

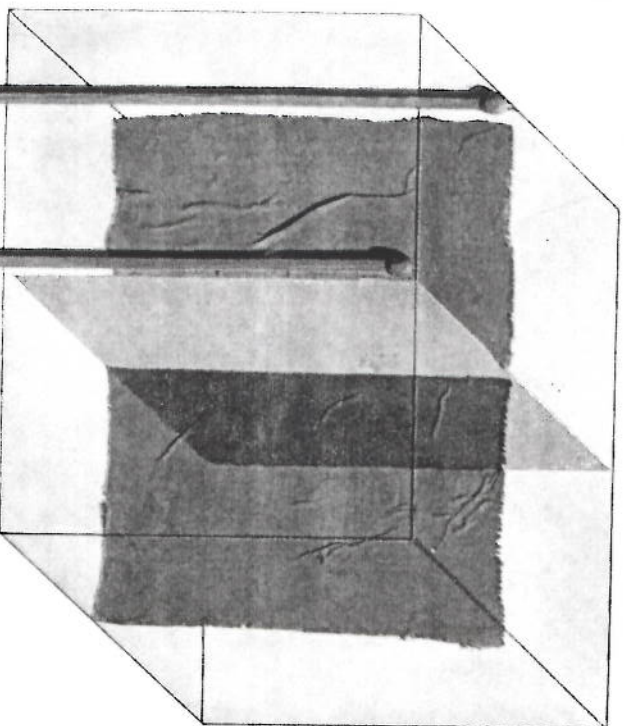
A MENTOR BOOK



MW1077



JOHN LOCKE
TWO TREATISES
OF
GOVERNMENT



A CRITICAL EDITION BASED
ON THE RECENTLY DISCOVERED
MANUSCRIPT THAT IS BELIEVED
TO BE LOCKE'S FINAL AND
PERFECTED VERSION OF HIS
MOST FAMOUS WORK

WITH INTRODUCTION AND NOTES
BY PETER LASLETT

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Reprinted with amendments, 1963, by Cambridge University Press

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This is an authorized reprint of a hardcover edition published by Cambridge University Press.

FOURTH PRINTING

Attention is drawn to the note made to the original title-page (see page 170 of this volume), which shows that such titles as *Two Treatises of Civil Government*, or *The Second Treatise of Civil Government* are solecisms.



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FIRST PRINTING, DECEMBER, 1965

PRINTED IN THE UNITED STATES OF AMERICA

AMICIS SUIS

A.A.S. A.S.
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lawful Conquerour, and a Captive. For, if once Compact enter between them, and make an agreement for a limited
5 Power on the one side, and Obedience on the other, the State of War and Slavery ceases, as long as the Compact endures. For, as has been said, no Man can, by agreement, pass over to another that which he hath not in himself, a Power over his own Life.

10 I confess, we find among the Jews, as well as other Nations, that Men did sell themselves; but, 'tis plain, this was only to *Drudgery, not to Slavery*. For, it is evident, the Person sold was not under an Absolute, Arbitrary, Despotical Power. For the Master could not have power
15 to kill him, at any time, whom, at a certain time, he was obliged to let go free out of his Service: and the Master of such a Servant was so far from having an Arbitrary Power over his Life, that he could not, at pleasure, so much as maim him, but the loss of an Eye, or Tooth,
20 set him free, *Exod. XXI.*

freeman 'shall have absolute power and authority over his negro slaves' (cx); compare notes on I, § 130, 6-7, and I, § 144, 27. The Instructions to Governor Nicholson of Virginia, which Locke did so much to draft in 1698 (see Laslett, 1957 [i]), regard negro slaves as justifiably enslaved because they were captives taken in a just war, who had forfeited their lives 'by some Act that deserves Death' (§ 23, 11-12; compare Tyrrell, 1681, 62). Locke seems satisfied that the forays of the Royal Africa Company were just wars of this sort, and that the negroes captured had committed such acts. The best discussion of Locke on slavery is in Polin, 1960, 277-81.

10-20 In *Exod. xxi* the Mosaic law regulates the treatment of bought servants; they are to be freed in the seventh, Jubilee year, not to be killed, to be freed if maimed by their masters. Hobbes notices this and Grotius calls it 'imperfecta servitus', II, v, 30 (1712, 264).

OF PROPERTY.

25. Whether we consider natural Reason, which tells us, that Men, being once born, have a right to their Preservation, and consequently to Meat and Drink, and such other things, as Nature affords for their Subsistence: Or Revelation, which gives us an account of those Grants God made
5 of the World to Adam, and to Noah, and his Sons, 'tis very clear, that God, as King David says, *Psal. CXV. xvi. has given the Earth to the Children of Men*, given it to Mankind in common. But this being supposed, it seems to some a very great difficulty, how any one should ever
10 come to have a Property in any thing: I will not content my self to answer, That if it be difficult to make out Property, upon a supposition, that God gave the World to Adam and his Posterity in common; it is impossible
15 that any Man, but one universal Monarch, should have any Property, upon a supposition, that God gave the World to Adam, and his Heirs in Succession, exclusive of all the rest of his Posterity. But I shall endeavour to shew, how Men might come to have a property in several parts
20 of that which God gave to Mankind in common, and that without any express Compact of all the Commoners.

§ 25 Chapter V This important chapter is obviously integral to Locke's argument, and it is also obviously part of his polemic against Filmer—see note on lines 18-21 below, and on II, § 38, 10-13, etc. There is nothing to indicate a date of composition in 1689, or at any time later than the first form of the book, though it was perhaps subsequently amended, and it will be remembered that it falls within that part of the 1st edition which could have been modified in the course of printing. Apart from this, there is no reason to doubt that the chapter is to be dated in 1679.

