

John Locke's View

"Where there is no law, there is no freedom."

The trial of **Éloïse Mercier** gives us a chance to ask an important question: can a government truly protect people's **natural rights** if it does not treat all people fairly under the law?

Every person—no matter their birth, class, or gender—has natural rights: the right to **life, liberty** (freedom), and **property**. These rights do not come from kings or courts; they come from being human. The job of government is to protect those rights—not to take them away without clear and fair reason.

But in this case, I see signs of injustice. Éloïse was not allowed to have a lawyer. She was **presumed guilty** without strong proof. She was even tortured, which is cruel and goes against the idea that every person has dignity. If a person can be punished before being proven guilty, then what protection do any of us have?

Still, we must not forget: justice depends on evidence. There was a jar with her initials. A maid said she saw something suspicious. A noblewoman died. These facts may not be enough to prove guilt beyond doubt—but they cannot be ignored either. If governments ignore the law to be merciful, they may lose the **trust of the people** they are supposed to protect.

I do not say she is guilty. I do not say she is innocent. I say only this: **any trial must be fair, and all people must be treated as equals under the law.**

The court's choice to sentence her to life in prison instead of death may show that new ideas—about reason, fairness, and human dignity—are starting to take root. That is a good sign. But justice must be the same for everyone, whether rich or poor, noble or midwife.

If a government fails to protect rights—or punishes people without fairness—it loses its **right to rule**. The people then have the right to demand better.

Let this case be a warning—and a lesson. Governments exist **by the consent of the people**, and they must never forget that freedom and justice go hand in hand.

- **Natural rights:** Basic rights everyone is born with (like life and freedom).
- **Liberty:** Freedom from unfair control by others or the government.
- **Presumed guilty:** Treated as guilty before being proven so in court.
- **Dignity:** The basic worth and respect every person deserves.
- **Trust of the people:** The belief that the government is fair and protects everyone.
- **Right to rule:** The government's power to govern, which must be earned by protecting rights.
- **Consent of the people:** The idea that governments get their power only because the people agree to it.

Primary Sources

Source: Project Gutenberg: Second Treatise of Government

1. **Quote (Chapter II):**

"The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions.

- **Relevance:** Locke's emphasis on natural rights to life and liberty directly applies to Éloïse's right to a fair trial. He would argue that the circumstantial evidence and biased prosecution (influenced by clergy and nobility) violate her natural rights, demanding a more equitable process.

2. **Quote (Chapter IX):**

"The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property. To which in the state of nature there are many things wanting."

- **Relevance:** Locke sees government's role as protecting rights, including fair legal treatment. He would likely criticize Éloïse's trial as failing to protect her liberty, especially given her prior wrongful imprisonment, which stripped her of her livelihood.

3. **Quote (Chapter XVIII):**

"Where-ever law ends, tyranny begins, if the law be transgressed to another's harm; and whosoever in authority exceeds the power given him by the law... may be opposed."

- **Relevance:** This suggests Locke would view Éloïse's trial as tyrannical if influenced by prejudice or weak evidence. He might argue that the state's failure to ensure a just process justifies resistance or reform.

Connection to Éloïse's Case: Locke would demand a transparent trial with strong evidence, defending Éloïse's rights against biased accusations. You can use these quotes to argue for due process and protection of natural rights.