

JOHN LOCKE, PHILOSOPHER OF FREEDOM, *IN MEMORIAM*

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On 28 October this year, those convinced of the merits of freedom will commemorate the 300th anniversary of the death of John Locke, whose ideas on philosophy and political economy are still more powerful than is commonly understood. More than anyone else, this English physician, diplomat, civil servant and philosopher has shaped the foundations of modernity and what some now call 'Western values'. He lived from 1632 to 1704, during turbulent times – through Cromwell's republic and the Glorious Revolution of 1688-89, political and social turmoil reminiscent of what we observe in many third-world countries today – and was a steadfast champion of individual freedom and inalienable human rights. As all are born equal, he said, no one can be an absolute ruler. The people are the real sovereign and political power must be controlled by an elected parliament. The government's main role is to protect life, liberty and property. It has no role in controlling prices and interest rates, which are the result of free human interaction in markets.

Locke underpinned his liberal philosophy of government and economy with path-breaking reflections on human psychology and pedagogy. But he, the son of a cloth merchant in the Bristol area, was also a high government official, crossing the bridge from practical affairs to philosophical and moral reflection and back. Our modern civilisation — with its intensive exchange, ceaseless innovation and sustained prosperity — depends for its very survival on three pillars which John Locke identified: limited, secular government, the rule of law, and secure property rights used freely in markets. Government has to be conducted in the interest of the people. The government belongs to the people, not the other way round, he argued. He rejected the notion that the nation is like an extended family with a

ruling patriarch, who can do as he pleases. Instead, he said, free people should adopt rule-bound government to make better use of their 'natural freedom'. His long-held ideas, when they were published in essays and pamphlets, gave philosophical depth to the Glorious Revolution and a cohesive intellectual base to constitutional, limited government, parliamentary representation and the market economy. Locke thus became the first noted philosopher of the democratic-capitalist civilisation that was then emerging in Europe. As labour and skills create the lion's share of wealth, he argued, the people have a natural right to enjoy inviolate private property rights. Owners do not have to prove anything to anyone, as long as they do not harm others. They do not need a government permit to work and use their assets as they see fit. The foremost task of government is to protect private property, so that people can trade the results of their labours and thus increase overall prosperity.

Locke distinguished between law and legislation. He maintained that governments have no authority to take private property away, other than by taxation with parliamentary consent. Where rulers and legislators confiscate private property, he wrote, they act unlawfully, and citizens are entitled to rebel. His views forced Locke into exile in France and Holland, sometimes he even had to live and publish under an assumed name. He returned home when William of Orange was placed on the British throne. Two generations later, the American colonists were to draw explicitly on Locke, when they staged the Boston Tea Party (1773). Locke's contention that rulers are also bound by the law was fairly revolutionary at the time. Others had only recently lost their heads for making similar claims to liberty.

In our times, when governments all around the world habitually inflict legislation and regulations, which confiscate private property rights, Locke's concepts of individual freedom and absolute property rights are again relevant. All too often, legislation places the onus of justifying certain property uses on individual owners, rather than leaving the burden of proof that harm is done to others or the

authorities. Locke would have been outraged by present-day industrial licensing, permit systems and trade controls which take economic rights away of property owners. Governments everywhere confiscate the right of owners of human and physical capital by making people apply for economic activities that should be free. Many of these controls are imposed not to avert alleged harm, but to extract official fees and corrupt payments, and this hinders the advancement of poor, not-so-well connected people. Nothing would empower ordinary people more than the recognition of secure private property rights and their defence by government, as John Locke has stipulated three centuries ago.

John Locke's definition of private property laid the basis for the subsequent take-off in Britain, Europe and North America into sustained economic growth. By now, it has begun to go global. More and more observers in poor countries begin to understand that the growing and often arbitrary constriction of economic freedom by governments is undermining our prosperity, security and liberty. Observers in think tanks between Delhi and Guatemala City, Nairobi and Shanghai now increasingly embrace Locke's concepts of property and government, often even without even knowing his name. Locke would be pleased to know that economic freedom, the rule of law, and rule-bound, secular government are slowly spreading around the world, and with it the blessings (and the adjustment burdens) of modernity.