1-4 This discussion of property is referred to in I, § 87, 15-16, and I, § 86, 1-5 echoes the language used here. Kendall, 1941, 77, notes the illogical transition from 'men' here, meaning individuals, to 'mankind' in line 9.

6-9 The biblical evidence for original communism, or rather against the primacy of private property, is discussed at length in the *First Treatise*; see I, § 21 and on: the text from Psalm cxv is cited in I, § 31 as part of a reference to Filmer's case.

9-18 This argument against the supposition that God gave the world to Adam and his posterity is developed in the *First Treatise*.

18-21 This sentence confirms that this paragraph, and the whole chapter on property which follows, were written with Filmer's works in mind, and as a direct refutation of them. For it was Filmer who has

26. God, who hath given the World to Men in common, hath also given them reason to make use of it to the best advantage of Life, and convenience. The Earth, and all that is therein, is given to Men for the Support and 5 Comfort of their being. And though all the Fruits it naturally produces, and Beasts it feeds, belong to Mankind in common, as they are produced by the spontaneous hand of Nature; and no body has originally a private Dominion, exclusive of the rest of Mankind, in any of them, as they 10 are thus in their natural state: yet being given for the use of Men, there must of necessity be a means to appropriate them some way or other before they can be of any use, or at all beneficial to any particular Man. The Fruit, or Venison, which nourishes the wild *Indian*, who knows no 15 Inclosure, and is still a Tenant in common, must be his, and so his, *i.e.* a part of him, that another can no longer have any right to it, before it can do him any good for the support of his Life.

27. 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.

raised the difficulty that original communism could not give way to private property without the universal consent of mankind. The discussions in Hobbes (the *Epistola Dedicatoria* of *De Cive*, 1647, presents the issue most clearly), Grotius (1625, II, ii, 2) and Pufendorf (1672, IV, 3) do not discuss this crux as Filmer does. The passage which Locke seems to have in mind occurs on p. 273 of Laslett's edition.

§ 26 Compare and contrast the discussion of the goods of nature in this paragraph with Pufendorf, *De Jure Naturae*, 1672, IV, iv, 13, and Locke's own earlier sentiments in his eighth *Essay on the Law of Nature*, which are markedly different: Von Leyden, 1954, 210-11.

§ 27 Compare Locke's introduction of the proposition about labour and property in this paragraph, its predecessor and those following, with that of Tyrrell: 'Supposing the Earth and the fruits thereof to have been at first bestowed in Common on all its inhabitants; yet since God's first command to man was, encrease and multiply, if he hath a right to perform the end, he hath certainly a right to the means of his preservation, and the propagation of his species, so that though the fruits of the earth, or beasts, for food, were all in common, yet when once any man had by his own labour acquired such a proportion of either as would serve the necessities of himself and Family, they became so much his own as that no man could without manifest injustice rob him of those necessities' (1681, 99-100, second pagination). Tyrrell goes on to talk of 'this sort of community' being retained among the Americans, the wild beast the Indian kills (compare II, § 30, 1-2), the fish he takes up (*ibid.* 9), the fruit of his trees and his venison (II, § 26, 14). But he talks in this parallel way in a different context. Following Grotius, he refers to the Stoic axiom about seats in the theatre,

The *Labour* of his Body, and the *Work* of his Hands, we may say, are properly his. Whatsoever then he removes 5 out of the State that Nature hath provided, and left it in, he hath mixed his *Labour* with, and joynd 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, hath by this *labour* something annexed to it, 10 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 joynd to, at least where there is enough, and as good left in common for others. 15

28. He that is nourished by the Acorns he pickt up under an Oak, or the Apples he gathered from the Trees

and cites many other arguments about property, ignored by Locke: for him the labour proposition is not the one rational method of making use of the earth's produce, but rather a ground for retaining property acquired, and he does not talk of a man owning himself (compare note on II, § 32, 1-8). These points and the known relationship between them (see above, 89-95), may imply that Locke suggested this line of thinking to Tyrrell, who followed it without quite realizing what it meant to Locke. It is not impossible that they arrived at this position independently, for in a work published in 1680 but described on the title as 'Mostly written many years past' Richard Baxter writes in vaguer but in similar terms: '*Propriety is naturally antecedent to Government, which doth not Give it, but regulate it to the Common good: Every man is born with a propriety in his own members, and nature giveth him a propriety in his Children, and his food and other just acquisitions of his industry. Therefore no Ruler can justly deprive men of their propriety, unless it be by some Law of God (as in execution of justice on such as forfeit it) or by their own consent, by themselves or their Delegates or Progenitors; And men's lives and Liberties are the chief parts of their propriety. That is the peoples just reserved Property, and Liberty, which neither God taketh from them, by the power which his own Laws give the Ruler, nor is given away by their own foresaid consent*' (Baxter, 1680, 54-5; see Schlatter, 1957, 39, and compare passage from Baxter's *Holy Commonwealth*, cited by Gough, 1950, 80).

What Baxter says here about life, liberty and property shows that he had the same combined definition of property as Locke, both an extended and a specific definition; see Introduction, 115-16 and note on II, § 87, 5-6. It is possible to find many much vaguer hints at what is too loosely called the labour theory of value (in Petty, 1662, for example, of which Locke had the 1667 printing, or even in Hobbes; see Gough, 1950, 81) but these are the only passages in books he may have read known to me which seem to show a systematic resemblance. See also the hint in I, § 42, 12-17.

2-3 Repeated in II, § 173, 5-6; cf. Walwyn, the Leveller quoted Macpherson, 1962, 140.

