

PERHAPS IT IS WELL for us that there is a revival of interest in the work of Locke because we have reached the stage when we should take soundings of our condition and attempt to chart a course we may be forced to follow before this generation is much older. Most of the civilizations of the past witnessed their great States decay and their vaunted empires fall to ruin. Wars brought chaos, and the historians of later times, reviewing the remains of their territories, saw that its ravages had reduced the sur-

vivors to the status of the fellaheen. As Spengler points out, man returned to his first calling and became a peasant.

In these unhappy days when the world strife cannot be ignored by the humblest creature in any country, the thoughtful people of the west might review the principles laid down by Locke and give them careful study. The menace of communism brings the threat of another great war. The thought of it is enough to chill the bravest heart. The devastation that might be wrought by atomic bombs may bring our vaunted political enterprises, together with the magnificent monuments of our industry, to ruin in a few hours. It took long years to reduce the pagan empires to nothing. Some of them had a slow decline; but in these days of warfare, when science has supplied the arms of destruction, our cities may be laid waste before the people could migrate to places of probable security in the country. In such a case, those who could escape would not be able to take their possessions with them.

What, then—supposing a peace had come—would they do? Why, what else can be thought of than that of the husbandry of the peasant, just as it was in the pagan past? And, yet, there are powers still vested in the people that might be used to their advantage if they knew what they were. As Lord Russell says, it is stupidity and ignorance that have brought us to this pass.

Strange as it may seem to such taxpayers as we are, we have the power to demand the redress of grievance before we grant supply for the purposes of government, whether in peace or in war. But to realize this, it is necessary for us to understand our rights and to learn that authority is in our hands, no matter what the form of government may be, and that the will of the people shall be expressed.

Salus populi suprema est lex, the welfare of the people is the supreme law. But as this is merely a figure of speech in the theory of constitutional government, there is no record of a modern civilization attempting to make it the practice of legislators. Indeed, it may be said that our democracies today, protecting landlordism, huckstering in nepotism, privilege, and preferment, seem to realize that the supreme law is to look after the welfare of some persons of political influence. Yet, even here today, in Great Britain, and in France, the legislative powers recognize that there must be a semblance of government by consent. However, it does not extend beyond the electoral system of adult suffrage. The people may select their representatives, and by a majority in the separate districts elect them for the legislature; but there their interest ends. A change of party

in office makes little difference, so far as the purpose of government being the security of property and the welfare of the citizens is concerned.

The economic pressure seems to be too great upon the producers (whether they be in the category of labor or of capital) for them to learn once more that the supreme political power is still in their hands. The right to withhold supply until grievance is removed has not yet been filched from the mass of the people.

In the old days men had a far, far higher sense of their rights than they have now. There is a long history behind every revolt of the people against oppression, and Locke's treatment of this phase of government is well worth our study and reflection. Even in a democracy it is possible for the head of the government and his supporters to arrogate to themselves dictatorial powers. We have already seen that democratic rulers themselves, or through their ministers, can assume an arrogance that we despise in totalitarian dictators. Therefore, taxation without consent is a grievance that should be considered before supply is voted.

The history concerning the beginnings of this republic is an example of what can be done when the people decline to be taxed unjustly. The revolt against Charles Stuart, when John Hampden refused to pay the ship money tax, is another example. There were many before that period. Wolsey was ordered from the House of Commons by Sir Thomas More, the speaker, when he entered to demand a 20 per cent property tax.

In the archives of Lincoln Cathedral is recorded the story of its great abbot, Hugh, journeying as far as Caen, in France, to protest against the order of Richard I to tax the diocese. Hugh entered the cathedral where Richard was assembled with his knights, awaiting the ceremony of the Mass, and plucking the King's tunic, he said, "Revoke the order which you gave to seize and confiscate my possessions, and know the diocese of Lincoln is bound to furnish military service for the king, but only within the boundaries of England."

There were many brave prelates in that day. Behind all this, in the long history, we find the right to revolt incorporated in the Great Charter of John. The sixty-first article says:

... It shall be lawful for every one in our realm to rise against us and to use all the ways and means they can to hinder us; to which we will that each and every one shall henceforth be bound by our command . . . so that they shall in no way give attention to us, but that they shall do everything which aims at our injury and shall in no way be bound to us, until that in which we have transgressed and offended shall have been by a fitting

satisfaction brought again into due state, according to the form of the ordinance of the aforesaid.

There it is, and if there be such a thing as legislative authority granted by the people to a ruler, the authority to revolt against grievance is basic in the constitution of English-speaking people. The last pages of the second treatise "Of Civil Government" might be studied more closely in such times as these.

Now the civilization of megalomaniacs has carried us far on the road to destruction, and in reflecting upon Locke's theory of government, the thought cannot be suppressed that he realized that the basis of a culture was the primary industry of producing necessities for the well-being of the creature. There are passages which indicate the idea that a pastoral community was not only the wise one for men to pursue, but that it was nearer to the wisdom of God in providing for the happiness of His children.

Still, no matter how this point may be regarded, we must realize that we cannot have it both ways. The higher a civilization is developed, the further man is divorced from the source of his well-being. And shrewd thinkers today ponder the awful problem of the landless man. Ortega and others have warned us of the perils of our condition, but only a few—very few—of our philosophers seem to have taken on the duties of the priesthood of other days.

Yet, light is breaking in upon clouded minds, and some are beginning to understand that the human basis of a political democracy is a landless proletariat. If we wish to avoid the abyss that is yawning, the horrors of war with the devastating accoutrement of science, we should think, and think deeply; and perhaps there is no one better qualified to give us enlightenment of our true position than John Locke.

Port Washington, N. Y.

Our conception of a civilization must include, nay, must begin with the life of the humblest, the life of the average man or manual worker, for if we neglect them we will build in sand. The neglected classes will wreck our civilization.

A. E.