

Why do we need a government?

After the defeat of the British during the War of Independence, the Founding Fathers began to develop the unique American government. By creating the Constitution of the United States of America and later the Bill of Rights, their finished product was how they believed governments should be and what they ought to do or not do.

The main premise of their thinking revolved around Basic Rights. What they did not want was a situation similar to the ideas of Thomas Hobbes. He lived during the English Civil War and saw for himself chaos and suffering.

Thomas Hobbes in his book *Leviathan*, described a state of nature where everyone was equal but they had to do what they needed to do in order to survive. His idea was a savage and brutal life under the times of no laws or police to keep law and order.

Hobbes based his idea about forming government on English contract law. Hobbes said that the people agreed among themselves to “lay down” their natural rights of equality and freedom and give absolute power to a ruler, or sovereign. The sovereign, created by the people, might be a person or a group. The sovereign would make and enforce the laws to secure a peaceful society. This would make life, liberty, and property possible. Hobbes called this agreement the “**social contract.**” Hobbes believed that a government headed by a king was the best form that the sovereign could take. Placing all power in the hands of a king, Hobbes argued, would mean more sure and consistent exercise of political authority. Hobbes also claimed that the social contract was an agreement only among the people and not between them and their king. Once the people had given absolute power to the king, they had no right to revolt against him.

Hobbes warned against the church meddling with the king’s government. He feared religion could become a source of civil war. He thought that the church should be a department of the king’s government. That way the king could closely control all religious affairs. In any conflict between divine and royal law, Hobbes wrote, the individual should obey the king or choose death.

Was this the type of government needed for America? The founding Father thought not so they searched elsewhere.

Before we look further into this, think of a right you believe all people should have.

Now, identify and explain how you think the one right you have identified can be protected.

It’s not that simple, is it? Just imagine what it would have been like in the 1780’s to work on the entire set of laws for a new country?

Most people in American believe what is stated in the Declaration of Independence that everyone has a right to life, liberty and the pursuit of happiness. What Thomas Jefferson wrote was based on the theory of Natural Rights, now called basic rights or fundamental rights. These natural rights came from the English philosopher called John Locke who lived from 1632 to 1704. In his book called *Two Treatises of Civil Government* (1690), he wrote about our three natural rights, Life, Liberty, and Property.

According to John Locke:

- the main purpose of government should be to protect people's natural rights
- kings and queens should NOT have absolute power (power without limits)
- rulers should NOT be able to deprive people of their natural rights

The Founding Fathers justified Locke's theories as many believed that people received these natural rights from God. Others believed that people have them just because it is natural for people to have them.

So how do the people protect their natural rights? Many believed that during a state of nature, where there was no government and now laws, any natural rights would be easily taken away from them.

Imagine what life might be like in a state of nature. Think what this school might be like if there were no rules? Think what might happen if a teacher or principle did not have a right to tell a student what to do?

Locke's theory was that people should agree with each other and give up some freedoms in exchange for protection and security. They should consent to follow some laws in exchange for the protection that these laws would give them. This agreement is called a Social Compact or Social Contract. The people create a government to rule them and protect their natural rights. Basically, the people consent to obeying the laws created by that government.

Of note: Locke also stated that if this government did not do right by the people, then the people have the right to rebel or change this government in order to keep their natural rights and security.

In closing, one last question. **What beliefs about rights are important to Americans today and what rights do you think people should have today?**

A summary of this text is supplemented by a Khan Academy short video:

<https://www.youtube.com/watch?v=f11t0dY5zoc>