§ 28 1-4 Compare Pufendorf, *De Jure Naturae*, 1672, IV, iv, 13, '*Quercus erat nullius: quae deciderant glandes ejus fiebant, qui legisset*'.

in the Wood, has certainly appropriated them to himself. No Body can deny but the nourishment is his. I ask then, 5
 When did they begin to be his? When he digested? Or when he eat? Or when he boiled? Or when he brought them home? Or when he pickt them up? And 'tis plain, if the first gathering made them not his, nothing else could. That *labour* put a distinction between them and 10
 common. That added something to them more than Nature, the common Mother of all, had done; and so they became his private right. And will any one say he had no right to those Acorns or Apples he thus appropriated, because he had not the consent of all Mankind to make 15
 them his? Was it a Robbery thus to assume to himself what belonged to all in Common? If such a consent as that was necessary, Man had starved, notwithstanding the Plenty God had given him. We see in *Commons*, which remain so by Compact, that 'tis the taking any part of 20
 what is common, and removing it out of the state Nature leaves it in, which *begins the Property*; without which the Common is of no use. And the taking of this or that part, does not depend on the express consent of all the Commoners. Thus the Grass my Horse has bit; the Turfs my 25
 Servant has cut; and the Ore I have digg'd in any place where I have a right to them in common with others, become my *Property*, without the assignation or consent of any body. The *labour* that was mine, removing them out of that common state they were in, hath *fixed my Property* 30
 in them.

Gough, 1950, draws attention to this parallel, and to Blackstone's account of the clash between Locke on the one hand and both Pufendorf and Grotius on the other in their views on the origin of property. For in spite of the above coincidence about acorns, Pufendorf follows Grotius in assigning the origin of property to universal agreement, not labour. Barbeyrac, in his edition of Pufendorf's *De Jure Naturae*, registers his agreement with Locke's views on this matter, and maintains that Locke was the first to formulate it, earlier than the only other author he quotes, C. G. Titius of Leipzig (1661-1714). He also notes that Locke's discussion grew out of his refutation of Filmer: Barbeyrac, 1734, I, 576-7. Barbeyrac corresponded with Locke (see Introduction, 88), and no man in the early eighteenth century was in a generally better position than he to know about the relationship of his writings with the natural-law jurists and with the whole tradition of social and political theory.

18-30 Locke is using here the language of agrarian enclosure, the parcelling out of the common fields of the traditional manor as private property, which was so marked a feature of English economic history

29. By making an explicit consent of every Commoner, necessary to any ones appropriating to himself any part of what is given in common, Children or Servants could not cut the Meat which their Father or Master had provided for them in common, without assigning to every 5
 one his peculiar part. Though the Water running in the Fountain be every ones, yet who can doubt, but that in the Pitcher is his only who drew it out? His *labour* hath taken it out of the hands of Nature, where it was common, and belong'd equally to all her Children, and *hath* thereby 10
appropriated it to himself.

30. Thus this Law of reason makes the Deer, that *Indian's* who hath killed it; 'tis allowed to be his goods who hath bestowed his labour upon it, though before, it was the common right of every one. And amongst those who are counted the Civiliz'd part of Mankind, who have 5
 made and multiplied positive Laws to determine Property, this original Law of Nature for the *beginning of Property*, in what was before common, still takes place; and by virtue thereof, what Fish any one catches in the Ocean, that great and still remaining Common of Mankind; or what 10
 Ambergriese any one takes up here, is *by the Labour* that removes it out of that common state Nature left it in, *made his Property* who takes that pains about it. And even amongst us the Hare that any one is Hunting, is thought his who pursues her during the Chase. For being 15
 a Beast that is still looked upon as common, and no Man's private Possession; whoever has employ'd so much *labour* about any of that kind, as to find and pursue her, has thereby removed her from the state of Nature, wherein she was common, and hath *begun a Property*. 20

in the sixteenth century, in his own time to some extent, and even more in the eighteenth century; see also II, § 32, 8-12; § 35; §42, 20-2; § 37, 12-32. It is not quite consistent with his statement about enclosure and the Indians in II, § 26, 13-18, for the Indian lived in a state of nature, before compact had taken place. Here '*Commons*' must mean the common land of the traditional manorial system, remaining so 'by Compact'. As Locke makes clear in II, § 35, only the men of the manor, and not just anyone, could usually graze, turf and mine on the common land, and then only if the custom of the manor allowed. It is a bad example of communism. Lines 28-30 contain the only example of Locke transferring labour from one man to another. See the discussion in Macpherson, 1961, Laslett, 1964.
 § 30 1-4 Compare I, § 86, 21-31, note and references.

31. It will perhaps be objected to this, That if gathering the Acorns, or other Fruits of the Earth, &c. makes a right to them, then any one may *ingross* as much as he will. To which I Answer, Not so. The same Law of Nature, that does by this means give us Property, does also bound that Property too. *God has given us all things richly*, 1 Tim. vi. 17. is the Voice of Reason confirmed by Inspiration. But how far has he given it us? *To enjoy*. As much as any one can make use of to any advantage of life before it spoils; so much he may by his labour fix a Property in. Whatever is beyond this, is more than his share, and belongs to others. Nothing was made by God for Man to spoil or destroy. And thus considering the plenty of natural Provisions there was a long time in the World, and the few spenders, and to how small a part of that provision the industry of one Man could extend it self, and ingross it to the prejudice of others; especially keeping within the *bounds*, set by reason of what might serve for his *use*; there could be then little room for Quarrels or Contentions about Property so establish'd.

32. But the *chief matter of Property* being now not the Fruits of the Earth, and the Beasts that subsist on it, but the *Earth it self*; as that which takes in and carries with it all the rest: I think it is plain, that *Property* in that too is acquired as the former. *As much Land* as a Man tills, Plants, Improves, Cultivates, and can use the Product of, so much is his *Property*. He by his Labour does, as it were, inclose it from the Common. Nor will it invalidate his right to say, Every body else has an equal Title to it; and therefore he cannot appropriate, he cannot inclose, without the Consent of all his Fellow-Commoners, all Mankind. 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.*

§ 31 7 Compare I, § 40, 22.

