The Ideas Of Collective And Individual Rights In John Locke's Philosophy

John Locke is often referred to as the ‘father of liberalism’ by social science scholars for influencing western democracies. His theories of government and statehood are grounded in his endorsement of individual rights. While Locke is a social contract theorist, he promotes the rights of the individual over the rights of the collective. After parameterizing ‘collective’ and ‘individual’ rights, this paper will explore how Locke uses ‘property’ to endorse the individual rights of men. Locke’s conceptualization of property promotes individualism over collectivism in both the state of nature and in political society – from political society’s conception to its dissolution.

Collective and Individual Rights

Before beginning my analysis, I want to distinguish between ‘individual’ and ‘collective’ rights. While both collective and individual rights seek to uphold freedoms, the subject(s) of these freedoms are divergent (Wenar & Zalta, 2015). As their titles would suggest, individualism promotes the rights of the individual, while collectivism supports the rights of the collective. Further, individual rights are only concerned with the liberties of the individual; they are tethered to the autonomous person and persist even in the absence of a collective body (Kymlicka, 1996). Contrarily, collective rights do not exist independent of a collective body. Rather, they may only exist in the presence of a plurality. Collective rights are generally understood to “refer to the rights accorded to and exercised by collectivities... distinct from... the rights accorded to the individuals who compose the collectivity.” (Kymlicka, 1996, p.45). Thus, collective rights and individual rights can be understood independent of one another.

An example of an individual right, both contemporarily and according to Locke, is the right to life. Locke makes clear this right to life in his discussion on the state of nature (1690/1980, p. 9). Contemporarily, the individual right to life has been enshrined into national and international law(s); such as Article 2 of the United Nations’ Universal Declaration of Human Rights (1948), the Canadian Charter of Rights and Freedoms (1982) and the United States’ Declaration of Independence (1776). Exemplifying collective rights is more complex, as collective rights can take two different forms. Borrowing from Will Kymlicka, “the first [form of collective rights] involves a claim of a group against its own members; the second involves the claim of a group against larger society.” (1996, p. 35). An example of a Lockean collective right is the universal right to common goods, as gifted by God. This right is collective because it limits the power of the individual to benefit the collective body. Locke (1690/1980) emphasises the collective right to common goods when he asserts that “anyone can through his labour come to own as much as he can use in a beneficial way before it spoils; anything beyond this is more than his share and belongs to others.” (pp. 20-21).

While collective and individual rights can be understood independently, they are not mutually exclusive; nor does the presence of one necessarily hinder the other. One may enjoy collective rights and individual rights conjecturally. However, one may also prioritize one set of rights over the other. Liberalists do just that, prioritize individual rights over collective ones (Ball et al.,

2020). Such is also the case with Locke and his social contract theory.

Property as Establishment of Rights

Locke uses property to parameterize individual and collective rights. Individual rights are delineated by one's liberty to possess, foster, and cultivate private property. At this atomic level, property has two formations: as one's body, and as the product of one's labour (Vaughn, 1980, pp. 13-15). Collective rights, however, are circumscribed by the restrictions imposed on an individual's right to possess or harbour property. These restrictions serve as an assurance to the collective that all men shall be able to enjoy the "fruits of the earth" whilst in the state of nature (Locke, 1690/1980, p. 21). In other words, individual liberties are only restricted insofar as they cannot impede the collective's ability to enjoy and make use of the common land.

Although Locke concedes to some property restrictions, he does so to benefit the individual, not the collective. Property rights exist to serve and advance individual liberties. While an individual may be constrained from possessing so much property that it will inevitably spoil, this limitation is employed to benefit the individual more than hinder the individual. Immanuel Kant would understand the restriction of property in the state of nature to be a categorical imperative. Acting rationality, Kant contends that one should "act only according to that maxim by which [one] can at the same time will that is should become a universal law," (Kant, as cited in Johnson and Cureton, 2016). Thus meaning, man will only act in a manner that he would accept all other men to act. This sentiment is echoed by Locke, who firmly believes that individuals are "better off with private property in the state of nature where 'right and convenience [go] together,'" (Vaughn, 1980, p. 20). Thus, property limitations will naturally be embraced by a rational man because he would understand that these restrictions are not exclusive to him, but equally applicable to his neighbours. This assures the individual that he will always be able to acquire his own property without fear of external monopolization. A rational man will impose this categorical imperative unto himself as an act of self-preservation.

Property limitations imposed unto the individual in the state of nature are minimal, as they are not designed to impede individual rights. If Locke favoured collective rights over individual rights, restrictions on property acquisition would be much more severe. Karen Vaughn, an Austrian economist and social scientist, addresses just how property limitations may (or may not) affect an individual. First and foremost, Vaughn (1980) argues that the limitation on property is not fixed (pp. 13-15). There is no specific ration or maximum property allowance that may be universally applied to restrict the cultivation of property (Vaughn, 1980, pp. 13-15). This deduction can be drawn using Locke's discussion Of Property, in which he states that man can enjoy "as much [property] as one can make use of to any advantage of life before it spoils, so much he may by his labour fix a property in," (1690/1980, pp. 20-22). If property limitations are intended to benefit the collective, property would be fixed and allocated. However, Locke does not support a socialist division of property; rather, he promotes individual rights by encouraging liberalist practices.