Locke saw that price controls take private property rights away, and he made a strong case against interest-rate controls. Those who are fighting for an end to capital controls and for the deregulation of product and capital markets may be unaware of Locke's ideas, but they are often employing arguments that he fashioned 300 years ago. And those, who now advocate the unshackling of labour markets, owe Locke a debt of gratitude. He explained that people have self-ownership of their bodies, labour and skills and have an innate right to use these assets as they see fit, as long as they do not harm others.

After wars of religion had nearly destroyed the fabric of British society and pushed many European countries into abject poverty, John Locke advocated religious and civic tolerance and a secular state. He was no doubt inspired by what he observed during his exile in Holland, a much more affluent country at the time than England. His, at the time controversial, advocacy of secular government soon became official policy in Britain and is now accepted around the world — except in a limited number of intolerant and hence rather backward countries, which could benefit from Locke's insights.

His writings, most of which he published late in life, initiated the great classical liberal tradition in the West. It has inspired free men and women ever since to do battle with opportunistic power groups and collectivists of the conservative and the socialist variety. Locke became a hero to the generation that built the constitutional monarchy after the Glorious Revolution, and later inspired the thinkers of the Scottish enlightenment, among them David Hume and Adam Smith. Soon, his ideas were made popular in France by Voltaire and Montesquieu and in Germany by Kant and von Humboldt. Two generations after his death, his ideas were expressed in the French human rights declaration of 1789 that stipulated *liberté, égalité, propriété* (the collectivist-socialist notion of *fraternité* came a little later, when the radicals hijacked the French revolution). At that time, the Americans took his concepts straight into their Declaration of Independence and the amendments to the US Constitution, including the division of the powers of government, the freedom of conscience and the separation of church and state. In our day, the core pillars of Locke's classical liberal thought — equality before the law, constitutional, small government, and free markets built on secure property — are increasingly embraced by young third-world observers, who understand that human creativity requires individual freedom, secure property rights and democracy. Only when that is accepted will prosperity, material security and social harmony become universal.

Rarely, if ever, has a single mind had such a pervasive influence on how people think about government and political economy.

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El 28 de octubre de este año quienes están convencidos de la importancia de la libertad conmemorarán el 300 aniversario de la muerte de John Locke cuyas sobre filosofía y economía política son hoy día mucho más importantes de lo que en general se cree. Más que ningún otro, este científico inglés, diplomático, servidor público y filósofo, contribuyó a forjar los fundamentos de la modernidad y lo que solemos denominar “valores occidentales”. Vivió de 1632 a 1704 durante tiempos turbulentos –entre la República de Cromwell y la Revolución Gloriosa de 1688-89- se mucha confusión política y social que mucho se parecen a los que observamos en muchos de los llamados países del Tercer Mundo hoy. Se erigió como un firme campeón de la libertad individual y los derechos inalienables de la persona. Como todos nacemos iguales, dijo, nadie puede erigirse como soberano absoluto. El pueblo es el soberano real y el poder público debe ser controlado por un parlamento electo. El papel fundamental del gobierno es proteger la vida, la libertad y la propiedad. No es de su competencia el control de los precios y las tasas de interés pues éstos resultan de la libre interacción de los individuos en el mercado.

Locke basó su filosofía libertaria acerca del gobierno y la economía en reflexiones novedosas sobre la psicología humana y la pedagogía. Pero él, hijo de un comerciante de ropa del área de Bristol, fue también un alto oficial de

gobierno, que tendió estableció relaciones entre las cuestiones prácticas de la vida y la cuestiones morales y viceversa.