§ 32 1-8 Tyrrell extends the labour theory to the possession of land in the same way as Locke, but with the same difference. Labour confirms a man's property in what he rightfully possesses, 'since the owner hath possessed himself of this land, and bestowed his Labour and Industry upon it' no man can take it away (1681, 112, 2nd pagination). See note on II, § 27.

8-12 The language of agrarian enclosure, see II, § 28, 18-30, and references.

12-14 Compare I, § 45.

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.

33. Nor was this *appropriation* of any parcel of *Land*, by improving it, any prejudice to any other Man, since there was still enough, and as good left; and more than the yet unprovided could use. So that in effect, there was never the less left for others because of his inclosure for himself. For he that leaves as much as another can make use of, does as good as take nothing at all. No Body could think himself injur'd by the drinking of another Man, though he took a good Draught, who had a whole River of the same Water left him to quench his thirst. And 10 the Case of Land and Water, where there is enough of both, is perfectly the same.

34. God gave the World to Men in Common; but since he gave it them for their benefit, and the greatest Conveniencies of Life they were capable to draw from it, it cannot be supposed he meant it should always remain common and uncultivated. He gave it to the use of the Industrious and Rational, (and *Labour* was to be his Title to it;) not to the Fancy or Covetousness of the Quarrelsome and Contentious. He that had as good left for his Improvement, as was already taken up, needed not complain, ought not to meddle with what was already improved by another's Labour: If he did, 'tis plain he desired the benefit of another's Pains, which he had no right to, and not the Ground which God had given him in common with others to labour on, and whereof there was as good left, as that already possessed, and more than he knew what to do with, or his Industry could reach to.

35. 'Tis true, in *Land* that is *common in England*, or any other Country, where there is Plenty of People under

§ 35 Here Locke seems to recognize the inappropriateness of agrarian enclosure to his argument (see note on II, § 28, 18-30), but he persists. His statements are accurate, but vague, and it is interesting that the words 'Country' and 'Parish' are used where 'Manor' might be expected (line 9).

Government, who have Money and Commerce, no one
 can inclose or appropriate any part, without the consent
 5 of all his Fellow-Commoners: Because this is left com-
 mon by Compact, *i.e.* by the Law of the Land, which is
 not to be violated. And though it be Common, in respect
 of some Men, it is not so to all Mankind; but is the joint
 property of this Countrey, or this Parish. Besides, the re-
 10 mainder, after such inclosure, would not be as good to
 the rest of the Commoners as the whole was, when they
 could all make use of the whole: whereas in the beginning
 and first peopling of the great Common of the World, it
 was quite otherwise. The Law Man was under, was rather
 15 for *appropriating*. God Commanded, and his Wants forced
 him to *labour*. That was his *Property* which could not be
 taken from him where-ever he had fixed it. And hence
 subduing or cultivating the Earth, and having Dominion,
 we see are joyned together. The one gave Title to the
 20 other. So that God, by commanding to subdue, gave
 Authority so far to *appropriate*. And the Condition of
 Humane Life, which requires Labour and Materials to
 work on, necessarily introduces *private Possessions*.

36. The measure of Property, Nature has well set, by
 the Extent of Mens *Labour, and the Conveniency of Life*:
 No Mans Labour could subdue, or appropriate all: nor
 could his Enjoyment consume more than a small part; so
 5 that it was impossible for any Man, this way, to intrinch
 upon the right of another, or acquire, to himself, a Property,
 to the Prejudice of his Neighbour, who would still have
 room, for as good, and as large a Possession (after the other
 had taken out his) as before it was appropriated. This
 10 *measure* did confine every Man's *Possession*, to a very
 moderate Proportion, and such as he might appropriate to
 himself, without Injury to any Body in the first Ages of
 the World, when Men were more in danger to be lost, by
 wandering from their Company, in the then vast Wilderness
 15 of the Earth, than to be straitned for want of room to

⁹ 'property'—altered by Locke from "propriety" in 1698; compare title to chapter VII of the *First Treatise*.

§ 36 9–28 The smallness of men's possessions in early Biblical times is commented on in I, § 136, 9–12. This passage is a direct statement of Locke's assumption that the state of nature in contemporary America can be assimilated to the conditions of patriarchal times, compare note on I, § 130.

plant in. And the same *measure* may be allowed still, with-
 out prejudice to any Body, as full as the World seems. For
 supposing a Man, or Family, in the state they were, at
 first peopling of the World by the Children of *Adam*, or
Noah; let him plant in some in-land, vacant places of 20
America, we shall find that the *Possessions* he could make
 himself upon the *measures* we have given, would not be
 very large, nor, even to this day, prejudice the rest of
 Mankind, or give them reason to complain, or think them-
 selves injured by this Man's Incroachment, though the Race 25
 of Men have now spread themselves to all the corners of
 the World, and do infinitely exceed the small number
 [which] was at the beginning. Nay, the extent of *Ground*
 is of so little value, *without labour*, that I have heard it
 affirmed, that in *Spain* it self, a Man may be permitted to 30
 plough, sow, and reap, without being disturbed, upon Land
 he has no other Title to, but only his making use of it.
 But, on the contrary, the Inhabitants think themselves
 beholden to him, who, by his Industry on neglected, and
 consequently waste Land, has increased the stock of Corn, 35
 which they wanted. But be this as it will, which I lay
 no stress on; This I dare boldly affirm, That the same
Rule of Propriety, (*viz.*) that every Man should have as
 much as he could make use of, would hold still in the
 World, without straitning any body, since there is Land 40
 enough in the World to suffice double the Inhabitants had
 not the *Invention of Money*, and the tacit Agreement of
 Men to put a value on it, introduced (by Consent) larger
 Possessions, and a Right to them; which, how it has
 45 done, I shall, by and by, shew more at large.