Locke's liberal ideologies are reinforced by the 'workaround' embedded into the restrictions on property. Although individuals are not permitted to acquiesce so much property that it inevitably spoils, they are able trade perishable goods for non-perishables. Locke does not oppose hoarding all types of property; he only opposes hoarding property which will inevitably be wasted. To illustrate, a man is not be permitted to monopolize apples, however, he can lawfully

retain as many seashells or gemstones as he desires (Locke, 1690/1980, p. 28). The latter is permitted because unlike the former, seashells and gemstones are non-perishable. This caveat promotes capitalism – a liberal system which prioritizes the rights of the individual over the collective (Ball et al., 2020).

In permitting the – arguably – infinite acquisition of non-perishables in the state of nature, individuals have the ability to exploit their neighbours. While Locke does not explicitly endorse such a practice, it may be implicitly recognized. This is because Locke encourages trade and bartering between men (Locke, 1690/1980, pp. 27-30). Moreover, Locke explains that not all property is equal in value. Rather, wine is more valuable that water, bread more valuable than acorns, and cloth more valuable than leaves (Locke, 1690/1980, pp. 26-27). Therefore, a man whose property consists of a dozen loaves of bread is in a better bargaining position than a man with a dozen acorns. Since a dozen loaves of bread are more valuable than a dozen acorns, the owner of the bread is wealthier than the owner of the acorns. This inequality between men is a capitalist notion that seeks to promote individual rights and interests over collectivities. No one or thing can force a wealthy man to give up his property against his will if he has not wasted or spoiled.

A man who lawfully possesses an abundance of property may do whatever he desires with his property – such is his individual right. As such, the man may choose to keep his goods in his possession (so long as they do not, or cannot, spoil) or he may choose to trade his goods for another type of good. Should a man choose to trade his goods, he is not limited by who he may or may not trade with. Locke does not stipulate that individuals ought to trade with specific people. As such, a man may trade with the highest bidder if he so chooses. As a capitalist system would demonstrate, the cost of the individual's goods may rise in accordance to its demand (Ball et al., 2020). Locke was one of the first theorists to discuss the laws of supply and demand. In 1691, shortly after Second Treatise was published, Locke published Some Consideration on the Consequence of the Lowering of Interest and Raising of the Value of Money in which he stated, "the price of any commodity rises or falls, by the proportion of the number of buyers and sellers." (1691, p.30).

Individuals may trade or sell their property to the highest bidder; they have no intrinsic duty to promote equity. Vaughn (1980) supports this interpretation, reasoning that "consent to use money," as per Locke, "implies man's consent to the consequences of a money economy: an unequal distribution of wealth..." (p. 26). It is the property owner's right to reap the highest profits – no matter the external consequences. So long as the goods do not spoil, the individual has no duty to lower the cost of his goods to benefit a poor man who may otherwise go without. Because Locke infuses property rights unto the individual, the collective cannot force an equal division of goods to benefit the commons. Only when men enter into political society are they required to consider the "public good of society," (Locke, 1690/1980, pp. 47-48).

Property, as an underpinning of Locke's understanding of rights, is the principal reason for entering into a political society (1690/1980, p. 47). Locke's conceptualization of society was formulated with individual rights and interests in mind, not collective rights and interests. While man may be subjected to more constraints in a society than in the state of nature, he submits to these constraints to benefit himself, not the collective. One enters into a social contract to protect one's property, and to be provided with companionship (Locke, 1690/1980, pp. 42, 47, 89). If man was not an intrinsically social creature with a necessitating desire to preserve his property, there would be little need for a political society or sovereign to exist.

However, the existence of a political society does not necessitate participation in political society. No man can be forced to enter into a political society and submit to legislative governance against his conscious will (Locke, 1690/1980, pp. 17, 52-53). Further, children born into a political society/state are not bound to remain subjects of that state. When children come of age they have the choice to remain or leave the state which they were born into. Neither children's fathers nor the sovereign have the power to force them to remain subject to the state (Locke, 1690/1980, pp. 63-64). Individual rights and liberties take precedent over the collective body politic. If individual rights did not take precedent, men would be non-consensually obliged to follow an arbitrary ruler – whether or not they were born into political society. However, Locke stipulates that no man can be forced to surrender themselves to arbitrary power or governmental ruling (Locke, 1690/1980, pp. 17, 52-53). Men remain self-governed "till by their own consents they make themselves members of some political society," (Locke, 1690/1980, pp. 13-14). Should a man opt not to consent to the formation of a political society, he shall remain in the state of nature (Locke, 1690/1980, pp. 13-14). Consent is the foundation of political society, it binds the social contract.

Consent, as the foundation of political society, is not impenetrable. Because government and society exist to protect individual liberties and property rights, consent may be absolved when a government fails to fulfill its duties (Locke, 1690/1980, pp. 111-112). Locke (1690/1980) makes this absolution clear in his discussion Of the Dissolution of Government, writing "whenever the legislators endeavor to take away, and destroy the property of the people, or to reduce them to slavery under arbitrary power... [the people] are thereupon absolved from any further obedience [to the state]," (pp. 111-112). Thus meaning, men cannot forcefully be subjected to a sovereign that does not have their best interest in mind. The state exists to serve men and protect the rights of the individual. Men cannot be forced to surrender their individual rights and liberties at the hands of a corrupt sovereign. If a state fails to uphold its fundamental duties, there is no need for a state to exist at all.

Conclusion

Although collective and individual rights both serve a role in John Locke's political philosophies, Locke's writing primarily endorses liberalism's individualist ideologies. As the 'father of liberalism', Locke uses the concept of property to espouse the primacy of individual rights over collective rights. From the state of nature to the conception and dissolution of political society, individual rights ultimately take precedence over collective rights.