Nuestra moderna civilización –con su intensivo comercio, innovación incesante y constante prosperidad, depende para su supervivencia de tres pilares claramente identificados por John Locke: Un gobierno secular, limitado; el estado de derecho; y, garantizados derechos de propiedad que faciliten el intercambio en el mercado. El gobierno debe orientarse hacia el interés de las personas. El gobierno pertenece al pueblo, y no el pueblo al gobierno, argumentaba Locke. Rechazó la idea de que la nación es como una gran familia regida por un patriarca que hace lo que le plazca. En su lugar, argumentaba, los individuos en su libertad deberían adoptar un gobierno atado a reglas para poder hacer el mejor uso posible de su “natural libertad”.

Sus ideas, al ser publicadas en forma de panfletos y ensayos, proporcionaron profundidad filosófica a la Revolución Gloriosa y una base intelectual coherente al gobierno constitucional limitado, a la representación parlamentaria y a la economía de mercado. Locke se convirtió en el primer filósofo de la civilización del capitalismo y la democracia que entonces emergía en Europa. Y como el trabajo y las habilidades personales generan una riqueza que algunos consideran “la parte del león”, los individuos tienen el derecho natural a disfrutar de lo que les pertenece pues el derecho a la propiedad es inviolable. Los propietarios no tienen necesidad de “demostrarle” nada a nadie en tanto y en cuanto no han provocado daños a terceros. No necesitan permisos gubernamentales para trabajar y utilizar sus recursos o activos como lo crean conveniente. La tarea primordial del gobierno es proteger la propiedad privada de manera que la gente esté en capacidad de negociar el resultado de su actividad productiva e incrementar así la prosperidad de todos.

Locke distinguió muy bien la ley de la legislación. Sostuvo que los gobiernos no poseen autoridad para dañar, enajenar, la propiedad a no ser por medio de impuestos consensuados parlamentariamente. Dondequiera legisladores y gobernantes confiscan la propiedad privada, escribió, cometen actos contrarios al derecho y los ciudadanos tienen el derecho de rebelarse. Los

puntos de vista sostenidos por Locke lo condujeron al exilio en Francia y Holanda y muchas veces tuvo que vivir y hacer publicaciones bajo nombres supuestos. Regresó a su tierra natal cuando Guillermo de Orange subió al trono de Inglaterra. Dos generaciones más tarde los colonos de lo que hoy son los Estados Unidos de América tuvieron que descansar decididamente sobre John Locke cuando fundaron el Partido del Té en Boston (1773). La idea de Locke respecto a que los gobernantes se encuentran limitados por el derecho fue bastante revolucionaria en aquellos días. No hacía mucho que otros habían perdido sus cabezas por efectuar reclamos semejantes de libertad.

En nuestros tiempos que son tiempos en los gobernantes alrededor del mundo habitualmente leyes y regulaciones que confiscan y atentan contra el derecho a la propiedad, los conceptos lockeanos de libertad individual e inviolabilidad del derecho a la propiedad resultan de nuevo relevantes. Con demasiada frecuencia la legislación exige que los propietarios individuales justifiquen determinados usos de la propiedad en lugar de dejar a terceros o a las autoridades la carga de demostrar que se han inflingido daños a otras personas. Locke se hubiera sentido ultrajado ante las innumerables licencias que se requieren en el ámbito de la industria, el sin fin de permisos y controles que se han impuesto sobre la actividad comercial, que dañan los derechos de propiedad de los individuos. Los gobiernos, aquí y allá, enajenan la propiedad al exigir que se soliciten permisos para el uso del capital humano y material cuando todas las actividades económicas debieran ser libres. Muchos de esos controles son impuestos no para evitar que se inflijan daños a terceros sino para extraer fondos para el gobierno propiciando cobros ilegales y corrupción lo que obstaculiza el avance de los pobres, de la gente que no está “bien conectada”. Nada podría potencializar a las personas ordinarias como el que exista seguridad respecto al derecho a la propiedad y su defensa por parte del gobierno como argumentó John Locke hace trescientos años.