37. This is certain, That in the beginning, before the
 desire of having more than Men needed, had altered the
 intrinsic value of things, which depends only on their

¹⁶ The *Everyman* text, having misnumbered its paragraphs since II, § 20, starts a new paragraph (§ 36) after 'plant in.', omitting the 'And'—see note on II, § 20, 3.

^{29–39} Private appropriation of waste land in this way was possible all over Spain in Locke's day, and is apparently still the custom in Andalusia. In Aragon the land, in the mountain area, had to be cleared within sixty days to become the property of the cultivator: in Catalonia such ownership became absolute once the plot had been worked, but lapsed if it was left uncultivated for three years: in Castile the labourer could only take enough for himself and his family. See Costa, 1898, 250–63. I owe this reference and information to Dr J. H. Elliott. Compare II, § 184, 30–2.

^{44–5} See II, § 45 and note: II, § 46 on.

usefulness to the Life of Man; or [Men] had *agreed, that*
 5 *a little piece of yellow Metal*, which would keep without
 wasting or decay, should be worth a great piece of Flesh,
 or a whole heap of Corn; though Men had a Right to
 appropriate, by their Labour, each one to himself, as much
 of the things of Nature, as he could use: Yet this could
 10 not be much, nor to the Prejudice of others, where the
 same plenty was still left, to those who would use the same
 Industry. To which let me add, that he who appropriates
 land to himself by his labour, does not lessen but increase
 the common stock of mankind. For the provisions serving
 15 to the support of humane life, produced by one acre of
 inclosed and cultivated land, are (to speak much within
 compasse) ten times more, than those, which are yeilded by
 an acre of Land, of an equal richnesse, lying wast in
 common. And therefor he, that incloses Land and has a
 20 greater plenty of the conveniencys of life from ten acres,
 than he could have from an hundred left to Nature, may
 truly be said, to give ninety acres to Mankind. For his
 labour now supplys him with provisions out of ten acres,
 which were but the product of an hundred lying in com-
 25 mon. I have here rated the improved land very low in
 making its product but as ten to one, when it is much
 nearer an hundred to one. For I aske whether in the wild
 woods and uncultivated wast of America left to Nature,
 without any improvement, tillage or husbandry, a thousand
 30 acres will yeild the needy and wretched inhabitants as many
 conveniencys of life as ten acres of equally fertile land
 doe in Devonshire where they are well cultivated?

Before the Appropriation of Land, he who gathered as
 much of the wild Fruit, killed, caught, or tamed, as many
 35 of the Beasts as he could; he that so employed his Pains
 about any of the spontaneous Products of Nature, as any
 way to alter them, from the state which Nature put them
 in, by placing any of his *Labour* on them, did thereby

§ 37 4 'Men'—added by editor.

12–32 Passage added in two parts in the Christ's copy (see Colla-
 tion), also recalling English agrarian enclosure, or even justifying it;
 see note on II, § 28, 18–30. It is taken by Macpherson (1951, 559 and
 1962, 212 on) to have been inserted by Locke to remove the 'sufficiency
 limitation' on the acquisition of property, which obtained, before money
 was introduced.

35–45 Cited by Kendall, 1941, 72, as a conspicuous example of 'the
 "public" right to interfere with the liberty and property of private
 persons', making against the individualist interpretation of Locke's
 theory of property; see Introduction, 114.

acquire a Property in them: But if they perished, in his
 Possession, without their due use; if the Fruits rotted, or 40
 the Venison putrified, before he could spend it, he offended
 against the common Law of Nature, and was liable to be
 punished; he invaded his Neighbour's share, for he had
no Right, farther than his Use called for any of them,
 and they might serve to afford him Conveniencys of Life. 45

38. The same *measures* governed the *Possession of*
Land too: Whatsoever he tilled and reaped, laid up and
 made use of, before it spoiled, that was his peculiar Right;
 whatsoever he enclosed, and could feed, and make use of,
 the Cattle and Product was also his. But if either the Grass 5
 of his Inclosure rotted on the Ground, or the Fruit of
 his planting perished without gathering, and laying up,
 this part of the Earth, notwithstanding his Inclosure,
 was still to be looked on as Waste, and might be the
 Possession of any other. Thus, at the beginning, *Cain* 10
 might take as much Ground as he could till, and make it
 his own Land, and yet leave enough to *Abel's* Sheep to
 feed on; a few Acres would serve for both their Posses-
 sions. But as Families increased, and Industry enlarged
 their Stocks, their *Possessions enlarged* with the need of 15
 them; but yet it was commonly *without any fixed property*
in the ground they made use of, till they incorporated,
 settled themselves together, and built Cities, and then,
 by consent, they came in time, to set out the *bounds of*
their distinct Territories, and agree on limits between 20
 them and their Neighbours, and by Laws within themselves,
 settled the *Properties* of those of the same Society. For
 we see, that in that part of the World which was first
 inhabited, and therefore like to be best peopled, even as
 low down as *Abraham's* time, they wandred with their 25
 Flocks, and their Herds, which was their substance, freely
 up and down; and this *Abraham* did, in a Country where
 he was a Stranger. Whence it is plain, that at least, a great
 part of the *Land lay in common*; that the Inhabitants valued
 it not, nor claimed Property in any more than they made 30
 use of. But when there was not room enough in the same
 place, for their Herds to feed together, they, by consent,
 as *Abraham* and *Lot* did, *Gen. xiii. 5.* separated and in-

§ 38 10–13 These four lines are a paraphrase of a quotation by
 Filmer from Selden's *Mare Clausum*; see Laslett's edition, 63–4. The
 passage is given in full in I, § 76 and commented upon; see note there.
 33–4 See I, § 135, 7–8, verbal parallel.

larged their pasture, where it best liked them. And for the same Reason *Esau* went from his Father, and his Brother, and planted in *Mount Seir*, Gen. xxxvi. 6.

39. And thus, without supposing any private Dominion, and property in *Adam*, over all the World, exclusive of all other Men, which can no way be proved, nor any ones Property be made out from it; but supposing the *World* given as it was to the Children of Men *in common*, we see how *labour* could make Men distinct titles to several parcels of it, for their private uses; wherein there could be no doubt of Right, no room for quarrel.

40. Nor is it so strange, as perhaps before consideration it may appear, that the *Property of labour* should be able to over-ballance the Community of Land. For 'tis *Labour* indeed that *puts the difference of value* on every thing; and let any one consider, what the difference is between an Acre of Land planted with Tobacco, or Sugar, sown with Wheat or Barley; and an Acre of the same Land lying in common, without any Husbandry upon it, and he will find, that the improvement of *labour makes the far greater part of the value*. I think it will be but a very modest Computation to say, that of the *Products of the Earth* useful to the Life of Man $\frac{1}{10}$ are the *effects of labour*: nay, if we will rightly estimate things as they come to our use, and cast up the several Expenses about them, what in them is purely owing to *Nature*, and what to *labour*, we shall find, that in most of them $\frac{9}{100}$ are wholly to be put on the account of *labour*.

41. There cannot be a clearer demonstration of any thing, than several Nations of the *Americans* are of this, who are rich in Land, and poor in all the Comforts of Life; whom Nature having furnished as liberally as any other people, with the materials of Plenty, *i.e.* a fruitful Soil, apt to produce in abundance, what might serve for food, rayment, and delight; yet for want of improving it by

35-6 See I, § 117, 5-6. It is obvious from these parallels that this paragraph was written with Filmer's argument and Filmer's text in mind. Locke is sketching his account of the passage from a state of nature to a state of society in terms of biblical history.

§ 39 Also clearly directed against Filmer: its argument occupies a great deal of the *First Treatise*, which surely would have been referred to here if it had been written at the time.

labour, have not one hundredth part of the Conveniencies we enjoy: And a King of a large fruitful Territory there feeds, lodges, and is clad worse than a day Labourer in 10 *England*.

42. To make this a little clearer, let us but trace some of the ordinary provisions of Life, through their several progresses, before they come to our use, and see how much they receive of their *value from Humane Industry*. Bread, Wine and Cloth, are things of daily use, and great plenty, yet notwithstanding, Acorns, Water, and Leaves, or Skins, must be our Bread, Drink and Clothing, did not *labour* furnish us with these more useful Commodities. For whatever *Bread* is more worth than Acorns, *Wine* than Water, and *Cloth* or *Silk* than Leaves, Skins, or Moss, that is wholly *owing to labour* and industry. The one of these being the Food and Rayment which unassisted Nature furnishes us with; the other provisions which our industry and pains prepare for us, which how much they exceed the other in value, when any one hath computed, he will then see, how much *labour makes the far greatest part of the value of things*, we enjoy in this World: And the ground which produces the materials, is scarce to be reckon'd in, as any, or at most, but a very small, part of it; So little, that even amongst us, Land that is left wholly to Nature, that hath no improvement of Pasturage, Tillage, or Planting, is called, as indeed it is, *wast*; and we shall find the benefit of it amount to little more than nothing. This shews, how much numbers of men are to be prefer'd to largeness of dominions, and that the increase of lands and the right employing of them is the great art of

§ 42 20-4 A further reference to open-field tillage in England; see II, § 28, 18-30, note and references. The 'wast' (waste) of line 22 was the manorial land outside the fields, often a grazing area of some value, and Locke's implied criticism of the system is once more a little out of place in this context, though it is interesting that he should have made it.

24-32 A marginal addition in the Christ's copy, dating from the later 1690's (probably after 1698) and belonging therefore to the period of Locke's activities at the Board of Trade—see Laslett, 1957 (i). It is very significant of his attitude to that institution and his policy for it, and for King William III's government in its struggle with France, particularly the insistence on increased population (compare I, § 33, 15-30 and note) as against territory as a source of power, and the criticism of the 'narrowness of Party'. The reference to a 'wise and godlike' Prince (compare II, § 166, 1), reveals the sense in which Locke, the enemy of divine-kingship, accepted the metaphor of divinity for the ruler as he thought of him.

government. And that Prince who shall be so wise and godlike as by established laws of liberty to secure protection and encouragement to the honest industry of Mankind against the oppression of power and narrowness of Party will quickly be too hard for his neighbours. But this by the bye. To return to the argument in hand.

43. An Acre of Land that bears here Twenty Bushels of Wheat, and another in *America*, which, with the same Husbandry, would do the like, are without doubt, of the same natural, intrinsic Value. But yet the Benefit Mankind receives from the one, in a Year, is worth 5 *l.* and from the other possibly not worth a Penny, if all the Profit an *Indian* received from it were to be valued, and sold here; at least, I may truly say, not $\frac{1}{1000}$. 'Tis *Labour* then which puts the greatest part of Value upon Land, without which it would scarcely be worth any thing: 'tis to that we owe the greatest part of all its useful Products: for all that the Straw, Bran, Bread, of that Acre of Wheat, is more worth than the Product of an Acre of as good Land, which lies wast, is all the Effect of Labour. For 'tis not barely the Plough-man's Pains, the Reaper's and Thresher's Toil, and the Bakers Sweat, is to be counted into the Bread we eat; the Labour of those who broke the Oxen, who digged and wrought the Iron and Stones, who felled and framed the Timber employed about the Plough, Mill, Oven, or any other Utensils, which are a vast Number, requisite to this Corn, from its being seed to be sown to its being made Bread, must all be charged on the account of *Labour*, and received as an effect of that: Nature and the Earth furnished only the almost worthless Materials, as in themselves. 'Twould be a strange Catalogue of things, that Industry provided and made use of, about every Loaf of Bread, before it came to our use, if we could trace them; Iron, Wood, Leather, Bark, Timber, Stone, Bricks, Coals, Lime, Cloth, Dying-Drugs, Pitch, Tar, Masts, Ropes, and all the Materials made use of in the Ship, that brought any of the Commodities made use of by any of the Workmen, to any part of the Work, all which, 'twould be almost impossible, at least too long to reckon up.

44. From all which it is evident, that though the things of Nature are given in common, yet Man (by being

Master of himself, and *Proprietor of his own Person*, and the actions or *Labour* of it) had still in himself the great Foundation of Property; and that which made up the great part of what he applied to the Support or Comfort of his being, when Invention and Arts had improved the conveniencies of Life, was perfectly his own, and did not belong in common to others.

45. Thus *Labour*, in the Beginning, gave a Right of Property, where-ever any one was pleased to imploy it, upon what was common, which remained, a long while, the far greater part, and is yet more than Mankind makes use of. Men, at first, for the most part, contented themselves with what un-assisted Nature Offered to their Necessities: and though afterwards, in some parts of the World, (where the Increase of People and Stock, with the Use of Money) had made Land scarce, and so of some Value, the several Communities settled the Bounds of their distinct Territories, and by Laws within themselves, regulated the Properties of the private Men of their Society, and so, by Compact and Agreement, settled the Property which Labour and Industry began; and the Leagues that have been made between several States and Kingdoms, either expressly or tacitly disowning all Claim and Right to the Land in the others Possession, have, by common Consent, given up their Pretences to their natural common Right, which originally they had to those Countries, and so have, by positive agreement, settled a Property amongst themselves, in distinct Parts and parcels of the Earth: yet there are still great Tracts of Ground to be found, which (the Inhabitants thereof not having joyned with the rest of Mankind, in the consent of the Use of their common Money) lie waste, and are more than the People, who dwell on it, do, or can make use of, and so still lie in common. Tho' this can scarce happen amongst that part of Mankind, that have consented to the use of Money.

§ 45 Beginning of the argument promised in II, § 36, 44-5, continued until § 51; compare II, § 184.

22-4 It is all mankind, not a particular collection or society, which consents to the use of money, that is precious metals. Locke had stated this in his first writing on money (see note on § 46, 6-8), but this fact is used somewhat obscurely in this paragraph to relate the origin of the property of individuals in objects and the land with the ownership of areas of the earth by nations or states. It was traditional to consider these two forms of ownership side by side, for example, in Grotius and Pufendorf.

46. The greatest part of *things really useful* to the Life of Man, and such as the necessity of subsisting made the first Commoners of the World look after, as it doth the *Americans* now, are generally things of *short duration*; such as, if they are not consumed by use, will decay and perish of themselves: Gold, Silver, and Diamonds, are things, that Fancy or Agreement hath put the Value on, more then real Use, and the necessary Support of Life. Now of those good things which Nature hath provided in common, every one had a Right (as hath been said) to as much as he could use, and had a Property in all that he could affect with his Labour: all that his Industry could extend to, to alter from the State Nature had put it in, was his. He that gathered a Hundred Bushels of Acorns or Apples, had thereby a *Property* in them; they were his Goods as soon as gathered. He was only to look that he used them before they spoiled; else he took more then his share, and robb'd others. And indeed it was a foolish thing, as well as dishonest, to hoard up more than he could make use of. If he gave away a part to any body else, so that it perished not uselessly in his Possession, these he also made use of. And if he also bartered away Plumbs that would have rotted in a Week, for Nuts that would last good for his eating a whole Year, he did no injury; he wasted not the common Stock; destroyed no part of the portion of Goods that belonged to others, so long as nothing perished uselessly in his hands. Again, if he would give us Nuts for a piece of Metal, pleased with its colour; or exchanged his Sheep for Shells, or Wool for a sparkling Pebble or a Diamond, and keep those by him all his Life, he invaded not the Right of others, he might heap up as much of these durable things as he pleased; the *exceeding of the bounds of his just Property* not lying in the largeness of his Possession, but the perishing of any thing uselessly in it.

§ 46 6-8 Compare Locke's *Considerations of Interest and Money*, written about 1668, published in 1692 (see Introduction, 41 and note). 'For mankind, having consented to put an imaginary value upon gold and silver, by reason of their durableness, scarcity, and not being very liable to be counterfeited, have made them, by general consent, the common pledges.' It is universal consent, world-wide, for foreigners are insisted on (*Works*, 1801, v, 22). There is some resemblance between Locke's account of the origin and functions of money and that of Matthew Wren, *Monarchy Asserted*, 1660 (Appendix B, no. 90)—see p. 22 on.

47. And thus came in the use of *Money*, some lasting thing that Men might keep without spoiling, and that by mutual consent Men would take in exchange for the truly useful, but perishable Supports of Life.

48. And as different degrees of Industry were apt to give Men Possessions in different Proportions, so this *Invention of Money* gave them the opportunity to continue to enlarge them. For supposing an Island, separated from all possible Commerce with the rest of the World, wherein there were but a hundred Families, but there were Sheep, Horses and Cows, with other useful Animals, wholesome Fruits, and Land enough for Corn for a hundred thousand times as many, but nothing in the Island, either because of its Commonness, or Perishableness, fit to supply the place of *Money*: What reason could any one have there to enlarge his Possessions beyond the use of his Family, and a plentiful supply to its Consumption, either in what their own Industry produced, or they could barter for like perishable, useful Commodities, with others? Where there is not something both lasting and scarce, and so valuable to be hoarded up, there Men will not be apt to enlarge their *Possessions of Land*, were it never so rich, never so free for them to take. For I ask, What would a Man value Ten Thousand, or an Hundred Thousand Acres of excellent *Land*, ready cultivated, and well stocked too with Cattle, in the middle of the in-land Parts of *America*, where he had no hopes of Commerce with other Parts of the World, to draw *Money* to him by the Sale of the Product? It would not be worth the inclosing, and we should see him give up again to the wild Common of Nature, whatever was more than would supply the Conveniences of Life to be had there for him and his Family.

49. Thus in the beginning all the World was *America*, and more so than that is now; for no such thing as *Money* was any where known. Find out something that hath the *Use and Value of Money* amongst his Neighbours, you shall see the same Man will begin presently to enlarge his Possessions.

50. But since Gold and Silver, being little useful to the

§ 47 Compare *Considerations*: 'Money has a value, as it is capable, by exchange, to procure us the necessaries of conveniences of life, and in this it has the nature of a commodity' (1801, 5, 34).

§ 49 1 Compare II, § 108, 1-2.

Life of Man in proportion to Food, Rayment, and Carriage, has its *value* only from the consent of Men, whereof Labour yet makes, in great part, *the measure*, it is plain, that Men have agreed to disproportionate and unequal Possession of the Earth, they having by a tacit and voluntary consent found out a way, how a man may fairly possess more land than he himself can use the product of, by receiving in exchange for the overplus, Gold and Silver, which may be hoarded up without injury to any one, these metals not spoiling or decaying in the hands of the possessor. This partage of things, in an inequality of private possessions, men have made practicable out of the bounds of Societe, and without compact, only by putting a value on gold and silver and tacitly agreeing in the use of Money. For in Governments the Laws regulate the right of property, and the possession of land is determined by positive constitutions.

51. And thus, I think, it is very easie to conceive without any difficulty, how *Labour could at first begin a title of Property* in the common things of Nature, and how the spending it upon our uses bounded it. So that there could then be no reason of quarrelling about Title, nor any doubt about the largeness of Possession it gave. Right and convenience went together: 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 Controversie about the Title, nor for Incroachment 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.

§ 50 4-18 Passage extensively corrected in the Christ's copy, in such a way as to make parts of text in lines 5-10 unintelligible except by comparison with text in 1st Collected edition, 1714, and 4th edition, 1713; see Collation. The original printed version reads very oddly, containing such phrases as 'the consent of Men have agreed', which has been the subject of some learned commentary—for example, Kendall, 1941, 84.

§ 51 Von Leyden compares this paragraph and §§ 31 and 36 with the statements about property in Locke's eighth *Essay on the Law of Nature* (1954, 204-15).

1-3 This curiously repetitive phrase may also be a result of confusion in Locke's manuscript, here uncorrected.

14 With the end of this paragraph and chapter also ends the section of the 1st edition which could have been involved in the printing difficulties of 1689; compare note on I, § 167, 12, and Laslett 1952 (iv), 1954 (ii).

CHAP. VI.

Of Paternal Power.

52. It may perhaps be censured as an impertinent Criticism in a discourse of this nature, to find fault with words and names that have obtained in the World: And yet possibly it may not be amiss to offer new ones when the old are apt to lead Men into mistakes, as this of *Paternal Power* probably has done, which seems so to place the Power of Parents over their Children wholly in the *Father*, as if the *Mother* had no share in it, whereas if we consult Reason or Revelation, we shall find she hath an equal Title. This may give one reason to ask, Whether this might 10 not be more properly called *Parental Power*. For whatever obligation Nature and the right of Generation lays on Children, it must certainly bind them equal to both the concurrent Causes of it. And accordingly we see the positive Law of God every where joyns them together, 15 without distinction, when it commands the Obedience of Children, *Honour thy Father and thy Mother*, Exod. 20. 12. *Whosoever curseth his Father or his Mother*, Lev. 20. 9. *Ye shall fear every Man his Mother and his Father*, Lev. 19. 3. *Children obey your Parents*, &c. Eph. 6. 1. is the stile 20 of the Old and New Testament.

§ 52 Chapter VI. This chapter is obviously directed against Filmer, who is mentioned by name in § 61, and so seems clearly to belong to the original writing of 1679. Its argument is presented at greater length in the *First Treatise*: there are repetitions of phrases and of biblical citations.

1-3 Compare I, § 23, 26-9, note and references: Strauss, 1953, 221, sees in this a hint by Locke at the status of the 'discourse'; see Introduction, 99, note 45.

9-21 The argument that the mother's authority is equal with that of the father is developed extensively in the *First Treatise*, and a cross-reference is given in I, § 6, 59, again in I, § 11, 35—see, in general, chapter VI of that treatise (§§ 50-73). The appeal to reason is made in I, § 55, and to revelation in I, § 61, where these four texts are cited. 11 'Parental'—see II, § 69, 1 and note.

12 'right of Generation'—particularly attacked in I, § 52: in I, § 18, 20-1 and I, § 50, 22, Grotius is attacked by implication, since Filmer uses him, but there is no reason to suppose that Locke had anyone but Filmer in mind. Hobbes's similar argument in *Leviathan*, chapter 20, looks coincidental: it was attacked by Filmer, 245.